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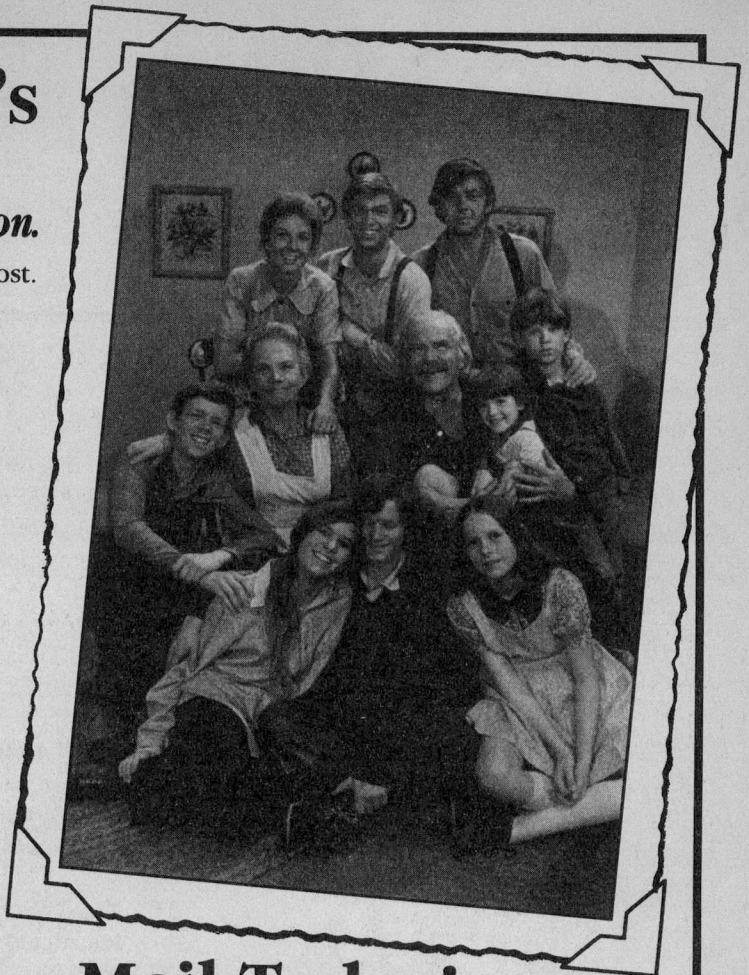
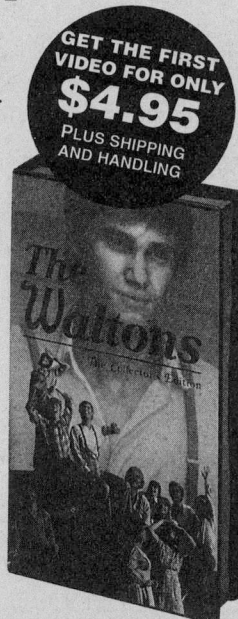
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TRUE WEST

March 1998
Vol. 45, No. 3
Whole No. 359

* Our Cover *

Eleven Peace Officers

Courtesy Oklahoma Historical Society



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FROM THE EDITOR

Howdy ya'll!

I've never been a big fan of tellin' you folks how this magazine works. Hosstail turned the practice into an art form; no one has been able to do it as well since.

But, things seem to be changing around here, so I figure I should crack the window a bit and give you a peek inside the mill. We can consider it our "stockholders meeting," since each and every one of you are an owner in this adventure. You plunk down your hard earned change for our rag, and we listen to your suggestions and concerns when we get 'em.

Now, if you've been with us for some time, as most of you have, you know we've never been much on advertising the fact that we exist. For the past forty-five years *True West* has survived on word of mouth and the honest belief that we produce a pretty fine product, considering our budget and the family-like atmosphere of our staff. A big, flashy mag owned by a major conglomerate we ain't. We have a total staff of five, not including Charlotte's son, Russell, who comes in after school to fill your phone orders. We never have advertised outside of our own publications. Big flashy color ads are way beyond our humble reach.

The reason I'm explaining all this to you is because our "family" is getting ready to be a whole lot bigger. We took a gamble and bought advertising space in one of those oh-so-familiar packets of cards you get in the mail every now and again. Some 250,000 people across the country got one of our subscriptions cards in a packet advertising all sorts of western merchandise.

At first I was a bit skeptical of the endeavor. I figured we had sent out 250,000 potential beer coasters when to my surprise, and delight, some of those cards started coming back! We get a big handful of 'em in the mail just about every day.

As I was going through the stack, I noticed that the majority of our

new subscribers are from northeastern states. This got me to thinking. Every since there was a *West*, people in the East have been curious about 'er. Going all the way back to *Harper's* and Marvin Hunter's original *Frontier Times*, folks from the "original colonies" have had a keen interest in tales from the frontier. I reckon nothing has changed, but why is that? Could be that life in the East offered no cut and dry "good guys" and "bad guys." Out in the West a badge and gun, or the stereotypical "white hats and black hats" were easier to identify than the politicos and robber barons in the East. Reading of the adventures in the West made a quick escape from the problems of life in a big city; thoughts of vast, open lands could comfort a person being robbed of personal space in the city. But what makes eastern folks so interested now? I guess the same things that keep us all interested. When you read about vicious outlaws, renegade Indians, and epic battles for survival, that wait in afternoon traffic or the chore of balancing the checkbook doesn't seem so bad. Feel free to drop me a note explaining why you love the West. I'm always eager to read a friendly letter.

So, to all you new readers out there, allow me to tip my hat and extend a warm welcome. To all you readers who have been with us since I was just a pup, please do me a favor: Go easy on the new folks.

I reckon a new batch of readers means a new batch of mail, requesting information and tales that we've covered extensively. We'll do our best to keep the mix lively and new, and still cover subjects that need retelling every now and again. You folks do your part by making our new readers feel welcome.

Marcus Huff



LITTLE BIGHORN WEAPONS

Trooper's Pistol

Sandy Barnard's article, "Ghosts Along the Little Bighorn" (October 1997), mentions a Colt 1873 Frontier .45 Single Action revolver, Serial # 5100, that Jason Pitch found in 1992, along Reno's retreat route.

I believe we can positively identify the Seventh Cavalry trooper who lost this gun.

William O. Taylor, a young private in Company A, describes losing his Colt .45 in his recently discovered and published manuscript, *With Custer on the Little Bighorn*. Taylor, that day, was a "4th" man, detailed to hold the horses of three soldiers who formed a skirmish line against the Sioux. Taylor joined the retreat to the bluffs, firing all but one of his revolver's loads at

counter-attacking Sioux as he rode.

In Taylor's words, "I reserved one of my six bullets that my revolver contained for 'the last resort,' myself." Taylor's stirrup was ripped while riding through the timber. When his horse took a jump down a dry stream channel, Taylor had to grab for the saddle and in the process dropped his revolver in the weeds.

Mr. Pitch's found revolver also contained one unfired cartridge. The odds of more than one 1873 Colt SAA .45, with a 7-1/2 inch barrel being lost at such a remote site, with one unfired cartridge, seem pretty high.

Several scouts and troopers were killed or captured in the Reno engagement. It seems certain the

Indians recovered all the cavalry casualties' rifles, revolvers, and gear that were visible at the site. The only revolver likely not recovered would have been Taylor's, lost away from the battle in the tall grass.—*Dave Dunn, Leadville, Colorado.*

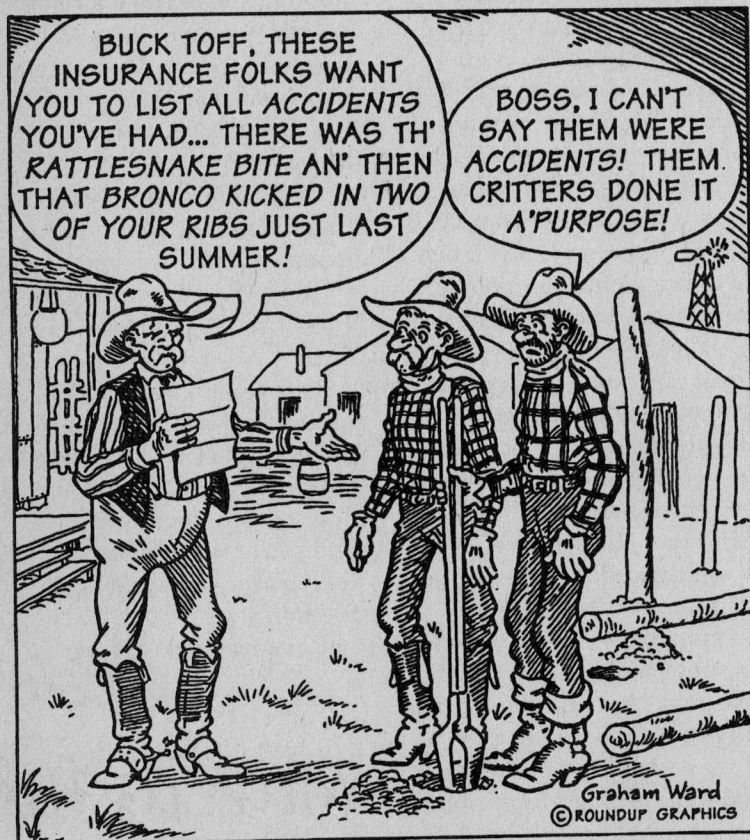
The Doomed Order

I enjoyed the article written by Mr. Brad Prowse in your December 1997 issue, asking the "What if question" for the Battle of the Little Bighorn. The following should be noted:

1. The 1873 Springfield was accepted by Army units following the September 1872 Ordnance Board which compared it with the Spencer, Sharps, and Winchester.
2. The Springfield was favored by Army field units due to its extended ranges required by the vastness of the West. Using the rifle cartridge (.45-70) in the place of the carbine cartridge (.45-55) allowed the cavalry to engage at ranges from 800 to 1,200 yards. The next best weapons, i.e. Spencer or Winchester, had only a 200-yard effective range.
3. Cavalry units liked the Springfield as it was operative in an unclean environment and could discharge twelve rounds a minute in the hands of a skilled trooper.
4. Due to past Indian engagements, the Seventh [Cavalry] expected a rapidly fleeing adversary, not an experienced, determined, and numerically superior force. This is the reason Custer refused the two Gatling guns offered him by General Terry. The engagement was expected to become a long range battle of endurance, until the Indian forces would disengage.
5. Brigadier General Alfred Terry directed the ordnance board of 1872 and in June 1876, commanded the operation of which Custer's

SADDLE PALS

By Graham Ward



Seventh was an integral part. He was close to his field commanders and was not a distant bureaucrat in some far away Washington, DC, office.

6. The reality is that the invincible Seventh Cavalry, the best such unit in the army, commanded by the much decorated and fearless leader, met an equally courageous, determined, and skillful force as itself.—*Thomas W. Vitz, D.D.S., Corpus Christi, Texas.*

Author's Response: In response to Dr. Vitz's points:

1. No argument. The Board met in 1872. The order to suppliant with the .45 Springfield came in 1873. (Reedstrom, *Banners, Bugles and War Bonnets*; Waite & Ernst, *Trapdoor Springfield*.)

2. The .45-70 was quite powerful and accurate, so much so, that in the light carbine, it kicked enough to negate some of that accuracy and long range effectiveness. That's why the .45-55 was used in the carbine, admittedly still more powerful than ammunition for the Spencer/Henry/Winchester.

But the fight was mostly a close-up fight, some long range work on the Reno Hill excepted. And the best armed Indians, maybe as many as 10 percent, had Spencers, Henrys, and Winchester and did OK—they won! (Parsons and du Mont, *Firearms in the Custer Battle*.)

3. The higher brass certainly liked the Trapdoor, but one wonders if it was politically motivated. (Butler, *United States Firearms*.)

It's recorded that the Seventh troopers weren't particularly happy to give up their Spencers and at least one officer wrote that the Terry Board seemed to exhibit bias against any other arms tested. (*The Army and Navy Journal*, January 17, 1874.)

As to firepower, the Spencer could deliver seven shots in twelve to eighteen seconds. (Reedstrom.) It might have been handy in the close-up skirmishes the Indians engaged in that last half-hour of the battle, assuming the ammo packs had been brought up as ordered. As to "ruggedness," it was an Indian

scout who watched part of the battle and later related, "...he could see the men sitting down under fire, and working with their guns..." alluding to soldiers trying to remove shell casings stuck in the trapdoor breach. (Jocelyn, *Mostly Alkali*.)

Reno himself said that 6 out of 380 carbines used by his command suffered this problem and the fighting on Reno Hill wasn't as hot as at the Custer Battlefield. (Reedstrom.)

4. No argument. The fact that Gatlings were usually pulled by condemned horses may have played a part.

5. No argument, although as a department commander, when not in the field, Terry worked from St. Paul, Minnesota, not exactly sleeping on the ground with the troops.

6. Agreed. I only contend that if all of the Seventh had been carrying Spencers—with the ammo in the packs—the outcome would have ended differently. And if all the Indians had been shooting Spencers, it would have ended the same, only faster.—*Brad Prowse, Rough & Ready, California.*

A Fine Stable

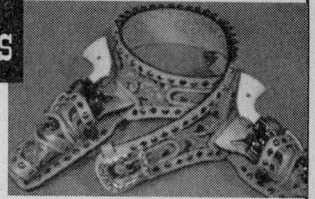
In reference to recent comments about the October issue and recent changes to *True West*, it intrigues me that some people refuse to get out of their cozy rut and broaden their horizons. But then, I am aware that this is a regular thorn in the side of all editors, who of course, are serving a multitude of people comfortably ensconced in their own little worlds. Your balance seems to be outstanding for the number of areas you have to cover. I am glad you have such a fine stable of authors to maintain that balance.—*Robert Oliver, Norman, Oklahoma.*



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Old Trail Town

By Shelley R. Frear

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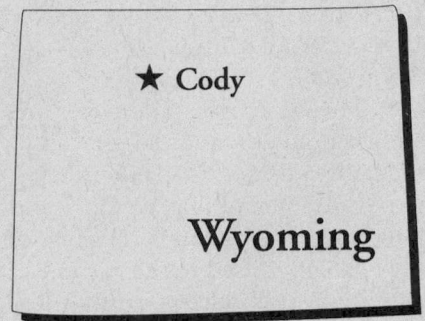
Silhouetted against the Rattlesnake Mountains, Old Town's cabins and saloons host a colorful history, inspiring the imagination to wonder, "if only these walls could talk." The structures include the "Hole in the Wall" cabin used by

Butch Cassidy and the Sundance Kid, and the Rivers Saloon, the oldest remaining saloon in northwest Wyoming, built in 1888. Bullet holes in the door suggest its livelihood in rowdier days.

Visitors may also visit Curley's Cabin, once belonging to General George Custer's Crow scout. Period stores, schools, blacksmith shops, homesteaders' cabins, the "Museum of the Old West," and much more grace the quiet grounds in the largest collection of its kind in Wyoming.

The frontier spirit abounds in the Trail Town Cemetery. Here lies the final burial place of John Johnston,

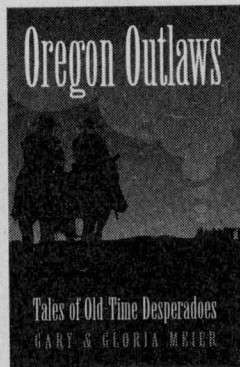
better known as Jeremiah "Liver Eat'n" Johnston; Jim White, famous buffalo hunter; Jack Stilwell; and others. The restless Wyoming wind is a fitting farewell to a breed of men and women who lived a wild and restless life.



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Above, a memorial statue at the grave site of John "Jeremiah Liver Eat'n" Johnston. Below, Old Trail Town, with the Rattlesnake Mountains in the background.

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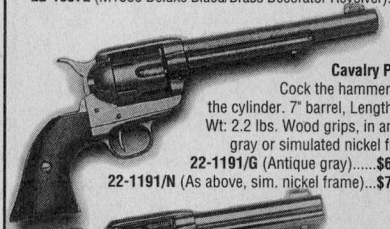


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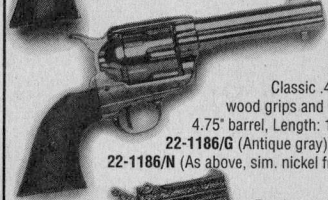
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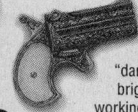
22-1191/G (Antique gray)...\$67 PPD
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1873 "Peacemaker"

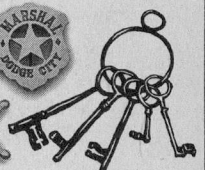
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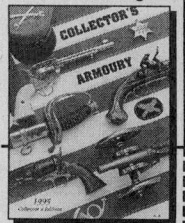
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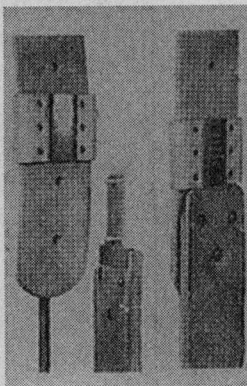
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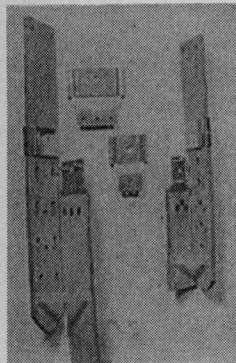


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Colorado Railroad Museum

By Johnny D. Boggs

Trains come in all sizes—from tiny Half O scale models to a 317-ton Chicago Burlington & Quincy locomotive—at the Colorado Railroad Museum in Golden.

More than fifty historic locomotives, cabooses, passenger coaches, freight cars, and other cars are displayed on twelve acres near North Table Mountain. Inside the museum are a replica of an 1880s depot, a book store, and a gift shop and more than 50,000 photographs and artifacts from the state's extensive railroad history from 1867 to today. The basement houses a model exhibit — 45 x 20 feet—with models of several Colorado sites.

But outside is the place for true railroad buffs.

Sitting on rails, most of them narrow gauge, are railroad cars and equipment from the 1880s to the 1960s, many of them open for close inspection.

Historic locomotives include the Denver & Rio Grande Western 2-8-0 (#318), which was built in 1896 for the Florence & Cripple Creek Railroad and pulled the last trains to Pagosa Springs in 1935 and Ouray in 1953.

The Denver & Rio Grande Western 2-8-0 (#346), circa 1881, was the museum's first locomotive. Named "Cumbres," it runs on the museum's track several weekends a year, earning the title of the "oldest operating locomotive in the Rocky Mountain west."

Among the cabooses are #1009, built by Union Pacific in 1882, and #902, a 1924 Denver Tramway prop-

erty that was used on a Denver-area electric line until 1953.

Plows, refrigerator cars, water supply cars, and boxcars are displayed, along with passenger and baggage coaches, Pullman observation cars, a post office car, and even a streamlined electric trolley car.

An eight-page guide, including a map, explains each piece of equipment's history, and signs are posted next to some exhibits. The museum's staff is ready to answer any questions.

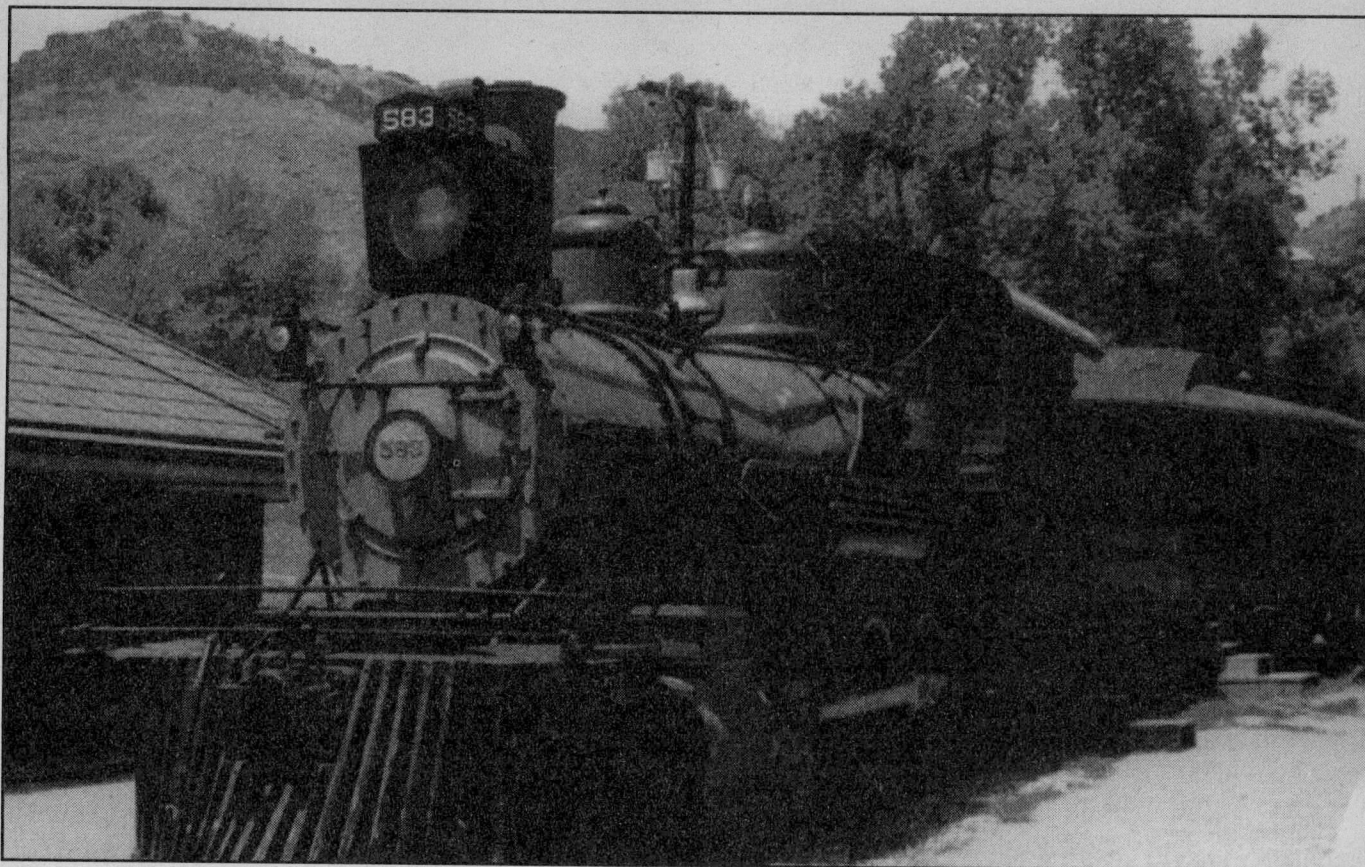
The museum, which attracts 50,000 visitors each year, is located at 17155 W. 44th Avenue in Golden, about twelve miles west of downtown Denver off Interstate 70. It is open daily, except Thanksgiving and Christmas, from 9 AM to 5 PM. Admission is \$3.50 for adults, \$1.75 for children under sixteen, \$7.50 for families and \$3 for seniors over sixty.

For more information, write Colorado Railroad Museum, 17155 W. 44th Avenue, Golden, Colorado 80402. Or call (303) 279-4591 or (800) 365-6263.



★ Golden

Colorado



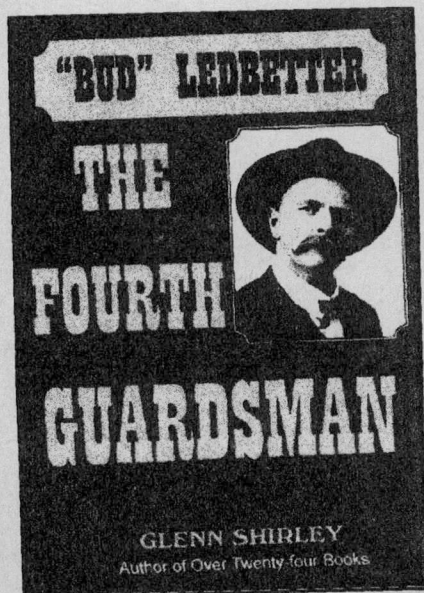
The Denver & Rio Grande 2-8-0 (#583) was built in 1890 for freight service.

Author's photo

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During the 1890s and past the turn of the century, the land of the Five Civilized Tribes--roughly the eastern half of present Oklahoma known as Indian Territory--was a volcanic society ravaged by murder, rape, robbery, whiskey peddling and stock thievery. Into this miasma of crime strode James Franklin Ledbetter as a deputy United States Marshal, wielding a Coltrevolver and a Winchester rifle with which he could shoot the lobe off a man's ear and never put a mark on his jaw. Ledbetter was a former deputy sheriff in Johnson County, Arkansas, where he was known to thieves and killers as one of "The Invincibles." He also served as a city marshal, chief of police and sheriff. The documented events of his career paralleled those of Bill Tilghman, Heck Thomas and Chris Madsen--the triumvirate of man-hunters famed as the "Three Guardsmen"--and are sufficient to distinguish him as the "Fourth Guardsman" of the Oklahoma frontier.

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The Horned Report

New Light on the Death of Pat Garrett

It was mid-morning on Saturday, February 29, 1908, when fifty-seven-year-old Pat Garrett met his fate. The setting was a mesquite-covered desert crossroads commonly called Alameda Arroyo on the desolate Mail Road a few miles east of Las Cruces, New Mexico. A chunk of lead slammed into the back of the Alabama native's head, pushing some of his graying brown hair into his skull. The aging rancher fell forward, hit the ground, and rolled over on his back as a second bullet tore into the front of his body.

Later that morning, a local cow-

boy named Jessie Wayne Brazel walked calmly into the Doña Ana County sheriff's office. Brazel laid a Colt .45 on the desk in front of Deputy Sheriff Felipe Lopez and said he had killed Pat Garrett. The deputy sheriff thought it was a joke until Brazel's companion, Carl Adamson, solemnly confirmed Brazel's story.

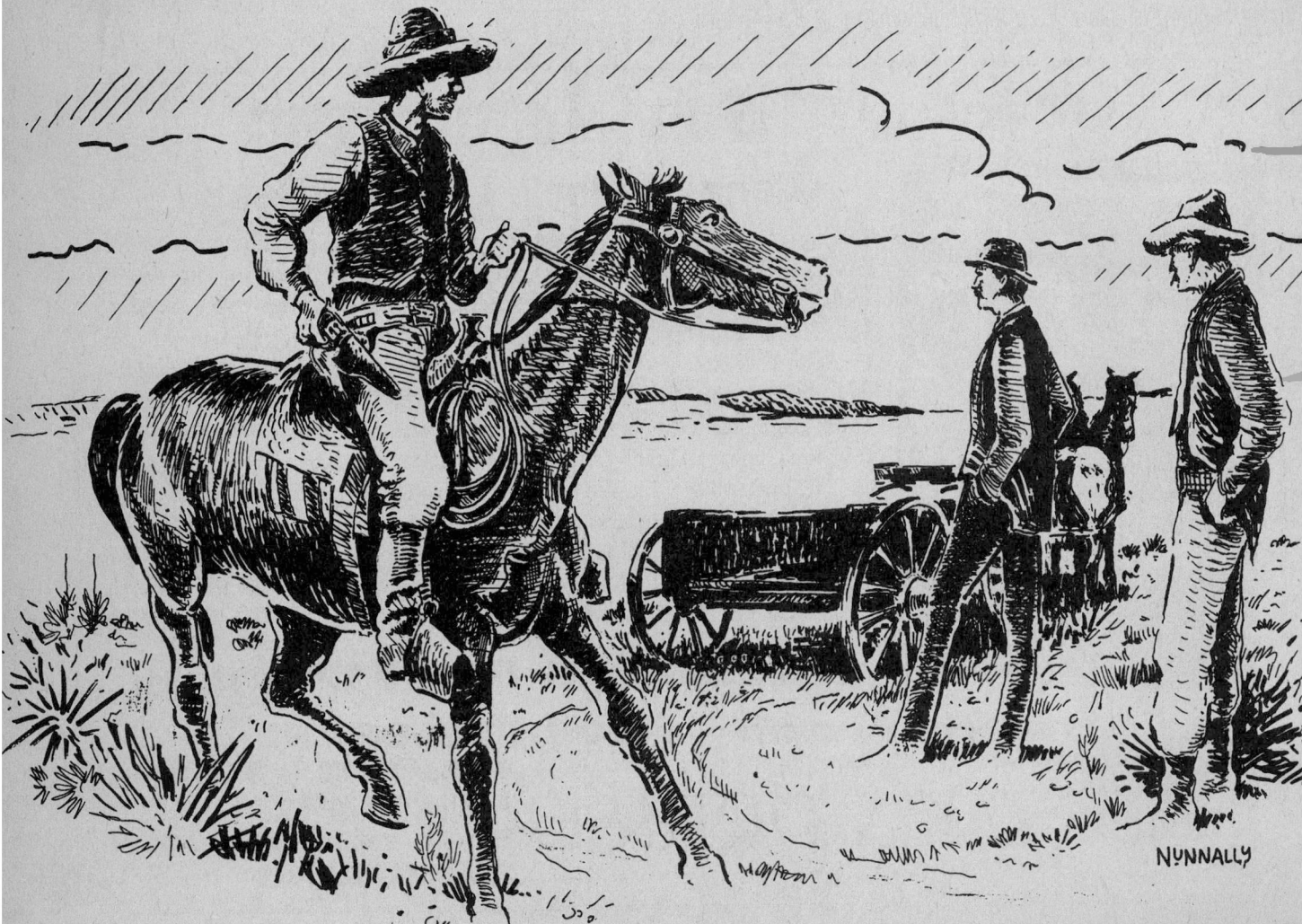
A short time later a sheriff's posse found Garrett lying on his back with his bloody head facing toward the site where, during the killing, Wayne Brazel said he had been sitting on his horse. Wayne claimed that

Garrett had been about to shoot him with his shotgun when he, in self-defense, had been forced to shoot Garrett in the back of the head.

Brazel told the lawmen that Garrett's body had been left where it fell after he had been shot. Garrett's fly was unbuttoned and his lower pant's leg was still damp from urine spray. A wet puddle of sand was at his feet. The old lawman's left hand was ungloved; his shooting hand still wore a heavy leather glove.

On Sunday, March 1, 1908, New Mexico Territorial Governor George

By Chuck Hornung • Illustrated by Michael Nunnally



New Mexico

★ Roswell

★ Las Cruces

Curry, Attorney General James Madison Hervey, and Mounted Police Captain Fred Fornoff made the 280-mile train trip from Santa Fe to Las Cruces for Pat Garrett's funeral. The governor had been asked to serve as one of Garrett's pallbearers. On Monday, Garrett was buried in the Odd Fellow's Cemetery at Las Cruces.

Wayne Brazel was given a preliminary hearing on charges in the murder of Patrick Floyd Garrett, on Tuesday, March 3, 1908. Brazel entered a not guilty plea before Justice of the Peace Manuel Lopez, on the grounds that he had shot in self-defense. Brazel was bound over to the next session of the Doña Ana County grand jury on Monday, April 13, 1908. The nature of the grand jury testimony was not made public, so it is uncertain what evidence was presented to the panel, but it was enough for the grand jury to hand down a true bill.

Wayne Brazel was ordered to be held for trial at the October 1908 term of the district court, to be held at Las Cruces. A wealthy local stockman, W.W. Cox, and six of his rancher friends, posted a \$10,000 bond for Brazel's appearance before the district court. In October, the trial was again postponed, this time until the spring of 1909.

The Third District Court of New Mexico was presided over by Territorial Judge Frank W. Parker. He was the same judge who had presided over the trial, in the summer of 1899, that had freed the men Sheriff Pat Garrett had arrested for the killing of Colonel Albert J.

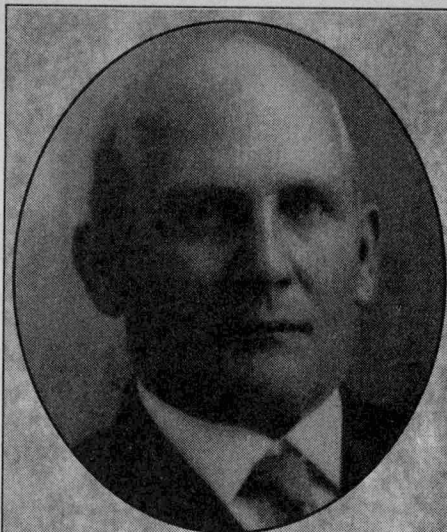
Fountain and his young son in the White Sands. Those men included some of the ranchers who had posted Brazel's bond. Parker was a friend of Brazel's lawyer, Albert Bacon Fall, and had publicly expressed his personal dislike of Pat Garrett on more than one occasion.

Judge Parker finally convened Case Number 4112, the *Territory of New Mexico v. Wayne Brazel*, at 9:00 AM on Monday, April 19, 1909.

W.C. Field was the doctor who had examined Pat Garrett's wounds at the murder scene and he later performed the autopsy on the body. The doctor told the jury that Garrett's head wound came from a bullet that had entered the skull just below the hat line, and had exited on a straight plane with the right eyebrow. This is the type of head wound that a man standing and looking at the ground could have received from a person shooting at him from a level above his head. A person on horseback, or located on a slight incline, could have delivered this type of shot. Garrett's undamaged hat was still on his head when his body was examined at the murder scene.

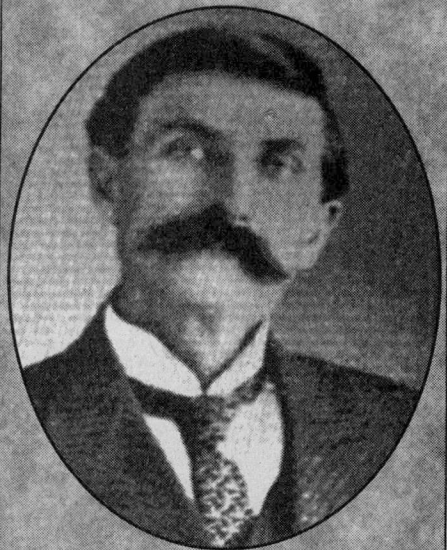
The second entry wound in Garrett's body came from the opposite direction than that of the head shot. A .45 caliber bullet had entered the stomach and took a shallow path upward to where Dr. Field found it lodged behind Garrett's shoulder. The doctor determined that this second bullet had been fired by a person standing at ground level. Had this second shot been fired by a man on horseback, or from a person on an incline, the bullet would have caused a steep angle wound in the stomach and not the shallow path wound that Dr. Field had discovered during the autopsy.

The rest of the prosecution's case was presented with such appalling indifference and incompetence that the district attorney could have stayed at home and he would have presented a better case for the territory. Mark B. Thompson, the district attorney, was a political ally and friend of Brazel's defense lawyer,



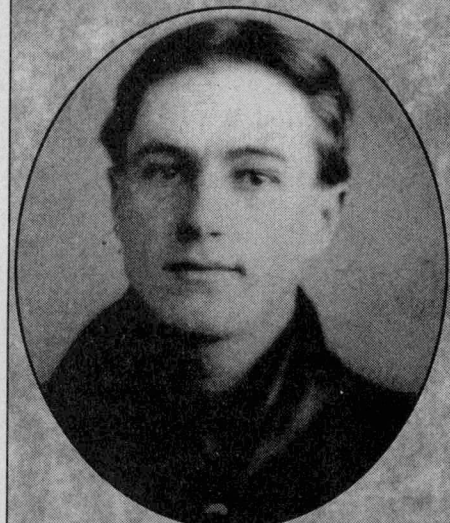
Author's Mounted Police Collection

Captain Fred Fornoff, New Mexico Mounted Police, 1912.



Western Publications

Patrick Floyd Garrett.



Author's Mounted Police Collection

New Mexico Mounted Policeman Fred Lambert, 1911.



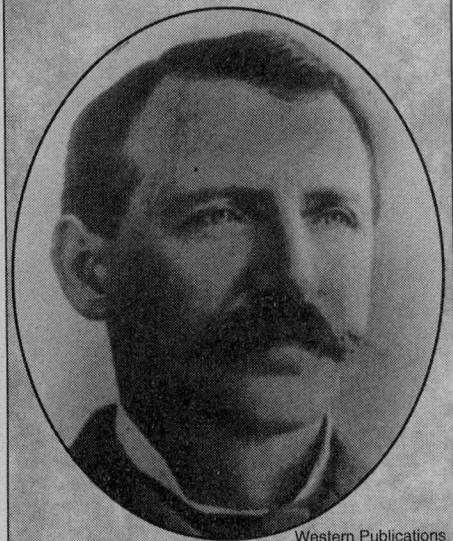
Author's Mounted Police Collection

Jessie Wayne Brazel.



Author's Mounted Police Collection

Carl Adamson, 1918.



Western Publications

Albert Jennings Fountain.

A.B. Fall.

Prosecutor Thompson did not present any evidence to show that Garrett wore a heavy glove on his shooting hand at the time he died, or that Garrett's unloaded Burgess folding shotgun, found at the scene, was still packed in a carrying case. Captain Fred Fornoff was never asked to testify concerning his investigation, nor did Thompson make use of any information uncovered by Captain Fornoff.

The prosecution did not call Carl Adamson to testify, as it had done during the preliminary hearing. He was the only publicly known witness, besides Brazel, to Garrett's murder and he would have been easy to locate.

On December 14, 1908, Carl Adamson had been convicted in an Alamogordo federal court of smuggling Chinese laborers into the United States from Mexico. He was sentenced to a year and a half in prison.

Albert Bacon Fall served as Wayne Brazel's chief defense attorney, but the active members of the defense team were Herbert B. Holt, William A. Sutherland, and Edward C. Wade. The defense presentation was short and to the point as they called only three witnesses. In an odd twist of fate, one of Brazel's character references was Territorial Mounted Policeman John A. Beal. The jury began their deliberations at 5:45 in the afternoon. Within twenty-five minutes, Jessie Wayne Brazel was a free man.

William W. Cox had sat with Wayne Brazel, as a public show of his support, during the cowboy's preliminary hearing and again at his trial. Following Brazel's acquittal, Cox hosted a barbecue celebration at his vast San Augustine Ranch to honor Pat Garrett's confessed killer.

In the 1960s I began my quest to compile a record of the activities of the New Mexico Mounted Police. Early in my research I became acquainted with Fred Lambert of Cimarron, New Mexico, the last living member of the territorial police. We soon developed a close friendship that lasted until Lambert's

death in 1971. Fred Lambert became my mentor during those early years of research and he also became the godfather and name sake for my eldest son.

My conversations with Fred Lambert, many of which were taped, eventually amounted to hundreds of hours as we relived the saga of the Mounted Police. On Saturday, April 13, 1968, our discussions turned to Captain Fred Fornoff's investigation of Pat Garrett's murder.

Captain Fornoff had conducted a personal investigation of the Garrett murder site the day after the killing. He later returned to the Las Cruces area, upon the governor's orders, to conduct an undercover fact-finding mission into Garrett's death. Late in the summer of 1908, Fornoff presented a written narrative of this investigation to Governor Curry. The governor gave the report to Attorney General James Hervey for his review and action. Hervey wrote, before his death, that "Fornoff made the trip to El Paso [Texas] and came back and said he had made a real discovery but he did not know whether he would ever be able to prove it." The account of this mission became known as "The Fornoff Report."

Fred Fornoff, Jr., told me that most of his father's private papers and some of his public papers had been destroyed in a house fire. Captain Fornoff's personal copy of the Garrett investigation may have been lost in this fire. Known to have been consumed in the flames was a large collection of Fornoff family photographs.

My research had led me to believe that the only known copy of The Fornoff Report had been destroyed, along with Attorney General Hervey's personal papers, in 1963. Unless some unknown records were found, historians would never know the whole truth concerning the contents of Captain Fornoff's discoveries. Fred Lambert knew better.

Lambert told me he had seen Captain Fornoff's field notes and the draft copy of the captain's report that had been typed by the

Mounted Police office clerk, Page Otero. When I asked what the report and the notes had contained, Lambert replied, "Let it be. The families of those men are respectable now. Let those closets stay closed. Cap [Fornoff] could've been wrong."

Could Fornoff's perception of the facts have been wrong? Fred Lambert's reply was a simple, "No." Fornoff had found that the so-called "Garrett murder plot" was in fact not a blueprint for murder at all, but a conspiracy to acquire Pat's land to hide illegal Chinese immigrants.

For a few days in October 1911, Lambert, who was stationed in Cimarron, New Mexico, was called to the headquarters in Santa Fe. His assignment was to maintain the Mounted Police office during Captain Fornoff's absence on court duty. The New Mexico Mounted Police had no funding for a full-time office clerk during the closing days of the territorial government, so the seven-man force took turns staffing the office when Captain Fornoff had to be out of Santa Fe on business. Lambert took this opportunity, as a new ranger, to review the open case files.

Lambert told me that when he saw the Garrett murder data, it was stored in a maroon expandable folder, tied with a red ribbon. In 1911 there were three of these large expandable folders, along with other regular size files, stored in the Mounted Police office. One of these large folders contained the official records of the 1910 Mounted Police shootout in the gold camp at Mogollon. The second oversized folder dealt with the 1896 mystery death of A.J. Fountain and his son, Henry. The Garrett folder, according to Lambert, contained various newspaper clippings about the murder and subsequent trial. It also had a few miscellaneous letters, a hand-drawn location map of the murder site, Fornoff's investigation notes, and a typed draft copy of the captain's formal report to the governor.

Captain Fornoff's field notes were basically of two types. The first

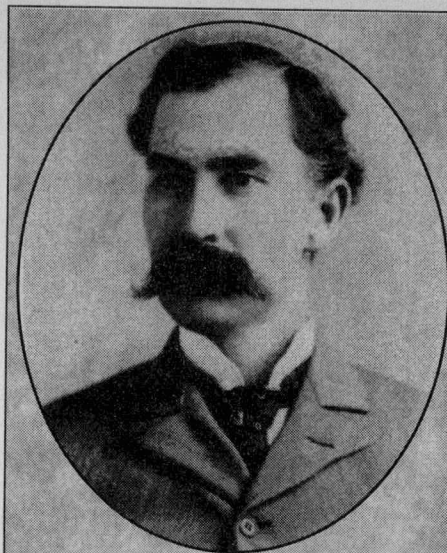
set, hand-written on foolscap, dealt with the actual murder site and comments made by people interviewed around the Las Cruces area. The second batch of notes were a few sheets of stationary from the El Paso County sheriff's office. These papers contained comments gathered by Fornoff from individuals he had interrogated while unofficially visiting El Paso. Lambert especially remembered the Texas sheriff's department letterhead because of the big bold style of the design.

Fornoff asked Mounted Policeman John Beal, who was stationed at Deming, to send him his impressions on the case. Beal knew both Brazel and Garrett, and his remarks, scrawled in blue pencil, were included in Fornoff's folder.

Lambert looked over Fornoff's field notes and had read Otero's draft statement of the investigation, but he truthfully found the eight-year-old murder case uninteresting. The main murder suspect had been found not guilty at his trial; the other matters that Fornoff discussed seemed to be federal crimes and were not something that the Mounted Police would investigate. Lambert said he was more concerned with the file concerning the Mogollon troubles of 1910.

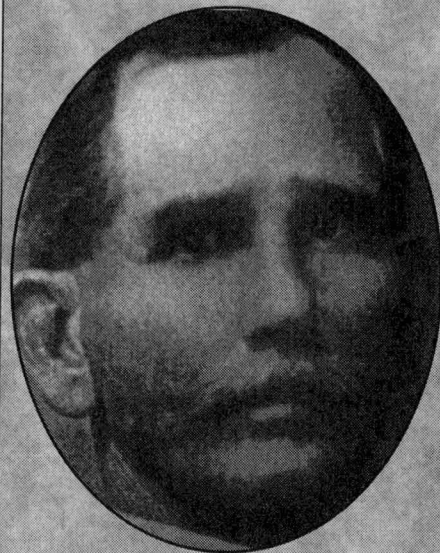
A year later, during the final days of 1912, Fred Lambert and Captain Fornoff discussed the Garrett murder. The subject came up during Lambert's December 21-22 visit to the Mounted Police office.

Early in 1909, prior to Wayne Brazel's trial, some territorial lawmakers had wanted to disband the Mounted Police for "economic reasons." The abolition movement had failed, but the police force had been reduced to half of its original eleven-man strength. Power brokers from the territory's southern counties then tried to block Fred Fornoff's annual appointment as Mounted Police captain. This effort also failed, but only because Fornoff was so popular with the general public, and more importantly, with the governor. During their 1912 conversation, Captain Fornoff told Lambert that he felt that the



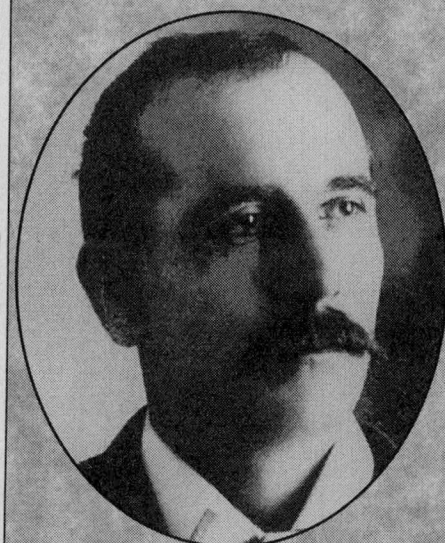
Western Publications

Albert Bacon Fall.



Author's Mounted Police Collection

W.W. Cox.



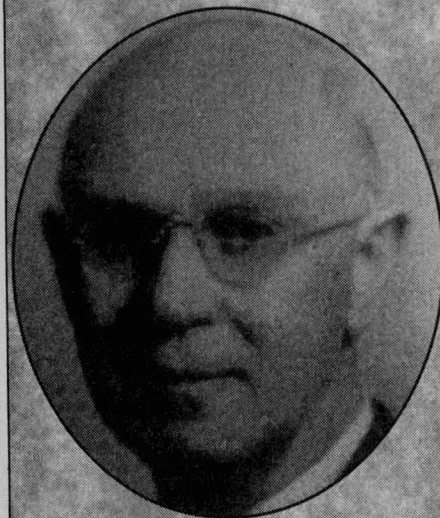
Author's Mounted Police Collection

Oliver Lee.



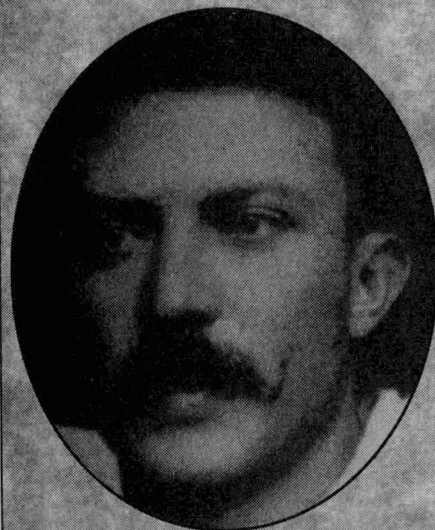
Author's Mounted Police Collection

New Mexico Territorial Governor
George Curry.



Author's Mounted Police Collection

Territorial Attorney General James
Madison Hervey.



New Mexico Game Warden photo

New Mexico Mounted Police Clerk
Page Otero.

Mounted Police would be disbanded when the new state legislature met the following January.

Even after he became chief of New Mexico's rangers, Fred Fornoff had maintained his relationship with high level federal officers from his years as a deputy United States marshal and Secret Service agent. (The captain would later use these same connections to get Fred Lambert a special agent's appointment with the U.S. Indian Service, following Lambert's service with the Mounted Police.)

The Chinese inspection officer was the law enforcement agent under the Chinese Exclusion Act of 1882, and this branch of federal police officer would continue to function until 1943. Fornoff's federal contacts told him that Chinese inspection officers were actively building a case against a small group of men for smuggling illegal Chinese laborers into the United States for use in the mines and on farms in southern Colorado.

One of these suspected Chinese smugglers was an Atchison, Topeka & Santa Fe conductor named Charles Maynard. The federal officers finally arrested and convicted him at Las Cruces of smuggling Chinese into the United States. Maynard's train route ran north, from El Paso to Albuquerque.

The federal officers also suspected, among others, that Mannie Clements, Print Rhode, and Carl Adamson were smugglers. The federal agents had the strongest evidence against Adamson, and they hoped to cut a deal with him in order to convict the others. The lead on Carl Adamson and the other smuggling members had been furnished to the immigration inspection officers by W.C. Field.

Doctor Field treated the federal prisoners housed in the county jail at Las Cruces. Field had treated one of the Chinese prisoners being held for deportation to Angel Island in San Francisco Bay, for a serious injury. In repayment, the man told the doctor about the smugglers. Field passed the story on to U.S. Marshal Creighton Foraker, who in

turn passed the information along to other federal agents. It was at this point that Captain Fred Fornoff began his investigation into Pat Garrett's murder.

The smugglers could easily move across the U.S.-Mexico border into New Mexico. Once in the territory they needed a safe hiding place to hold their human cargo until they could move the workers farther north. Bear Canyon was the ideal location. Located on the route north, the canyon had water and it was remote, yet accessible. The "fly in the ointment" was that the land was owned by Pat Garrett and he had no plans to sell.

In 1902, Pat had mortgaged his ranch and property to Las Cruces businessman Martin Lohmann for \$3,567.50. This note was renewed two years later, but Lohmann was finally forced to sell this note to a third party because of nonpayment by Garrett.

The man who bought the note, discounted to \$2,000, was Pat Garrett's neighbor, W.W. Cox. Cox also renewed the note and then tried to help Garrett make the ranch operation profitable in hopes that Garrett would pay his long overdue bill. In August 1906, Cox may have helped Garrett hide a few head of his cattle herd from the local tax assessor.

The Albuquerque Bank of Commerce and the Doña Ana County Commissioner's Court had each taken Garrett to court for past due debts. In both cases the popular, if not legal, opinion had been on the ex-lawman's side. Garrett owed the bank \$1,000 from a July 1890 debt, while he was six years' delinquent on his property taxes. Cox learned a public relations lesson from these two court cases, and did not want to openly challenge Pat Garrett.

Captain Fornoff believed that the mastermind behind the plot to ruin Garrett was Pat's neighbor, W.W. Cox, along with his in-laws, A.P. "Print" Rhode and Oliver Lee. Cox had married Margaret Rhode and Lee had married her sister, Winnie. Lee had once served as a Doña Ana

County deputy sheriff and held no love for Pat Garrett. Each man had been thrown in jail at least once by Garrett, Lee for the suspected murder of Albert Fountain, Rhode in connection with a bank robbery in 1900.

Garrett, while serving as Doña Ana County sheriff, had tried to connect all of the in-laws to the ambush murders of Albert Fountain and his young son. Pat had often expressed his opinion that it was wealthy stock-rustling ranchers who had ordered the prosecutor's death because Fountain had been so aggressive in his pursuit of cattle and horse rustlers.

Cox, Rhode, and Lee had built their wealth upon a foundation as former livestock rustlers. Now, in the new century, they may have found that easy money could be made by smuggling illegal Chinese workers into the United States via a far west Texas route.

On Saturday, October 7, 1899, Sheriff Pat Garrett and a deputy had killed a wanted man they had tracked to Cox's San Augustine Ranch. Mrs. Cox was at the ranch house and witnessed the killing. There is reason to believe that Print Rhode may have felt that this violent encounter had needlessly endangered the safety of his sister and that he held Pat personally responsible for what he felt was a careless act.

Captain Fornoff's notes, according to Fred Lambert, also contained a few remarks about Jim Miller. Historians have stated that Miller had wanted to buy some southern New Mexico range land on which to run a herd of stolen Mexican cattle. In fact, what Jim Miller wanted was a place to serve as a cover for the Chinese smuggling operation.

It has been stated that W.W. Cox had supplied the money to get rid of Pat Garrett and that this money was funnelled through Albert Bacon Fall. Fall was Cox's personal attorney and was a powerful political boss in his own right. It has also been claimed that Fall passed the Cox money on to Emanuel "Mannie" Clements, an El Paso criminal and former city policeman,

with instructions to find a standby trigger man to kill Garrett. It has been stated that Clements did make such a deal with his brother-in-law, "Deacon Jim" Miller. Jim Miller was widely believed to be a killer-for-hire.

Captain Fornoff did believe that Jim Miller was part of a plot to acquire Garrett's Bear Canyon land, but he did not believe that Jim was part of a plot to kill the old lawman. Fornoff understood that the land grab plot called for one of Cox's range hands, Wayne Brazel, to make a deal with Garrett to lease the Bear Canyon ranch land. It was believed that the cash-strapped Garrett would quickly accept the offer. The five-year lease deal was, however, made between Brazel and Pat's son, Dudley Poe Garrett.

Pat agreed to the deal and assumed that Brazel would graze a small herd of cattle. Wayne Brazel and his new business partner, Print Rhode, quickly moved a large herd of goats onto Garrett's land. Garrett almost had a stroke when he heard about the goats. He was a long time cattleman and held no love for sheep or goats. Just as the plotters had planned, Garrett now became determined to remove the goats from Bear Canyon. Blind emotion seemed to take control of Pat Garrett.

Garrett ordered Brazel to get the goats off his land. Wayne said no to Pat's demand, but he did counter the eviction order by offering to break the lease if Garrett could find a buyer for the goats. Pat agreed to the deal and began to search for someone interested in a goat herd. At this point the plotters sent their own man to see Garrett. The would-be goat buyer was a local criminal named Carl Adamson, Jim Miller's cousin-in-law.

Adamson, together with Jim Miller, inspected the goat herd and agreed to purchase them. The deal was all set until Brazel, who was not a conspirator in the land grab plot, claimed the two goat buyers had under-counted his goat herd and demanded more money before he would approve the sale. Garrett

then asked Adamson if he would agree to buy the additional goats. Adamson said Miller had returned to El Paso and that he would send word for him to talk over the new offer in Las Cruces.

Objectively examining the facts, with the advantage of time, it is hard to believe that a crafty manhunter like Pat Garrett did not know the nature of the men he was dealing with. Maybe the need for hard money, and the smell of goats, had blinded Pat's judgement. Or, maybe Garrett had figured out the trap and had hoped to make it backfire on the plotters.

On Friday, February 28, 1908, Carl Adamson spent the night with Pat and his family at the Garrett ranch. The two men had sent a message to Brazel to meet them the next morning on the road to Las Cruces. Together the three men would then travel to Las Cruces to confer with Jim Miller.

Garrett and Adamson left Pat's ranch in a buggy. When they arrived near the Organ crossroad the two men saw Wayne Brazel, in the distance, talking with another man. The unknown horseman rode away before Garrett's buggy reached the meeting site. Captain Fornoff believed that this mystery rider was Print Rhode.

During Brazel's preliminary hearing, both he and Adamson claimed that Garrett had accused Brazel of lying about the number of goats he and Print Rhode had in Bear Canyon. Brazel said he again claimed he had simply miscounted and that the argument became more heated until Adamson asked Garrett to stop the buggy. Carl said he needed to relieve himself. Garrett and Brazel continued to argue.

Adamson claimed he went to the front of Garrett's buggy near the horse. This move would have placed Adamson in a position to stop the horse from bolting when a gun was fired. At this point Garrett also got out of the buggy, but he walked to the back of the buggy and began to relieve himself. Moments later Pat Garrett was dead.

When Attorney General Hervey, Captain Fornoff, and Carl Adamson visited the Garrett death scene the day after the killing, they found a Winchester cartridge casing up a side arroyo about fifty feet from the murder site.

According to Brazel's testimony, he was mounted when he shot Garrett. The horse Wayne rode belonged to his brother, Rothmer, and was a non-gun shy roping horse named Oso after the OSO brand she wore. A horse with this type of training would have been very useful during an exchange of gunfire.

When Attorney General Hervey, Captain Fornoff, and Carl Adamson visited the Garrett death scene the day after the killing, they found a Winchester cartridge casing up a side arroyo about fifty feet from the murder site. Captain Fornoff also found horse tracks, cigarette remnants, and other signs that indicated, to him, that this site could have served as an ambush nest for an unknown killer.

How new was the cartridge casing? How fresh were the horse tracks and the cigarette butt? Who left them at the site? These questions are issues debated to this day. A person concealed at this site would not have been visible to a person in the little arroyo where Garrett died.

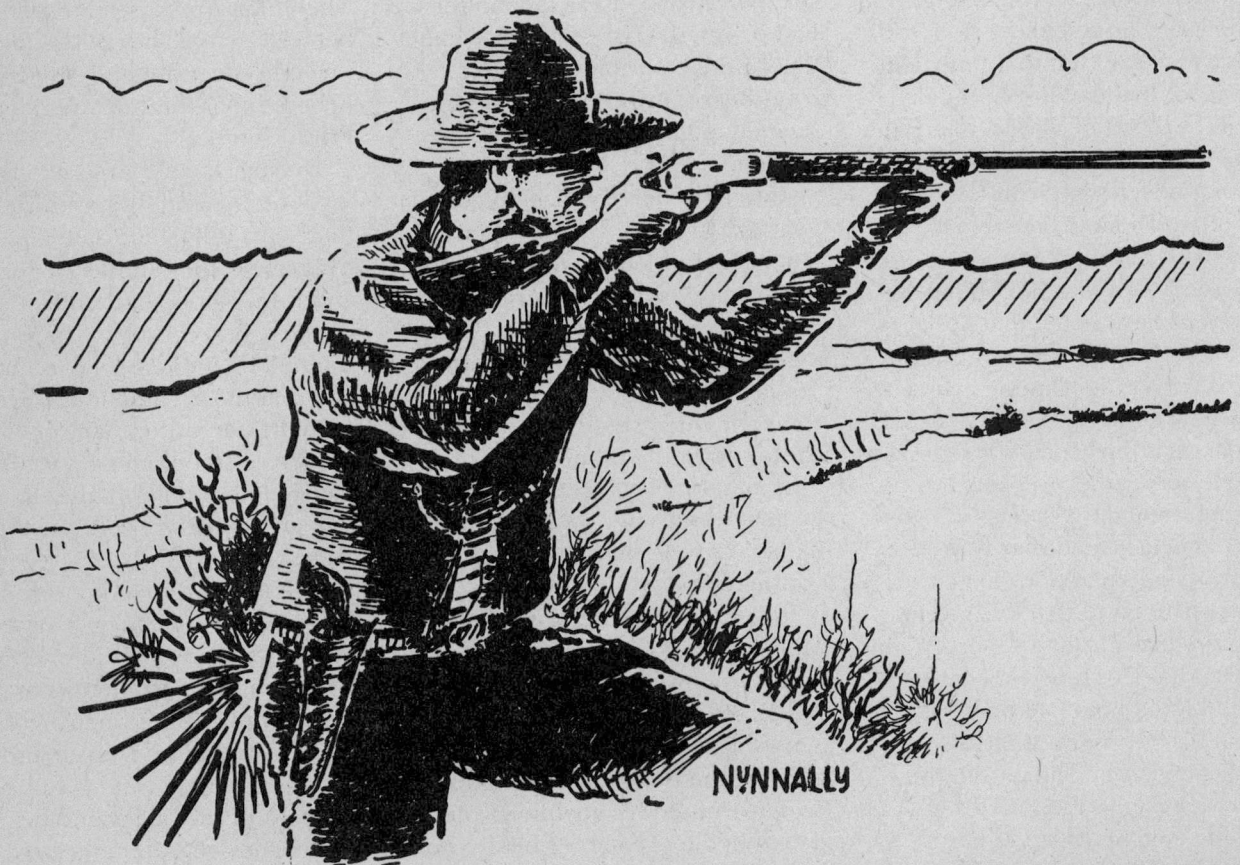
Medical evidence would seem to indicate that Pat Garrett was shot by two different weapons and from two different directions. Neither Wayne Brazel nor Carl Adamson had a rifle with them when Wayne surrendered and confessed to killing Garrett. Brazel gave a Colt .45 to Deputy Sheriff Lopez, claiming it was the pistol he had used to shoot Garrett.

Captain Fornoff assumed that Brazel had no previous knowledge

of a plot to kill Garrett. If Fornoff's belief were true, and Brazel did not shoot Garrett himself, then the cowhand must have been very surprised when Pat was shot while urinating. Surprised as he may have been, Brazel still might have dismounted and placed the second shot into Garrett's body as a show of support for his partner, Print Rhode, who may have fired the first shot from ambush.

Fred Fornoff theorized that if Garrett's shooting had been a true surprise to Wayne Brazel, then it was more likely that Carl Adamson, a Chinese smuggler and land grab plotter, had fired the second shot.

Wayne Brazel may not have known he was the patsy in a plot against Garrett. Brazel may have felt



he was involved in an honest business deal that could make him enough money to start his own ranch and not have to work as someone's range hand. If Wayne really did kill Garrett, he must have done it out of a deep fear of, or a strong hate for, the old lawman. It would take a strong lack of emotion to shoot a man in the back, and then, months later, be able to convincingly lie to a jury about how this back shooting was done in self-defense.

In the end, fate dealt many twists to those involved in the final days of Pat Garrett's life.

Oliver Lee served as a member of the 1919 New Mexico House of Representatives. Interestingly, he voted in favor of a bill to re-establish and fund a full company of the hated Mounted Police. He also served as president of the New Mexico State Cattle Growers Association. Lee died a wealthy and well-respected rancher in December 1941. Today the Oliver Lee Ranch is a New Mexico state park named in his honor.

Territorial Attorney General James Hervey's father had been a friend of Pat Garrett. Hervey was a boyhood friend of western author Emerson Hough. Hough in turn gathered information for his book, *The Story of the Outlaw*, from Pat Garrett. The old lawman earned about \$200 for helping the writer. Hough later warned Pat's son to not try and seek revenge for his father's death or the same men that had killed his father would also kill him.

Governor George Curry was a long-time friend of Pat Garrett. He had campaigned for Garrett to be elected sheriff of Lincoln County, and a few days before Garrett's death, George had loaned Pat \$50. During A.B. Fall's federal conspiracy trial, George Curry testified as a character witness for his former attorney general. Curry lost his federal job as a result of this testimony, so the New Mexico legislature created a job for him as the state historian. Curry spent his last days at Albuquerque's Veteran Administration Hospital where he

died in November 1947. He is buried in the national cemetery at Santa Fe.

Herbert B. Holt was one of Wayne Brazel's defense attorneys. Holt had been Pat Garrett's personal lawyer, while at the same time a political ally of A.B. Fall.

Underworld strongman Emanuel "Mannie" Clements was assassinated in the crowded wine room of Tom Power's Coney Island Saloon, in El Paso, on December 29, 1908. No one admitted seeing who fired the fatal shot and El Paso newspapers hinted that his death was payback for the recent murder of two Chinese immigration agents. Clements was just a few weeks from his sixtieth birthday. He was buried in Evergreen Cemetery. Power was Pat's close friend.

Ironically, Wayne Brazel was acquitted of murder on the same day, April 19, 1909, that Jim Miller was lynched by a mob at Ada, Oklahoma. The Arkansas born killer-businessman had been a Texas Ranger and deputy U.S. marshal and was forty-three at the time of his death.

Carl Adamson married and settled on a sheep ranch, but his venture went bust following the First World War. He died of natural causes on November 11, 1919, and is buried in South Park Cemetery in Roswell, New Mexico. Pat Garrett's son, Jarvis, always believed that Adamson had been the trigger man in his father's murder. Adamson's rancher grandson, Joe Skeen, became a New Mexico congressman.

William Web Cox sued Wayne Brazel in 1913 for recovery of the \$574.80 he had fronted the cowboy for the goat herd on the Bear Canyon Ranch and the additional \$300 he had loaned Wayne to cover his legal fees. Cox got the goats and promptly repossessed Pat Garrett's land for the past due mortgage. Cox developed his livestock empire and was a powerful political boss before his death on December 23, 1923. Ironically, W.W. Cox is buried in the same cemetery as Garrett.

Albert Bacon Fall had played a large roll in Garrett's appointment

as sheriff of Doña Ana County in 1896. In 1921 Fall became a member of President Warren Harding's cabinet. A few years later Fall was disgraced in the Teapot Dome scandal and was sent to federal prison. Fall died, a poor, broken man, on November 30, 1944.

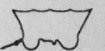
Pat Garrett had known the Brazel family during his Lincoln County days. Pat liked and trusted Jessie Wayne Brazel and his father. In 1910 Wayne married Olive Boyd, a teacher at the Gold Camp School, a short distance from the Garrett ranch.

Wayne and Olive homesteaded a small ranch west of Lordsburg until Olive died in 1911. Three years later, Wayne Brazel walked into oblivion and disappeared. His lawman brother, and later his son, could never locate him.

Fred Lambert related that when Captain Fornoff finished his narrative about the Garrett murder investigation, he leaned back in his chair and lit a cigar. Captain Fornoff took a long draw, blew the smoke at the ceiling, and said, "Ya know, kid, the joke would be if Brazel really done it. It'd ruin a damn nice plot." The ranger chief took another long draw then added, "If it's true, it would explain a helluva lot."

"Cap looked at me to see my reaction," said Lambert. "[He] said I had the same damn look [Attorney General] Hervey had when he had told him that."

Fred Lambert was a lawman most of his adult life. He died on Wednesday, February 3, 1971, at eighty-four. He was honored as the dean of New Mexico peace officers. On the day he died, Lambert wore a special deputy sheriff's badge pinned on his shirt and a New Mexico State Police commission in his pocket. Fred Lambert was buried with full honors near his family in Cimarron's Mountain View Cemetery.



O. HENRY

His Life and His Western Stories

In 1886, Miss Lollie Cave of Houston, Texas, travelled to Austin to visit relatives, bringing with her a pet cat named Henry. During her stay, several suitors came calling, among them a modest, amusing young man of medium height and weight, with a blushing sun tan, strawberry blond hair, and a handle-bar mustache. His name

was William Sydney Porter. When Lollie learned that he was good at writing limericks and the like, she asked him to write a little memento in her journal. He wrote "A Soliloquy by the Cat" and signed it, "O. Henry."

William Sydney Porter, alias O. Henry, creator of Cisco Kid, author of *The Ransom of Red Chief* and fifty

other westerns, was a contemporary of Butch Cassidy and the Sundance Kid, a confidant of Al Jennings, and an adventurer whose years in Texas shaped the writer he became. His stories candidly depict the good and the bad out west, often through characters that are open-faced, fond of hyperbole, and very much alive. His plots were based in part on his



By Lori Lee Wilson
Illustrations by Dick Lee

own experiences, in part on those of acquaintances and friends.

Characters were likewise inspired by people he knew, though some characters, like Cisco Kid, may have been based on legendary personalities he would have read about in newspapers, like Wes Hardin or Billy the Kid. It was with a winking honesty O. Henry offered his readers a full menu: the speech patterns, dress codes, temperaments, preoccupations and appetites, of rangers, outlaws, bankers, vagrants, cowboys, ranch gals, sheepherders, miners, marshals, grafters, Mexican locals, and German immigrants. Porter ate and drank with them, gambled and sang with them, fled and starved with them, talked and listened to them. He worked for the men and fell in love with the women who inspired his fiction.

William Sydney Porter was born in Greensboro, North Carolina, on September 11, 1862. The Civil War was underway, but Greensboro did not witness any momentous battles. Instead, it witnessed memorable peace negotiations in 1865. On April 9, 1865, having learned that General Robert E. Lee had surrendered, Confederate President Jefferson Davis moved to Greensboro in order to avoid General William T. Sherman's cavalry. He was soon joined by about 37,000 Confederate troops. General Sherman came into the area shortly thereafter, with 30,000 Union troops. "The village looked like a tiny islet in a sea of mingled blue and gray," wrote Charles Alphonso Smith. "The boys of the town gathered up eagerly and wonderingly the old muskets and swords thrown away by the Confederates, and built stories about them or fought mimic battles with them."

Will Porter, at age two-and-a-half, was about as tall as the swords were long, but he would hear for years to come boyish accounts of Civil War chivalry. He would also hear of former Confederates from Greensboro who went west after the war, to fight Indians and seek their fortune.

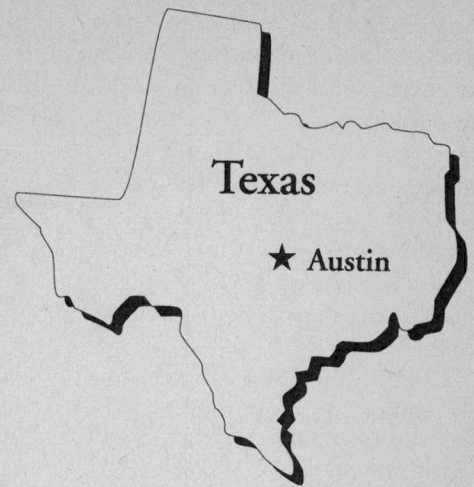
Shortly after Will Porter turned three, his mother died and became

a saint in the boy's mind. His father, an amiable doctor, all but quit his practice, spending more and more time tinkering in the barn with his "inventions," none of which came to anything. It fell to Grandma Ruth Porter, who worked as a seamstress and nurse practitioner, to provide for the family. They never prospered, a fact Porter never forgot.

Left on his own when not in school, Porter swashbuckled with the other boys in town, playing knights of the Round Table, or soldiers and Indians, or else venturing into the woods to fish, hunt, or climb a tree, sit on a limb, and read dime novels about western heroes. He also read literary classics, like *The Three Musketeers* and *Arabian Nights*.

One day, after listening to the local dentist's son, who had recently returned from a sea voyage, talk about his adventures aboard a whaling ship and the profits to be had, Will Porter, and his friend, J.D. Smith, decided they would run away and join a whaling ship's crew. The two boys, who were about twelve-years old, got as far as Raleigh, ran out of money, weighed their options, and decided to go back home. They climbed on top of a boxcar and "soon the train had gotten up good speed," recalled Smith. "I saw the engine disappear around a curve, and it seemed to me that the box car that Will and I were on was going directly to the woods. Then we both gave up as lost, and lay right down on the running board and Will began to repeat, 'Now I lay me down to sleep,' etc. I had my eyes closed, expecting the car to hit the woods every minute. Finally, when nothing happened, it seemed that we both raised up about the same time and just looked at each other. Then Will began his song: 'If you don't stop fooling with my Lula, I'll tell you what I'll do: I'll feel around your heart with a razor And I'll cut your liver out too.'"

In *The Caballero's Way*, Cisco Kid sings a variation on the first two lines of this song, with a holster full



of that brand of confidence young Will Porter was trying to muster atop a boxcar. With equal confidence, Cisco's roan picks its way through a twisted forest of tree-high prickly pear. The Kid is on his way to visit his "Lulu girl," Tonia Perez. He had ceased singing long before he drew near enough to see Tonia seated cozily against Lieutenant Sandridge, who is out looking for the Kid with the intention of killing him. Their conversation reveals that Tonia is happy to help the lieutenant achieve his end. The Kid slips away undetected, but by the end of the story, he is again cawing, "I'll tell you what I'll do," at which point the reader knows precisely how Cisco Kid manages to coldly "feel around your heart with a razor" without shooting anybody.

Will Porter and his friend reached home and never ran away again, but the longing for adventure, the desire to leave Greensboro, remained Porter's fondest hope. He had to wait a few years, but he eventually got his wish. In 1878, at age fifteen, he finished school and began working as a clerk at his uncle's drugstore. A frequent customer was Dr. James Hall. Dr. Hall's grown sons, Lee, Dick, and Frank Hall, had gone west after the war.

Tall, blond, steel-limbed Lieutenant Lee Hall, known in Texas as "Red" Hall, inspired awe in the citizens of Greensboro whenever he came east to visit family. A Texas Ranger, Lee had been the

subject of a good many newspaper articles praising his courage and success in subduing Comanche and desperado bands. Wrote Texas journalist John Elgin, "he has made more badmen lay down their weapons and delivered more desperadoes and outlaws into the custody of the courts, and used his own gun less than any other officer in Texas."

Lee's methodology and reputation match those of Lieutenant Bob Buckley in O. Henry's story, "An Afternoon Miracle." When Lieutenant Buckley catches up with outlaw Leandro Garcia, the latter reaches for his pistol, only to discover that he forgot to put it back in the holster following his amorous visit with Pancha. Buckley, "seeing

Outfitted like a cowboy, Will learned all that McGuire learned and more. He became a sharp-shooter with both rifle and pistol, rode fifteen miles a week, rain, wind or shine, to pick up the mail at Fort Ewell, occasionally rode the forty-mile stretch to San Antonio.

his plight...unbuckled his own belt containing two revolvers, threw it upon the ground, and continued to advance." Garcia drew a bootleg knife and lunged, but Buckley "caught his wrist fair and firm. Then he delivered the good Saxon knock-out blow...and Garcia was down and out, with his head under a clump of prickly pears."

In March 1882, Lee Hall invited his parents to come out west. He had made a fortune in the cattle business and offered them every comfort and convenience in his thirty-five-room hacienda at Dull Ranch, a pleasant buckboard ride from the newly finished Cotulla, Texas, train station. He still carried a cocked rifle with him whenever he went out to inspect his county-sized ranch, but he insisted that the area was peaceful, one or two snipers was all.

Dr. Hall was ready to retire and accepted Lee's invitation. He told his friend, Will Porter, that he and Mrs. Hall would be moving to Texas soon. Porter's cordial congratula-

tions was punctuated by a hacking cough that made the doctor wince. Nineteen-year-old Porter had become a registered pharmacist the year before and had no hope of ever being anything else. Boredom, depression, and a cough that seemed to indicate the onset of tuberculosis—the same illness Porter's mother had died of—caused Dr. Hall to worry about his young friend. A few days before he and Mrs. Hall were to leave, the doctor stopped by the drugstore again and said, "Will, I want you to go with us. You need the change, and ranch life will build you up." He could not have prescribed a better cure.

Ranch life not only built up Porter's physical stamina, it regaled

his imagination. He did not stay at Lee Hall's comfortable hacienda, but instead went to live with Dick Hall and his wife, in their one-room frame house with a wrap-around gallery. It offered about as much protection from the elements as did a tent, but the elements in Texas seemed to have a good effect on Porter's health. He later shaped his experience into a plot for *Hygeia at the Solito*. In it, an easterner named Cricket McGuire, who is afflicted by a "hollow, racking cough," is taken in by a benevolent Texas rancher. At first McGuire is treated like a guest, then the rancher puts him to work, riding, roping, branding, bathing in lake water, and sleeping on the bare ground. The simple, hard life of a cowboy cures McGuire, just as it did Will Porter.

Outfitted like a cowboy, Will learned all that McGuire would learn and more. He became a sharp-shooter with both rifle and pistol, rode fifteen miles a week, rain, wind or shine, to pick up the mail at Fort Ewell, and occasionally

rode the forty-mile stretch to San Antonio. But mostly, he herded Dick Hall's sheep.

The loneliness incurred in the latter occupation is aptly described in O. Henry's story, *The Hiding of Black Bill*, in which the main character recalls, "I was lonelier than Crusoe's goat. I've seen a lot of persons more entertaining as companions than those sheep were. I'd drive 'em to the corral and pen 'em every evening, and then cook my cornbread and mutton and coffee, and lie down in a tent the size of a tablecloth, and listen to the coyotes and whip-poor-wills singing around the camp."

To alleviate shepherd's boredom, Porter read books he found in Dick Hall's library and bought his own whenever he visited Austin or San Antonio, including a Castilian Spanish grammar book (not being content with the Mexican dialect he had picked up) and *Webster's Unabridged Dictionary*. The latter he carried with him at all times, referring to it when he sat down to write. It had a much bigger vocabulary than did the sheep. There were amusing words, elaborate words, surprising words, and a few missing words. Porter learned those too, from a band of outlaws he encountered by accident.

One day, after picking up the mail at Fort Ewell, Porter was on his way back to Dull Ranch when a thunderstorm forced him to take shelter in a cave. It was occupied. A band of fence-cutting, horse- and cattle-stealing outlaws had had the same idea. They probably inspired the band described in "The Passing of Black Eagle." In that story, a band of outlaws takes in a stray hobo called Chicken Ruggles. Porter wasn't anywhere near as talkative as Chicken Ruggles, alias Black Eagle, but he apparently enjoyed the same measure of outlaw hospitality, for he came away with as much as he took in with him.

Will delivered the mail to Dick Hall's wife, inadvertently offending her when he used the speech of outlaws. He would later make a point of avoiding such language in his writ-

ing, and in the presence of women. He had already begun to write short stories and shared them with Mrs. Hall. She liked them and urged him to send them to magazines, but Porter's response to this suggestion was a self-mocking snicker and shrug. Instead, he tore them up and used them for kindling. It took the unswerving faith of a devoted wife to nudge William Sydney Porter into publication.

The ideas of courtship and marriage first struck Will Porter when he caught sight of Clare Crozier, visiting niece to Mr. and Mrs. Monroe Kerr. The Kerrs ran the store and post office at Fort Ewell. In his story, "The Pimienta Pancakes," Porter gives a humorous twist to this first failed courtship. The story relates how a sheep rancher carries off the girl a cowboy had been courting. In real life, a disapproving aunt sent the girl Will Porter had been courting about 200 miles out of reach. "She has vamoosed," he wrote a friend, "and my ideas on the subject are again growing dim." They resurfaced soon after he moved to Austin.

In winter 1884, Lee and Dick Hall sold Dull Ranch. Dick bought another ranch north of Austin and invited Porter to stay on as a sheepherder, but Will was tired of sheep. Instead, he moved to Austin and got a job as a tobacco store clerk, then as a drugstore clerk, then as a bookkeeper at a real estate office. Each evening, when the day's work was done, he'd ask his co-worker, "Want to go bumming?" "Bumming" meant breezing down to the Spanish quarter to dine on chili con carne and maybe practice speaking Spanish, then on to the theater to take in a show, or to a saloon, where he and his friends played cards, drank, and listened to the hyperbole spouted by cowboys, drifters, actors, rangers, and immigrants. It was not long before nearly everybody in Austin had become acquainted with the reserved, self-effacing, quietly gutsy young man known as "Willie Porter." He loved to mix and mingle so much, he joined two militias, the Austin Grays and the Texas Rifles, and the Methodist, Episcopal,

Baptist, and Presbyterian choirs. He and three choir friends formed the Hill City Quartet, which performed at local small theaters and dances, wedding parties and church picnics, and under the windows of select young ladies on moonlit nights. One of these young ladies was nineteen-year-old Athol Estes, whom Porter met at a dance.

Meanwhile, Dick Hall, who now lived in a handsome two-story brick house on the outskirts of Austin, was elected land commissioner. He hired William Porter as his secretary. Porter learned draftsmanship and was soon earning \$100 a month, a good income he thought, except that it did not impress Athol's mother and stepfather, Mr. and Mrs. P.G. Roach. So, when a charcoal miner came into the land office with a map and directions on where to find the lost Bowie Silver Mine, Porter saw opportunity. He got leave from Dick Hall to go treasure hunting with a friend. The adventure is detailed in his story, "Buried Treasure." He and his friend came back sunburned and broke, having spent all their capital exploring "mountains shaped like a pack saddle" and treasureless caves. However, there was another treasure to be had, Madonna-like Athol Estes.

Porter was but one of many suitors, and he was not the favorite of Athol's parents, but he learned through a friend that she did not love the prosperous young man her mother and stepfather wanted her to marry. It was the romantic, entertaining Willie Porter she favored, who serenaded her at night, drew funny cartoons that made her laugh, and looked so splendid in his Texas Rifles Militia uniform.

Knowing the Roaches did not approve of him, Porter asked Athol to elope. She agreed. They were married on July 1, 1887, by the

local Presbyterian minister. Immediately afterwards, they sent a friend to Athol's parents to sue for peace. The Roaches reluctantly accepted William Sydney Porter as their new son-in-law.

The young couple rented an apartment, and later, moved into a





On fair weather days, he bundled her up in quilts, lifted her into a carriage, and took her out to the countryside, where they picnicked under shade trees on patches of curly mesquite grass.

little house in an Austin suburb. Porter began to share his writing with his wife. Athol urged him to send his sketches, profiles, and editorials to newspaper publishers. He did so, to good effect. His writing and cartoons began to appear in the *Detroit Free Press*, New York's *Truth*, the *San Antonio Express*, and elsewhere.

In 1888, Athol bore a son, but he died the same day. A year later, Margaret Worth Porter was born to Athol and William. In winter of the following year, Dick Hall resigned as land commissioner. Soon afterwards, he ran for governor but lost. Had he won, it would have undoubtedly meant fiscal security

for Porter and his little family. Instead, he ended up applying for jobs outside the land office, and was hired by First National Bank of Austin, as a teller, with a beginning salary of \$100 a month. Three years later, he was still earning only \$100 a month. In December 1894, when the bank hired an outsider as head teller, thereby nullifying Porter's hopes for advancement, he quit.

With capital borrowed from the Roaches, Porter and a friend co-founded a satirical newspaper entitled the *Rolling Stone*. He began working long hours, writing articles, drawing cartoons, editing, and producing the *Rolling Stone*. He also became a less reliable husband. On

the excuse that he needed material to write about, he began to "go bumming" again, often coming home very late and very drunk. It was hard on Athol. Her health had begun to deteriorate after their daughter's birth. She had that familiar, consumptive, hacking cough caused by tuberculosis, which escalated, now and again, into a high fever. Unable to look after their house, she and Will had moved into the Roach home, where Will may have felt uncomfortably inadequate. It was only the beginning of troubles.

In 1895, the *Rolling Stone* rolled to a stop. German business owners in Austin boycotted the paper when Porter made one too many ethnic jokes about beer-drinking Germans. Then a British writer he had employed, Henry Ryder-Taylor, vociferously backed the losing politician in the San Antonio mayoral race. The winning politician effectively cut-off advertising support, forcing the paper to fold.

Porter continued to write for other newspapers and began to apply for editorial jobs. He was offered a job with the *Houston Post*, accepted, and moved to Houston in October. Two months later, his wife and daughter and Mrs. Roach joined him, but they returned to Austin in June 1896, partly because Mrs. Roach felt the climate in Houston was not good for Athol and partly because Porter had been served a summons to appear before the federal court at Austin to answer embezzlement charges.

The embezzlement charges came after bank examiners had found that First National Bank of Austin, where Porter had been a teller, had substantial, unexplained "losses," overdrafts, and other irregularities. A grand jury investigation ensued. While the judge subpoenaed a jury, bank officials scrambled to save face. By the time the bank was closed, in February 1896, and grand jury hearings began, most of the losses and overdrafts had been repaid, or were found to be due to clerical errors. But federal bank examiner B.F. Gray was determined to press criminal

charges. When former bank vice-president Frank Hamilton testified that Will Porter, former bank teller, may have been at fault, Gray saw to it that Porter was summoned to court.

As a teller, Porter had signed various bank documents which Hamilton had testified were due to errors on Porter's part, but Porter apparently knew otherwise. Rather than pit his word against Frank Hamilton, or perjure himself, William Sydney Porter fled.

On June 22, 1896, Porter, accompanied by Captain Jack White of the Houston police, boarded the train to Austin. At the Hempstead Station, William gave White the slip, switched trains, and headed for New Orleans. From there he fled to Honduras, where he met Al Jennings and his brothers, who had become fugitives after robbing a train. The scenery in Honduras would later provide the setting for O. Henry's book, *Cabbages and Kings*.

From New Orleans, Porter had written to his wife, explaining that he was innocent, that he had fled because he was sure he would be condemned regardless. From Honduras, he wrote that he hoped she and Margaret could come live with him as soon as she was well enough to travel, that they might make a new home together in his adopted country, that he missed her awfully.

The free-spending Jennings brothers generously included Porter in their flamboyant lifestyle, but all too soon they ran out of money. Threatened with starvation, Porter undertook to provide for himself and the Jenningses by talking restaurant proprietors into acts of charity. Thus the man who used to "go bumming" had become a bum not unlike "Whistling Dick" in "Whistling Dick's Christmas Stocking," set in New Orleans.

Meanwhile, Athol worried about her husband, even while she burned with fever. She undertook to hand-stitch a lace handkerchief, sold it for \$25, and put together a care package for Porter. Mrs. Roach also

O. HENRY: GUILTY OR NOT GUILTY?

By Lori Lee Wilson

When federal bank examiner F.B. Gray examined the bank records at First National Bank of Austin, Texas, he concluded: "In my opinion the bank is not in good condition." Bank examiner Jonathan Gannon came to the same conclusion after looking over bank records on July 31, 1894. He told the bank's president, J.T. Brackenridge, that something must be done. Brackenridge assured him changes would be made. Soon afterwards, he resigned and the bank's largest stockholder, an investment firm called Raymond & Co., transferred the bank's vice-president, Frank Hamilton, to the firm, and appointed James Johnson bank director. Dr. R.J. Brackenridge, son of the former bank president, continued to work as cashier, and H.P. Pfuëfflin was brought in to work as head teller. That is when William Sydney Porter, who had hoped he might be promoted head teller, quit.

On July 31, 1895, bank examiner Gannon returned, and found no real improvements had been made. Johnson had not appointed a president or vice-president. Although Frank Hamilton was no longer vice-president, he apparently still ran the bank, with the help of the cashier, Dr. Brackenridge. Johnson, Hamilton, and Dr. Brackenridge all had overdrawn accounts, each amounting to thousands of dollars.

A total of \$189,000, which was one third of all recorded liabilities and assets, had been charged as "losses," and no dividends had been paid to stockholders for the past ten years. Gannon called for a federal investigation. This was just what Bank Examiner Gray wanted. He had found that Texas bankers were very dexterous when it came to leaping through the

loops in banking laws. If the officials of First National Bank of Austin could be criminally prosecuted and convicted, it would, he hoped, cause all the other bankers in Texas to adhere to the letter of the law. This notion became an obsession with Gray. District Attorney Robert U. Culberson did not share that obsession and proceeded slowly and judiciously.

In February 1896, First National Bank of Austin was closed, a grand jury was assembled, and hearings began. By that time, Johnson, Hamilton, and Brackenridge had worked hard to save their reputations, with good effect. Johnson had appointed himself president, and J.S. Myrick vice president. Dr. Brackenridge formalized all his overdrafts into proper bank loans, and Hamilton and Johnson paid off their overdrafts. The \$189,000 in "losses" were now found to be "due to errors," which, once discovered, were corrected, so that almost all the money was accounted for. As for the payment of dividends, that also had now been corrected and duly recorded. Bank examiner Gray, however, found that about \$4,500 had not been accounted for and insisted it was too large a sum to dismiss as due to "clerical errors." President Johnson blamed former Vice President Frank Hamilton for the short fall. Hamilton paid \$3,000 to the bank, then went to William Porter and asked him to help pay the rest. Porter did not have the money, but his father-in-law, Mr. Roach, agreed to advance the money to Porter, who then paid Hamilton, who then paid the bank.

Hamilton had hoped the American Surety Company,

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wrote: "Athol is dying." On receiving this news, Will Porter sailed to New Orleans, wired Mrs. Roach for \$25, bought a train ticket, and arrived in Austin, unannounced, on February 5, 1897. A week later, he turned himself in to authorities and was released on bond.

In the months that followed, up to the very hour of her death, Will Porter never left his wife's side. On fair weather days, he bundled her up in quilts, lifted her into a carriage, and took her out to the countryside, where they picnicked under shade trees on patches of curly mesquite grass. Perhaps he hoped that by breathing pure air and resting close to the bare ground she would be cured as he had been, but for Athol, it was too late. She died July 25, 1897. Loneliness, depression, and thoughts of Athol's courage in the face of death, pro-

duced the story, "An Afternoon Miracle." It would be the first and last story William Sydney Porter saw published in his own name. The heroine, Alvarita, is a snake charmer, whose eleven foot long Asian python has run away. She calmly goes in search of her deadly pet, showing no fear even when outlaw Garcia threatens her. She greets the timely arrival of Lieutenant Buckley not so much as a rescue attempt, but as a delightful opportunity to watch a good fight.

The Austin court granted Porter a six-month grace period following Athol's death. His trial began on February 15, 1898. Unlike Lieutenant Buckley, he did not fight at all. Two days later, the still mourning defendant listened with silent indifference when the verdict came in: guilty. Sympathetic Judge Thomas Maxey gave him a mini-

mum sentence of five years. Two months later, William Sydney Porter, prisoner #30664, entered Ohio's Columbus State Prison.

A trained pharmacist, Porter was soon put to work in the prison hospital. There he demonstrated Lee Hall's method for enforcing the peace. When a "huge" prisoner became unruly, "and the guard who had brought him had stepped away for the moment, I was looking around for the guard when Sydney Porter, then drug clerk, went over his counter like a panther. All of his 170 lbs. were behind the blow he sent into the man's jaw. The convict came down like a ton of brick." recalled Dr. George W. Williard, Dr. Williard was later replaced by Dr. John M. Thomas, who remembered of Porter: "O. Henry [who had begun writing under his alias] liked the western prisoners, those from

"Sydney Porter, then drug clerk, went over his counter like a panther. All of his 170 lbs. were behind the blow he sent into the man's jaw."



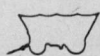
Arizona, Texas, and Indian Territory, and he got stories from them all and retold them in the office. He did not associate very much with any of the inmates...except the western outlaws." One of these western outlaws was Al Jennings, who had concluded that serving a prison term in the United States was better than freedom at starvation wages in Honduras.

Another western outlaw Porter met in prison was Jimmy Connors, a safe-cracking bank robber whom Porter immortalized as "Jimmy Valentine" in his story, "A Retrieved Reformation." Valentine comes to a small western town intent on robbing the bank, but falls in love with the bank owner's daughter and reforms. However, reforming for the love of a woman does not save him. It is an act of heroism, by which he reveals his identity to the detective who had come looking for him, that wins him a pardon.

Pardon is an often repeated theme in O. Henry's stories, perhaps because William Sydney Porter, alias O. Henry, never got one. He was released early on good behavior, on July 24, 1901.

He went to visit his in-laws and daughter, who had moved to Pittsburgh, Pennsylvania. Later, he moved to New York City, where he made a living writing short stories. Though many of his stories are set in turn of the century urban America, about fifty are westerns, set in the 1880s and thereafter. Long popular in Texas, O. Henry's westerns, observed John Seelye, "have a quality of perpetual rejuvenation for which any snake-oil doctor would give the remnants of his soul."

William Sydney Porter, alias O. Henry, died June 5, 1910, of multiple health problems caused mainly by excessive drinking. His last recorded words were: "Turn up the lights. I don't want to go home in the dark."



Continued from Page 23

which had posted bond for Porter in February 1896—when all former and current bank employees had been served warrants—would pay the full amount owed, but the surety company would not do so unless it could be proved that William Porter had taken some or all of the missing \$4,500.

During the hearings, Hamilton said he did not think that Porter had taken any money, but that the former teller made "a series of mistakes." When Porter heard what Hamilton had told the court, he was in a no-win situation. He would either have to lie under oath and admit to errors he had not made, or he would have to tell the truth, pitting his word against that of Frank Hamilton and others. He expressed his sense of hopelessness in a letter to a friend: "The guilty man, if charged, would take the stand and call me a liar. He is not, as I thought, a man of honor, or he would have kept his word to me and straightened the matter out....His word will be taken against mine, because my word is the only thing that accuses him—the books, those silent accusers are pointing fingers of guilt at me.... I took the job [as teller] and held it as a position of trust.... Since I did not report the shortages as they occurred, I can legally be held as an accessory to the fact."

He was so sure he would be condemned, he did nothing in his own defense when he belatedly stood trial, in mid-February 1898. He would not talk to his defense attorneys about what had happened, nor take the stand and testify on his own behalf, nor allow his friends to be character witnesses for the defense.

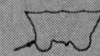
While Porter was in Honduras, the grand jury heard Hamilton and others testify and determined that the evidence against them was too circumstantial. No one was indicted, much to the chagrin

of bank examiner Gray. He accused District Attorney Culberson of being "either incompetent or very indolent."

When Gray learned that Will Porter had returned to Austin in February 1897, he brought criminal charges against him. While Porter nursed his dying wife, Gray prepared for the trial, giving special attention to jury selection. He believed that the previous grand jury had refused to indict anyone because it had been corrupted by a sympathetic juror who explained banking procedures to other jurors in a way that favored the accused. On February 14, 1898, one day before the trial began, the prosecution dropped two of five embezzlement charges originally brought against Porter. The remaining three indictments amounted to a measly \$854.08; indictment #1174 accused Porter of embezzling \$554.48, and indictments #1148 and #1175 for embezzling \$299.60.

During the trial, Gray testified against Porter as a technical witness. Porter offered no defense. Historical analysis of court records reveals that it was on purely technical and circumstantial evidence he was convicted. A verdict of guilty was brought in on all three counts, even though indictments #1148 and #1175 were "based upon the same acts and charge the same offense," his attorneys later argued in an appeal. A sentence of five years was passed on February 17, 1898.

Although Porter did not stand accused of having been a fugitive from justice, mainly because he had turned himself in, it is nonetheless the consensus of historians and biographers that this is one of the main reasons Porter was convicted. His lawyers too, were convinced this was true and argued the point in the court of appeals, but to no effect.



DAVID ADAMS: INDIAN

The history of Oklahoma law enforcement will always be deeply rooted in the violent and tumultuous days of its territorial heritage. Both the lawmen and outlaws from Indian and Oklahoma territories made substantial contributions to the history of the West, despite being overlooked in favor of more glamorous western figures.

Bill Tilghman, Heck Thomas, and Chris Madsen are predominantly the three best-known

Oklahoma lawmen. Unfortunately, names such as Frank Jones, Wiley Haines, Bob Hutchins, Paden Tolbert, or the deadly "Uncle Bud" Ledbetter oftentimes mean little. Yet, all of these men, and others, brought law and order to the wild twin territories. United States Deputy Marshal Dave Adams is a good example of a rough-hewn spirit who adapted himself to the service of advancing civilization in Indian Territory.

Recently new light was shed on

the law enforcement career of Deputy Adams with an addition to the collection of Chick Davis, an Oklahoma antique arms dealer and collector. Specializing in antique arms, primarily those having an established history of ownership by both lawmen and outlaws of the Old West, Davis recently acquired David Adams' Colt revolver, his badge, first federal commission, and several other items owned by the lawman.

Before touching on the career of David Adams, it should be



Author's photo

A portion of David Adams' "tools of the trade" while working as an Indian Territory lawman. The collection changed hands in 1997 but remains in Oklahoma.

TERRITORY LAWMAN

BY AL RITTER

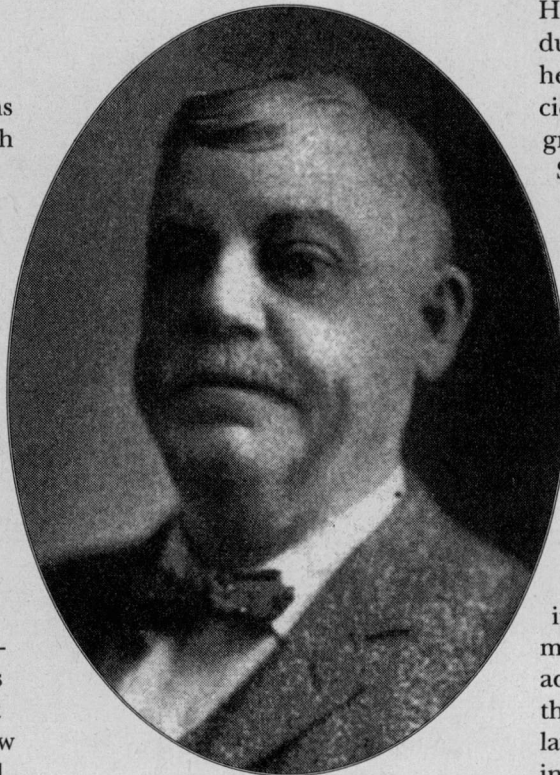
explained that his appointment as the first U.S. deputy marshal of the newly created Federal District Court of Indian Territory at Muskogee, was directly related to the appointment of that district's first U.S. marshal, Tom B. Needles. Prior to the establishment of the new federal district in 1889, Indian Territory was policed in regard to federal crimes from outside the territory, principally from the federal court located at Fort Smith, Arkansas, along with federal courts in Wichita, Kansas, and Texas.

With the expanding railroads and increasing numbers of citizens moving into Indian Territory, both legally and illegally, the days of sovereignty by the Five Civilized Tribes of Indian Territory were numbered. With Washington receiving increasing complaints concerning both criminal and civil litigation from non-Indians doing business in the territory, along with increasing pressure to abolish tribal sovereignty to allow increased non-Indian property ownership, an important federal committee known as the Dawes Commission was formed to study the matter.

Since Tom Needles was a member of the Dawes Commission this undoubtedly played an important part in his appointment by a fellow Republican, President Rutherford B. Hayes, as the first U.S. marshal at Muskogee. Prior to receiving the federal appointment, Needles had been active in Illinois state and county government. He was the Illinois state auditor in 1856, and is thought to have served one or more terms as the county sheriff at Nashville, Illinois.

It is assumed that Needles knew David Adams since Adams was also from Nashville and had been a deputy sheriff there for six years,

possibly serving under Needles. With Needles' position as federal marshal in a new federal jurisdiction, he desired to staff his new force of deputies, when possible, with men he knew and trusted. Adams, on the other hand, may have seen the relocation of his wife and son to wild and woolly Indian Territory as challenging, both physically and financially. It is unlikely that the

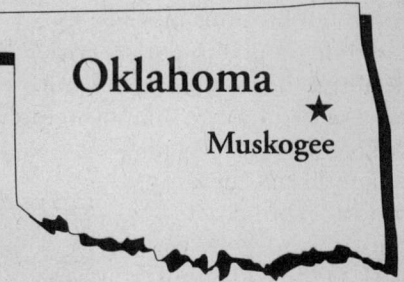


Oklahoma Department of Libraries

United States Deputy Marshal David Adams. This is thought to be the only recognized photo available of the lawman.

thirty-four-year-old David Adams could have envisioned that eight years after his appointment, the same court system for which he worked for would try him for the crime of manslaughter.

Little is specifically known on



Deputy Adams' activities from his appointment in 1889 until his arrest for the death of a young man on Halloween night of 1896. It is likely during this seven-year period that he proved to be a capable and efficient officer of the court in a rapidly growing federal territory. In

September 1896, the *Muskogee Phoenix* reported Adams' involvement in the arrest of Indian Territory outlaw Bob Burton. Burton had gained notoriety around Muskogee and the Fort Gibson area for robbing a mail hack between Fort Gibson and Tahlequah that August. He was also implicated in the robbery of the Manard, I.T., post office that summer. Thought to be wanted for crimes committed in Texas, it is assumed he had fled into Indian Territory to escape, like many other outlaws, only to commit additional crimes. It was rumored that Burton was the leader of an outlaw gang which had been operating in that area of Indian Territory during the spring and summer of 1896. The September 17, 1896, *Muskogee Phoenix* reported that "Ft. Smith officers and Muskogee deputies have been after him for the past month. They had come close and have had several skirmishes with him but he managed to escape each time."

Deputy Dave Adams and Jess McKnight actively pursued Burton. Eventually, the outlaw sent word to the Muskogee authorities that he wanted to give himself up and

requested a meeting. Riding from Muskogee, Adams and McKnight contacted the bandit about three miles outside of Fort Gibson. Leery of a possible trap, Adams and McKnight carried caution, along with their Colt revolvers and Winchester rifles, to the meeting. Although Burton's message indicated he wanted to parlay, it is doubtful the two deputies would have settled for less than bringing the bandit back one way or another. After a peaceful council, Burton was brought back to the courthouse in Muskogee. When tried for the mail robbery, Burton entered a guilty plea and was sent to federal prison.

As the weather changed in the fall of 1896, so did Deputy David Adams' luck. On Halloween night 1896, young Joseph Lacey, the son of M.C. Lacey, a prominent area rancher, came to Muskogee in the company of two other young men, John Harper and Jack Hudspeth. Finding his father in the restaurant, Joe produced a bottle of whiskey and mixed a drink for the elder Lacey.

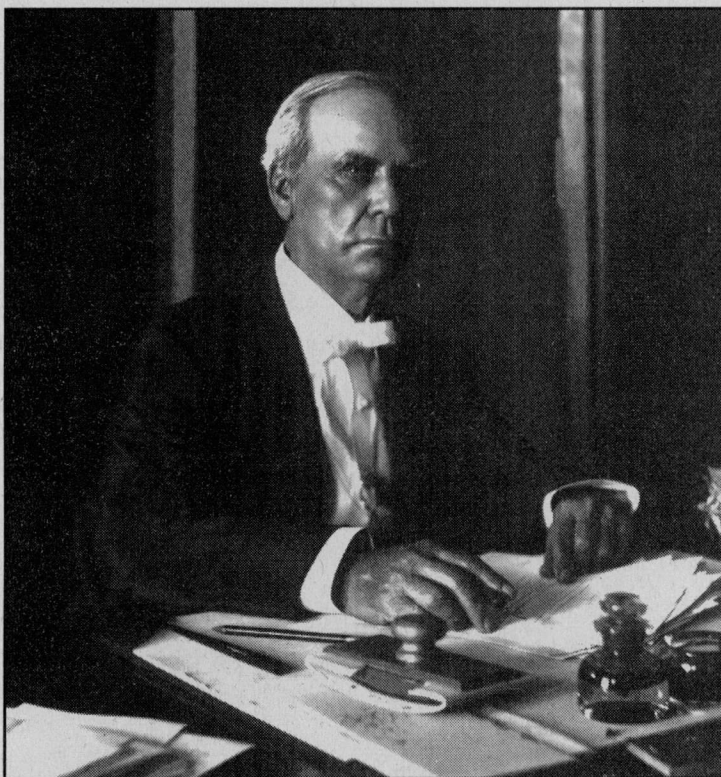
Although Joe's father later testified that his son was not drinking at the time, it is assumed the three young men did partake after they left Long's. Muskogee resident Ben Berry stated that after leaving the restaurant, the three youths were seen drinking in the Vienna Cafe. Other testimony also placed the men in Bob Taylor's billiard hall.

A series of events and a display of bad judgment on Lacey's part probably began when he ignored his father's order to return to their ranch. As the boys left the billiard hall around ten that evening, their drunken yells could be heard up and down the street.

Deputy Marshal Dave Adams intercepted the three in front of a bank building and admonished them to "quiet down." A serious departure from good sense occurred when the statement was made that Adams could "Go to hell."

At this point Adams decided the best place for the trio that Halloween night was the Muskogee city jail.

Muskogee night officer Frank



Oklahoma Historical Society

United States Marshal Tom B. Needles summoned Dave Adams from Nashville, Illinois, to serve as his first commissioned deputy in Indian Territory.

Couch arrived on the scene about this time. Adams informed the three men that they were under arrest for "malicious conduct." The three drunken men and the two officers began moving toward the city jail. Unexpectedly, as they reached the area of Hutchings and English's law office, Joe Lacey broke free of the group and ran down Lake Street toward the Presbyterian church. Undoubtedly frustrated at the group's attitude thus far, Adams shouted for the fleeing man to stop. He then drew his Colt revolver and aimed it toward the fleeing prisoner.

Oftentimes firing at a fleeing suspect will only hasten their flight, something Dave Adams might have been aware of because he later testified his only intention was to frighten Lacey.

Fate intervened at this point. One of the remaining prisoners, Jack Hudspeth, jerked on Adams' arm. The lawman's Colt .44-40 roared, the sound of the gunshot echoing down the streets of Muskogee. Lacey stumbled, but continued his escape after the big .44 slug struck him in the shoulder and coursed through his chest. He ran on out of sight and made his way to the Blue Front Livery. He was found later that night, a pistol and quart bottle of liquor laying nearby. He died the following day.

Concerned that he might have hit Lacey when his arm was pulled by Hudspeth, who had assumed the deputy marshal intended to shoot his friend, Adams remarked, "By God, if I didn't hit him, I burnt his coat!"

Unsure if the youth had been struck by the errant shot, Adams was heard to say that he knew who Lacey was, where he lived, and that he would pick him up later. The remaining two

prisoners were then taken to jail.

Since Joe Lacey's death resulted from a misdemeanor arrest, David Adams was indicted by a federal grand jury for the crime of manslaughter. His trial began on March 15, 1897. After all testimony was given and the final arguments were presented on March 19, the jury was out an hour and returned a verdict of not guilty.

Following Lacey's shooting on October 31, 1896, through the May 1897 trial, David Adams continued his duties as a federal officer.

During the spring of 1897, Adams

and Deputy Tom Wilson successfully concluded an investigation that resulted in the arrest of three men in connection with a planned train hold-up near Holdenville. In March 1897, a report appeared in a Muskogee newspaper that due to a new deputy's fee system, that U.S. Marshal Rutherford assigned his thirty-one deputies specific territories within the Muskogee federal district. Among these was David Adams. Along with John O'Brian, H.R. Cocko, and Tom Wilson, Adams was to operate out of Muskogee. From all appearances, Marshal Rutherford had confidence in Adams following the accidental shooting of Joe Lacey.

Dave Adams' eighteen-year career as an Indian Territory deputy marshal included his arrest of a suspect involved in the smuggling of 400 pints of whiskey. Searching a farm owned by Alec Evans ten miles

south of Muskogee, Adams found the cache of illegal liquor, which had been brought from Arkansas in a wagon and concealed in a load of corn. Adams arrested B.F. Clark at the Evans farm, and a later investigation resulted in yet more arrests in the case.

Having served under all appointed marshals since his original appointment as deputy in 1889, Adams was selected to remain in service under Leo Bennett. Bennett was appointed U.S. marshal at Muskogee on September 21, 1897. Adams' contemporaries during Bennett's tenure included Bud Ledbetter, Paden Tolbert, and the notable black deputies Bass Reeves and Grant Johnson.

In an innovative move, sanctioned by the U.S. attorney general, Marshal Bennett selected Adams, his son Harry, Ledbetter, and several others, to try a new wrinkle in terri-

tory law enforcement. With the transit nature of the new railroad and the growing population, it appeared to Marshal Bennett that the federal court in Muskogee was ineffective in keeping up with the prosecution of crime in the territory. The complaints of crimes and banditry were increasing.

Rather than bring defendants, witnesses, and complaining parties to court in Muskogee for arraignments, Bennett organized and implemented what became known as the Indian Territory Brush Court. Bennett formed a wagon train, complete with a U.S. commissioner, to hear cases, effectively taking an element of the court to the field.

Harry Adams was interviewed in 1938 on the subject of the traveling court and left historians with a good account of its success. Harry had followed his father's career path when he became a federal officer, until



United States Deputy Marshal Bass Reeves, on the far left, is featured in this photograph with Harry Adams standing to the right of Reeves. Harry, son of deputy David Adams, served as both a court guard and bailiff in Muskogee.

Oklahoma Historical Society

his retirement as a federal courthouse guard.

David Adams continued his days as an Indian Territory deputy well past the 1898 days of the Brush Court. After 1900, racial disharmony raised its head among the residents of Indian Territory. Disputes grew into open conflict between the large numbers of well established black citizens and growing numbers of white citizens as settlement of the territory increased. As a result of a particularly violent confrontation in May 1902, which occurred in Braggs, located not far from Muskogee, Marshal Leo Bennett dispatched two of his deputies to settle the fray and investigate. The two officers were Deputies David Adams and Bass Reeves. Little information survives as to how the two lawmen settled the disturbance, but they returned to Muskogee with twenty-four shackled prisoners.

Re-appointed to his position during the summer of 1902, Adams continued a thorough and effective approach to his duties as a deputy. The passage of time since 1889 must have begun to tell on the aging lawman. In 1905 the *Muskogee Democrat* reported that Adams had tangled



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Deputy Marshals A.J. Trail, left, and John Tolbert, right, paused while saddling their horses for this photograph, taken in 1900. Note the saddle and bed roll just over Trail's shoulder and the blanket Tolbert is holding.

with U.S. Commissioner Lukley in Lukley's office in the U.S. courthouse on October 17. The newspaper report described it as a "mix-up" but added that "no one was hurt."

Since U.S. commissioners heard cases and basically served as federal judges, it could be assumed the dis-

pute arose over a point in law and may have concerned one of Adams' cases.

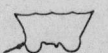
Whatever happened between the two was not judged serious enough to cost Adams his job; he stayed on as a deputy United States marshal until he resigned on April 15, 1907. The *Muskogee Times-Democrat* reported that during Adams' days as a deputy, he "...served the people of the southwest when it required men of grit, nerve and unselfishness to hold the government's commission." The brief article went on to say, "He has a number of pitched battles to his credit, out of which he always came with honor. No police officer in the entire southwest has ever had a better acquaintance with the men who made this country the land of adventure and romance that it has become."

David Adams died at his home in Muskogee during the summer of 1922, some fifteen years after closing the door on a nearly twenty-year career as a United States deputy marshal in Indian Territory.



Oklahoma Historical Society

U.S. Deputy Marshal David Adams, like this group of territorial lawmen identified only as "Eleven Peace Officers," never received the notoriety of other western figures. Only a handful can be named, and few details of their activities exist.



True West Legends Leander H. McNelly

March 12, 1844—Leander Harvey McNelly is born to Irish immigrants John and Mary Katherine (Killian) McNelly in Brooke County, Virginia.

1859—Some members of the McNelly clan relocate near Burton, Washington County, Texas, with the intention of raising sheep. Possibly their intentions were also to avoid the social conflict looming between the southern and northern states. Leander begins working as a shepherd for Travis J. Burton.

1861—The glory of war attracts Leander McNelly. On August 27, a little more than four months since Fort Sumter, he enlists under Confederate Captain George W. Campbell for the duration of the war. He is later mustered into the Fifth Regiment Texas Cavalry in San Antonio as a private, bringing to the war effort a willingness to fight, an \$80 horse, and equipment valued at \$18. McNelly becomes part of General Henry Hopkins Sibley's Brigade.

February 21, 1862—After several skirmishes with federal troops, Sibley's Brigade's first real engagement begins at Valverde Ford. General Thomas Green is in command due to Sibley's illness. After a sharp engagement, McNelly's first experience in combat ends in a victory when Union General Edward R. S. Canby retreats.

March 28, 1862—The Confederates gain another victory at Glorieta Pass, New Mexico. They fail to adequately protect their supply wagons, however, allowing Major John M. Chivington to capture the rebel wagons. The Confederate "victory" proves to be disastrous.

April 15, 1862—In spite of a Confederate defeat at Peralta, General Sibley's Brigade claims another victory. Because of their loss of supplies, however, the Texans begin a long retreat back to Texas. McNelly's bravery during battle is noticed by General Thomas Green.

January 1, 1863—After some rest and recuperation, the remnants of Sibley's Brigade are called to Galveston harbor. The Confederates, under J. Bankhead Magruder, defeat the federal troops and regain the harbor, driving the last Union forces from Texas.

November 25, 1863—General Green recommends

McNelly for a captain's commission. As chief of scouts, McNelly performs important services in Louisiana. Wounded during the battle of Mansfield in April 1864, McNelly returns to the field to serve until the surrender of the Confederacy.

October 17, 1865—Back home, McNelly marries Carrie Cheek Matson at Burton, Texas. Two children, Irene and Leander R., are born to the couple within the next three years. Leander again takes the profession of shepherd to support his growing family.

July 1870—With lawlessness at an all-time high, Texas Governor E.J. Davis, a former Union officer who fought against McNelly on at least one occasion, creates a state police force. McNelly is selected as one of the first captains, others being M.P. Hunnicutt, C.S. Bell, and Jack Helm.

From the beginning, McNelly proves to be capable of arresting lawbreakers, but remains a thorn in the side of Adjutant General James Davidson for his lack of protocol. McNelly is reprimanded for neglecting the paper work expected of a special police captain.

January 1871—Having arrested four murderers in Huntsville, McNelly and his police are attacked when the prisoners acquire pistols during their trial. McNelly, policeman Tom Keesee, and two of the prisoners are wounded in the ensuing battle; three of the criminals escape. Martial law is declared by Governor Davis.

July-August 1872—McNelly and a special detachment of thirty police are sent to the Rio Grande "frontier" to slow bandit raids from across the river. The Rio Grande expedition ends on a sour note as McNelly and his men run out of provisions in less than six weeks.

April 22, 1873—The bill establishing the state police is repealed, forcing McNelly to return to his plantation in Burton. The early stages of tuberculosis start to hamper the captain's health.

July 1874—The new Texas governor, Richard Coke, establishes the Texas Rangers, essentially to rid the western half of the state of Indians. Six companies make up the Frontier Battalion. McNelly is given command of a special force, the Washington County Volunteer Militia Company A.

August 1874—McNelly and his militia arrive in DeWitt County, assigned to quiet a deadly feud



Western Publications

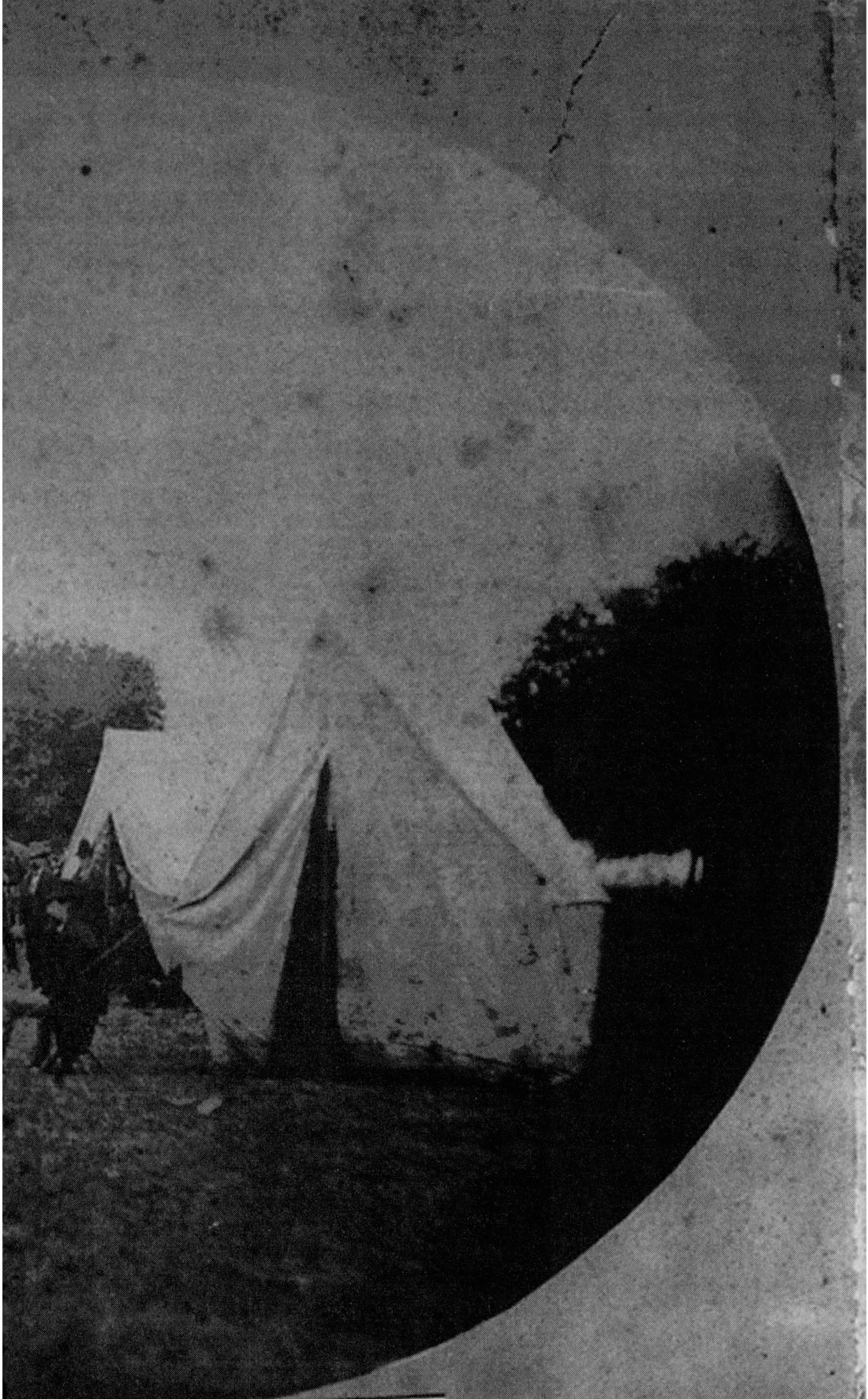
Leander H. McNelly

By Chuck Parsons

TRUE WEST LEGENDS
LEANDER H.
MICNELLLY



*Picture of Capt. L. H. McNelly
Rangers, taken in 1877.*



Company Texas
Mrs. W. J. Wrae.



between the Taylor and Sutton forces. Although McNelly reduces the amount of bloodshed, he cannot put an end to the feud; it smolders for several more years.

April 1875—McNelly is given a new assignment: to stop the raids from across the Rio Grande and protect American ranchers in Texas. Where he failed in 1872 he will now find significant success. In mid-April McNelly is on his way to the Rio Grande frontier with his new company of Rangers.

June 12, 1875—McNelly, through a system of spies, learns that a group of raiders are driving a large herd of stolen cattle to Mexico. McNelly and a portion of his men engage the raiders in a running gun battle on the Palo Alto prairie. More than a dozen raiders are killed and several cattle are recovered. McNelly orders the county sheriff to go out and gather up the bodies. The dead raiders are stacked up on the public square of Brownsville. Ranger L.B. "Sonny" Smith has been killed in the engagement. The youngest in the command, Smith is given a full military funeral at Brownsville.

November 18-21, 1875—Utilizing his spy system, McNelly learns of a major raid. The Ranger captain disregards international law and crosses the Rio Grande with the promise of help from United States troops stationed at Fort Brown.

McNelly and his detachment raid the Las Cacharass ranch, which turns out to be the wrong target. Jose Flores Salinas, considered a leader of his people, becomes a martyr for patriotism, having given his life "fighting for his country." About a dozen Mexicans were killed in this affair, some undoubtedly totally innocent of the charges of cattle theft.

The Rangers travel to the Las Cuevas ranch and negotiate with Mexican officials for several days. McNelly finally forces the return of a portion of stolen cattle. The incident does not bring about a war with Mexico, as some people had wished, but does make McNelly a hero in Texas.

June 3, 1876—Despite an ongoing battle with tuberculosis, McNelly arrests John King Fisher and eight members of his gang. McNelly leaves Fisher and his gang with the local sheriff, who promptly releases them. No one is willing to testify against the outlaws.

1877—As one of his last official acts, McNelly transports prisoners charged with murder from the Sutton-Taylor feud days to Galveston and to Austin for trial. McNelly is finally dropped from the Ranger rolls and replaced by Lee Hall. The excuse for the change in leadership is that McNelly's medical bills are too high, while Captain Hall is the perfect picture of health.

September 4, 1877—L.H. McNelly loses his battle with tuberculosis at the age of thirty-three. McNelly is buried in Mount Zion Cemetery near Burton. As a show of respect, a large granite monument is erected at the grave site by rancher Richard King.

What to Read:

Taming the Nueces Strip: The Story of McNelly's Rangers.
By George Durham, as told by Clyde Wantland.
University of Texas Press, 1962.

A Texas Ranger.
By N.A. Jennings.
University of Oklahoma Press, 1997.

The Texas Rangers: A Century of Frontier Defense.
By Walter Prescott Webb.
University of Texas Press, 1965.

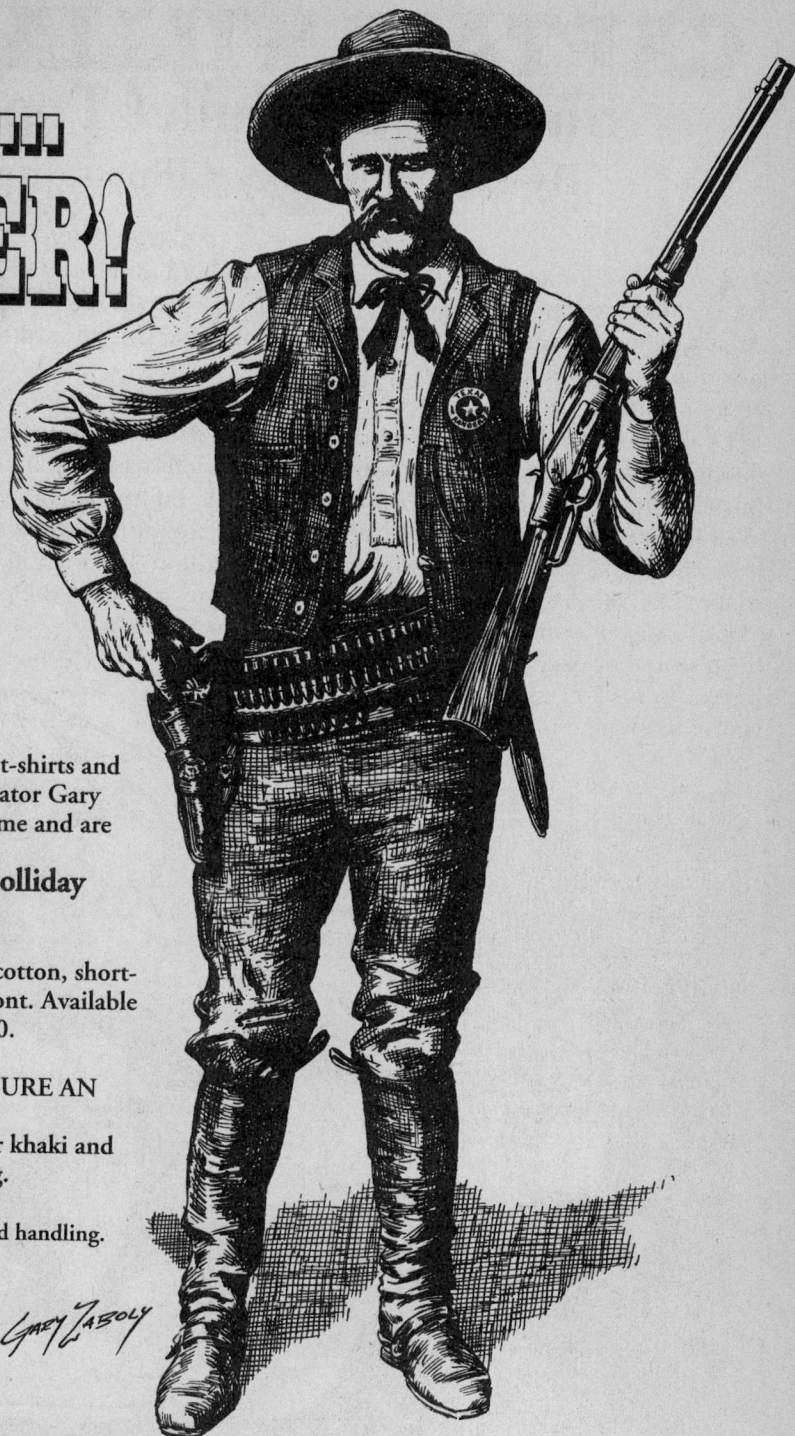
Where to Go:

Waco, Texas. Located just off Interstate 35, the Texas Ranger Hall of Fame features hundreds of exhibits exploring Texas Ranger history. Included is the original 1875 photo of McNelly and a sword picked up by young McNelly at the Battle of Galveston.

Uvalde, Texas. Outlaw-turned-lawman John King Fisher is buried in the "Pioneer Cemetery."
San Miguel, Mexico. Located a few miles from the Rio Grande, San Miguel is home to a memorial to Jose Salinas, killed by McNelly and his men in 1875.

Burton, Washington County, Texas. Leander McNelly's grave is located in the Mount Zion Cemetery. Also buried here are his daughter, Irene, and her mother and step father.

ONE RIOT... ONE RANGER!



True West magazine is proud to present a new line of t-shirts and caps. Featuring original designs by True West illustrator Gary Zaboly, the shirts will be offered only for a limited time and are available in six styles, including:

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CAPTAIN WILLIAM R. MASSIE: Shot by the Bullet That Killed Wild Bill

By Doreen Chaky • Illustrations by Richard Ignarski

Already famous along the Missouri River, Captain William R. Massie, long-time steamboat pilot, attained even greater renown when on August 2, 1876, in a Deadwood, South Dakota, saloon, the bullet that killed James Butler "Wild Bill" Hickok imbedded itself in his wrist.

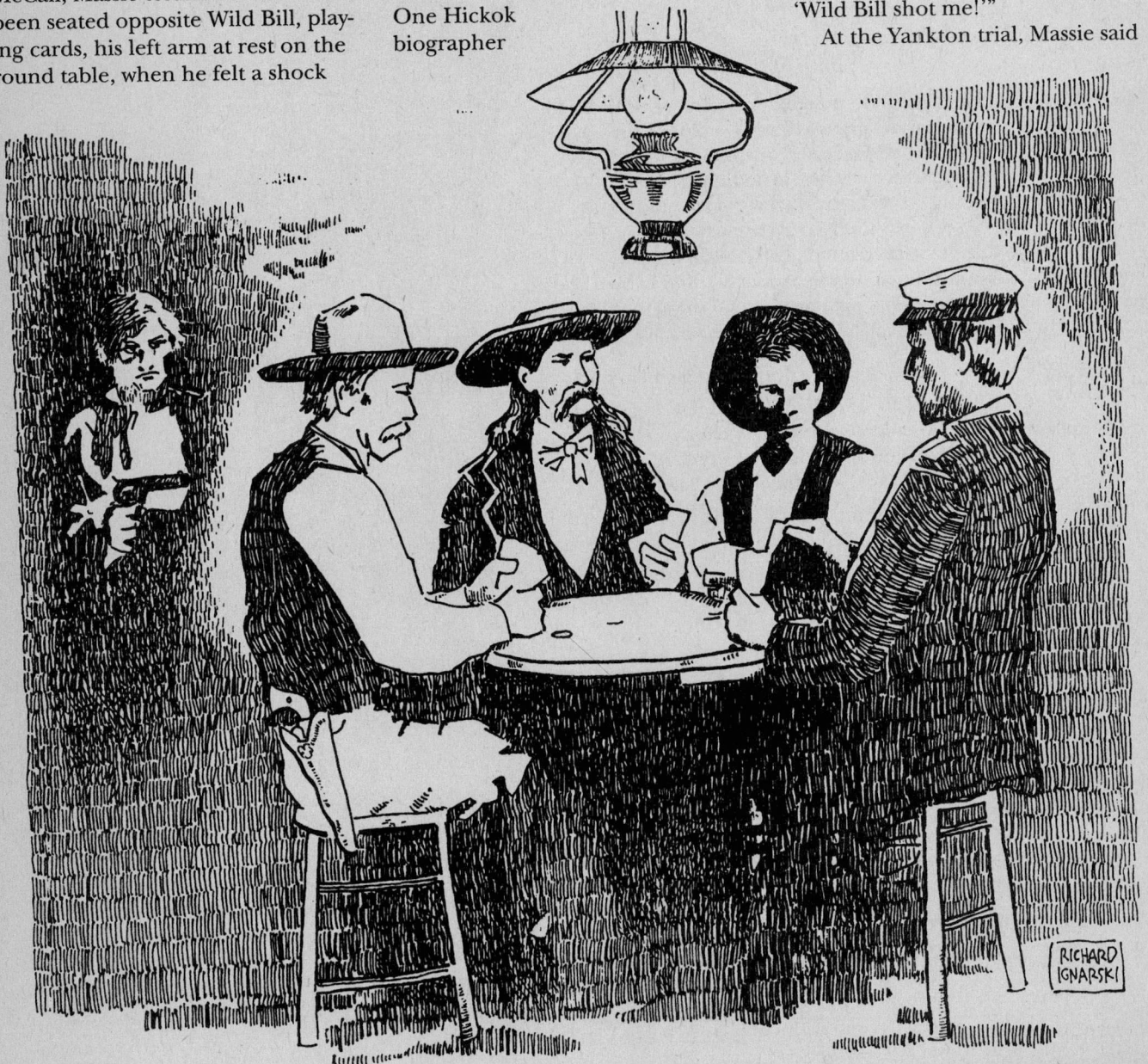
At the Yankton, Dakota Territory, trial of Hickok's murderer, Jack McCall, Massie testified that he had been seated opposite Wild Bill, playing cards, his left arm at rest on the round table, when he felt a shock

and sudden numbness in his wrist. He looked up to see McCall, pistol in hand, backing toward the rear door.

Hickok's biographer, Joseph G. Rosa, gives an accurate account of the incident based on meticulous research, but the shooting of Wild Bill was the stuff of dime novels. Even authors seeking the truth sometimes added to the confusion over the incident. One Hickok biographer

identifies Massie as the one at the table who would not give up his back-to-the-wall seat to Hickok. That person was actually Charlie Rich. Massie supposedly thought it was Hickok who had shot at him because Hickok was "irked over his losing streak and had taken it out on the heavy winner." A story circulated about how Massie staggered out of the No. 10 saloon with "blood streaming from his arm yowling, 'Wild Bill shot me!'"

At the Yankton trial, Massie said



he did, at first, think Hickok had shot him because he had just "beaten him on his hand," but realized what had happened as soon as he looked up and saw McCall.

The debate about what happened to the bullet began almost immediately. One Deadwood citizen, Richard Hughes, claimed that Dr. A.M. Overman had removed it in Deadwood. Questioned at the impromptu miner's trial held after the shooting, Massie said he presumed it was still in his wrist since a search of the floor and wall in the No. 10 Saloon had not turned it up.

Massie had been in Deadwood for about a month when he and Hickok were shot. The "River News" column of the Bismarck *Tribune* for June 21, 1876, had announced that "Captain W.R. Massie has resigned his position as pilot on the [steamboat] *Carroll* and leaves for the Black Hills with Don Stevenson's party today." Once there, Massie apparently went into the real estate business with Colonel George May, the lawyer who acted as prosecutor in McCall's trial.

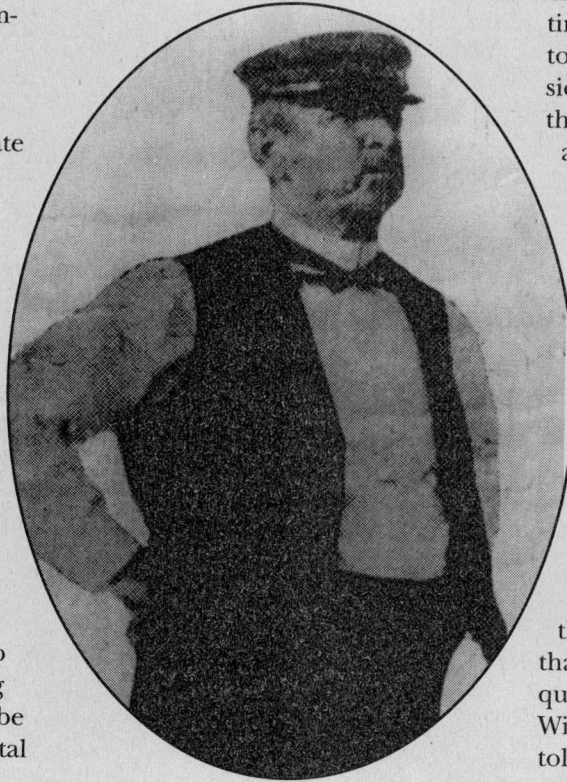
The Deadwood jury unaccountably acquitted McCall, but those proceedings, taking place outside United States jurisdiction, were illegal, anyway. By treaty, the Black Hills belonged to the Lakota Sioux.

A few weeks after the murder, George May tracked McCall to Wyoming and had him arrested. Soon after, Deputy United States Marshal Henry C. "Ben" Ash arrived in Deadwood to subpoena five witnesses, including Massie, to testify at a legal trial to be held in the Dakota territorial capital of Yankton. By then Massie was in Bismarck working for the Coulson Packet Company, a steamship line operating on the Missouri and Yellowstone rivers. The "River News" of the *Tribune* for August 23, 1876, reported that the *Yellowstone*, with "Massey" as captain, was due in from upriver. It was a busy time. In the aftermath of the June 25 Battle of the Little Bighorn, the army had chartered all the Coulson steamboats to use as troop transports and

supply depots.

Ash caught up with Massie in Bismarck, but the captain had already testified at the Deadwood trial; he didn't see any reason to travel all the way to Yankton to do it over again. In fact, he was determined not to go. "Think of the disgrace it would be for my daughter to have it in all the papers that I'd been in a poker game where a man was murdered," he purportedly told Ash. He added that if his boss, Commodore Coulson, heard about it, he might lose his job.

In order to get Massie, an old friend, to Yankton, Ash had to ask the U.S. attorney to issue a bench warrant. Massie was arrested in



Montana Historical Society

Captain William Massie was already famous as a riverboat pilot before the bullet that killed Wild Bill Hickok came to rest in his wrist.

Bismarck on September 12, and on September 14, Captain Daniel W. Maratta, Bismarck agent for the Coulson line, put up \$500 bail. Massie was free a week later but had to appear at the Yankton courthouse on October 18.

South Dakota

★ Deadwood

Ash recalled that once released from custody the captain seemed to enjoy his celebrity and swaggered around bragging that "the bullet that killed Wild Bill has come to town." At the Yankton trial Massie confirmed that the bullet "was not found on examining my arm. It is there yet I suppose."

The Yankton *Press and Dakotian* of December 5, 1876, quoted his testimony that he had seen McCall try to kill Hickok on a previous occasion: "I saw the defendant come into the same room a day or two before and around behind Bill and pull his pistol about two thirds out. There was a young man with him who put his arm around the defendant and walked him toward the back door."

Why, then, didn't Massie warn Wild Bill about McCall's presence in the No. 10 Saloon on August 2? Massie testified that although he "was there at the time this man shot him," when the "pistol report came I was looking down at the table" and so "saw the defendant first on that occasion." He also testified that he got out of the building "as quick as I could and did not see Wild Bill fall. I looked up at the pistol and my eyes passed him."

As the legend surrounding Hickok grew, so did Massie's role. According to some accounts, he was permanently crippled by the wound in his wrist. In truth, his handicap, if any, was slight and didn't prevent him from working on riverboats for another thirty-three years.

William Rodney Massie was born November 5, 1829, on Massie Creek near Berger, Missouri, to prominent pioneer parents. Their plantation originally comprised about 600

acres. The old family home was a landmark for rivermen, and their large woodyard was a regular stop for steamboats.

Slaves cut great quantities of timber that covered the nearby bottom land and stockpiled wood on the shore and loaded it into waterborne scows. Steamboat captains in a hurry could tow the scows upriver while the boat crew unloaded them, then release them empty to float downstream to be captured at the woodyard by sweeps.

It is not surprising that young Bill, growing up amidst all this activity, was attracted to a life on the river. The disasters he heard about must only have added to the romance. When the steamer *Big Hatchie* blew up at the wharf below Hermann, Missouri, on July 25, 1845, what was left of it drifted onto Bates Island. Bill and his older brother, John, rowed there to investigate.

Bill Massie made his first upriver trip on the steamboat *Bertrand* when he was fifteen. After that, he joined the army, serving during the last fifty-seven days of the Mexican War. At eighteen Massie was already a licensed Missouri River pilot, earning \$1,800 a month on the steamboat *Robert Campbell*. Before long he had a reputation for exceptional skill in navigating the lightweight "mountain boats" that plied the Missouri and, later, the Yellowstone rivers. Dr. E.B. Trail, compiler of Missouri River history, concluded that "as a navigator he was a genius."

Massie worked on a variety of boats as a pilot at first: the *Daniel Hillman* in 1850; the *Lightfoot* in 1851; the *Banner State* in 1852 and 1853; the *El Paso* in 1854; the *New Lucy* in 1855; the *Edinburg* in 1856; the *Morning Star* in 1858. His favorite captain, Andy Wineland, was the first to put him in charge of a boat, the *Omaha*, in 1857.

Many of these boats were owned or chartered by St. Louis fur-trading

companies. The firm of Pierre Chouteau, Jr., & Co. (better known as the American Fur Company), made an annual trip by steamer to supply its trading posts along the river. By 1860, the final head of Missouri River navigation was Fort Benton, the company's uppermost trading post near present Great Falls, Montana.

Massie went to the mountains on the *Spread Eagle* in 1861 and was among the first pilots to guide steamboats all the way to Fort Benton. When gold was discovered in what is now western Montana in 1862, Fort Benton boomed into a settlement. Missouri River steamboating boomed as well. In that year Massie piloted the *Fanny Ogden*, and in 1863, the *Nellie Rogers*.

John Buchanan kept a journal of his 1864 trip on the steamer *Yellowstone*, with William R. Massie as captain, and published it in his

newspaper, the *Montana Post*. Despite low water levels, Massie had promised his passengers they would reach Fort Benton no more than fifty days after leaving St. Louis. Instead, it took them sixty-five days to reach Cow Island, still some seven days from Fort Benton by mule or horse. When the boat's owner, Charles Chouteau, announced that the *Yellowstone* would go no farther, Massie's incensed passengers blamed him. After eighteen more days, oxen-drawn wagons came from Fort Benton to rescue the passengers and 400 tons of freight.

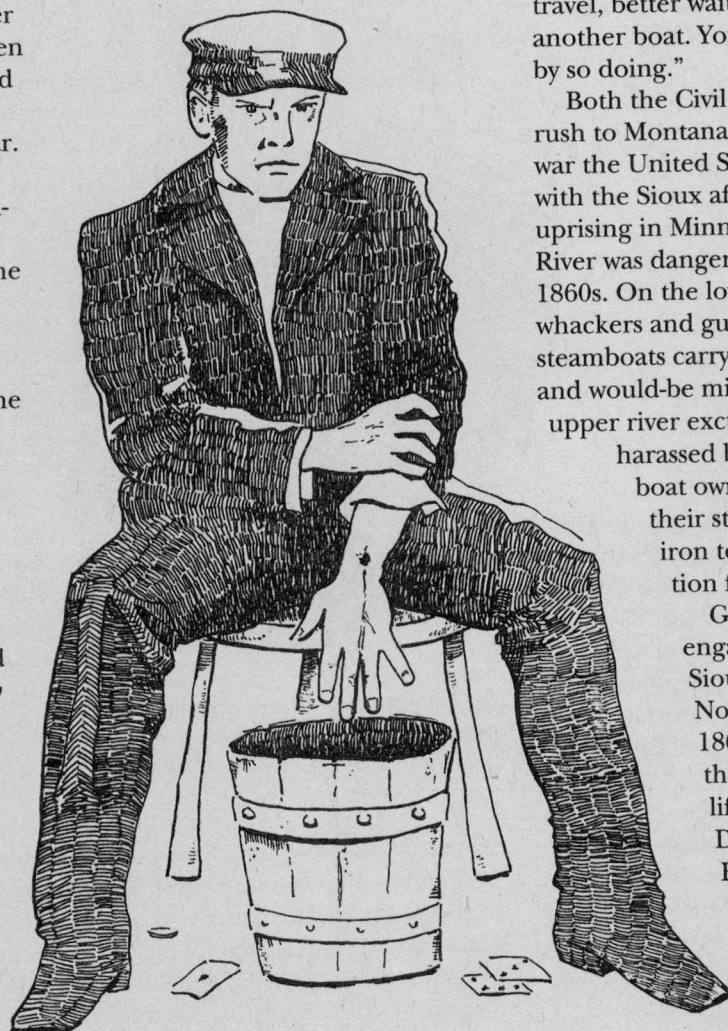
Buchanan vented his anger at Massie in volume one, number one of the *Montana Post*: "[Massie] had long before rendered himself odious to all on board, by his overbearing and tyrannical disposition. On the most trivial pretext, he would swear and rave." The editor warned future travelers, "[S]hould he be Captain of a boat where you want to travel, better wait a week for another boat. You will make money by so doing."

Both the Civil War and the gold rush to Montana coincided with a war the United States was waging with the Sioux after a bloody 1862 uprising in Minnesota. The Missouri River was dangerous during the 1860s. On the lower river, bushwhackers and guerrillas shot at steamboats carrying draft dodgers and would-be miners upriver, and upper river excursions were

harassed by Indians. Many boat owners partially clad their steamers in sheet iron to offer some protection from projectiles.

General Alfred Sully's engagements with the Sioux in what is now North Dakota during 1864 made river travel that year especially life-threatening.

During the same trip Buchanan described, Massie delivered a contingent of soldiers to a temporary posting at the American



Fur Company's Fort Union near the mouth of the Yellowstone River.

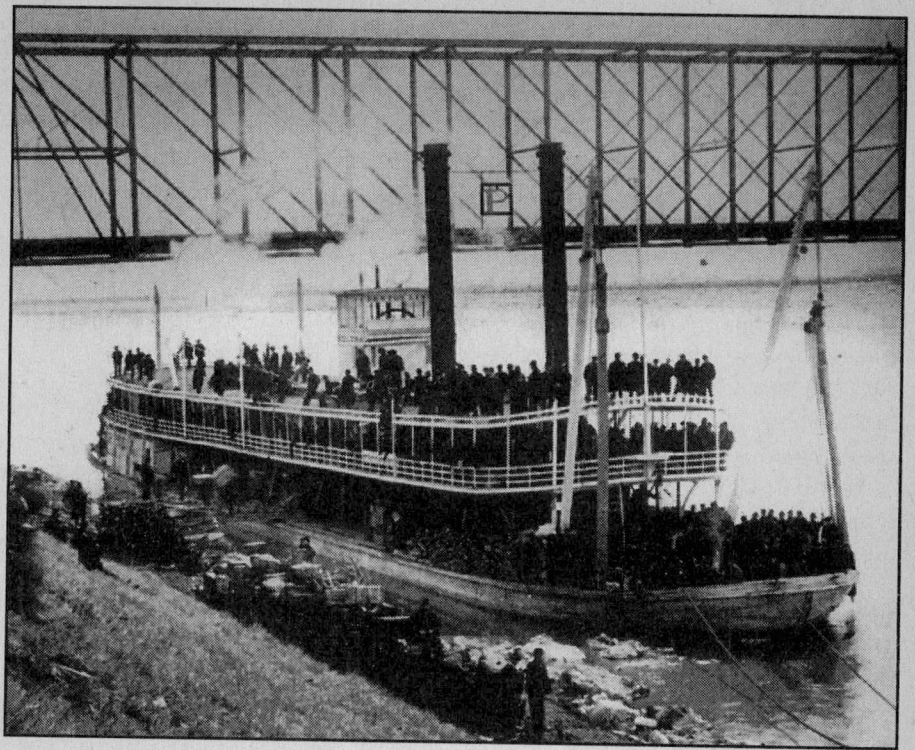
Massie told a good story, and one often repeated was about how he had avenged himself against the Indians who gave him so much trouble during the 1860s. After several passengers died of smallpox on board the *Twilight* in 1868, Massie ordered the infected mattresses placed in the river. As he guessed they would, Indians down river retrieved and used them. According to the story, smallpox decimated the village and forced the survivors to flee.

Montana became a state in 1864, and in 1865, despite all dangers, Massie transported on the *Twilight* "more wealthy people than any other boat had ever taken" to Fort Benton. His passengers included eighty women and about forty children. On another trip in September that same year, the *Twilight* hit a snag and sank near Napoleon, Missouri.

According to *Way's Packet Directory*, her heavy cargo included "a generous shipment of whiskey."

Massie often remarked how difficult it was "going through hostile Indian country for 3,600 miles, having to chop down trees for our own fuel for steam power, and kill our own meats for the passengers and crew...."

Even in calm times, steamboating was hard and dangerous work. Some steamers that started for Fort Benton never arrived. Snags—logs lurking unseen under the murky waters—could sink a boat at any time or delay it until repairs were made. Steamers would go aground on sand bars, and the crew would have to unload freight onto yawls or onto the shore. If this didn't lighten the boat enough for the crew to pull or rock it off the bar, perhaps "grasshoppering" with the great stilt-like poles carried on the boat could lift it off. Sometimes herds of buffalo, antelope, deer, or elk crossing the river would block passage. The trip from St. Louis to Fort Benton often took three months and always demanded a skilled captain and crew.



State Historical Society of North Dakota

In May 1891, Captain Massie's pay as pilot of the *Helena*, shown here picking up

In contrast to what Buchanan had written in 1864, twenty-one passengers on board the *Western* in 1874 signed a letter in the August 19 *Bismarck Tribune* that praised Massie for "the able and masterly manner in which you have handled your boat so successfully in this very low stage of water." They added that he was "always polite and attentive to the wants of your passengers, making our trip a trip of pleasure." Massie ran the *Western* again in 1875.

By the time he played that fateful poker game in Deadwood the following year, Massie had a reputation as a gambler. In one St. Louis poker game he lost his entire \$7,500 salary. When he dropped a dime down an iron grate after leaving the saloon, he worked so long at trying to recover it that he drew a crowd.

But the captain was rarely without poker money. "Seventy-five dollars a day for months at a time was just ordinary salary for him," according to Trail. On one short trip he drew \$1,000 a day and he often earned \$2,500 a month.

Another form of recreation Massie enjoyed was racing. During the seventies he piloted the *E.H.*

Durfee and the *Silver Lake*. One race he ran on the *E.H. Durfee* against Captain Tim Burleigh and the steamer *Black Hills* became river legend.

Burleigh had the advantage of boisterous encouragement from a troupe of attractive actresses on board his boat, but Massie managed to even things by loading up at each woodyard during the two-day race, leaving no fuel for Burleigh.

With "whistles screeching like mad," according to historian Edna LaMore Waldo, the boats kept passing each other, "the girls laughing and screaming, the captains shouting maledictions at each other." Near the end point of the race, Burleigh, with only a few sticks of wood left on the *Black Hills*, "went below and fed barrels of resin, salt pork and bacon to the flames." The *Black Hills* shot past the *Durfee*, and Burleigh pulled up at the landing fifteen minutes ahead of Massie.

Skilled as he was, Massie suffered his share of disasters. In April 1869, a chambermaid died in a fire that destroyed the *Antelope* about twenty miles above Yankton at the start of a voyage. Although Massie was part

owner of the boat, he wasted no time bemoaning his loss. He was soon back on the water in the *Utah*.

According to *Way's Packet Directory*, Massie was a pilot on the *Asa Wilgus* when she sank on the Missouri River near Weston, Missouri, September 3, 1860, and was at the wheel of the *Montana* when, part way under the St. Charles, Missouri, bridge going upriver on June 22, 1884, she veered into a pier and sank.

While in Deadwood, Massie missed the excitement immediately after the Battle of the Little Bighorn, but that fall he ran the *Josephine* and the *Yellowstone*, two of the Coulson boats chartered by the army. During the Sioux war years, he carried many famous figures on board, including William "Buffalo Bill" Cody.

In 1877 Massie was master of the *Red Cloud* for the I.G. Baker firm, making a record seven trips that year to Fort Benton, Montana. Until about 1890, Massie piloted the *Bright Light*, *Benton*, *Dakota*, *Wyoming*, and *Montana* on the Missouri. By the 1880s the railroads had reached the upper river country, and steamboating on the Missouri River as Massie knew it was over.

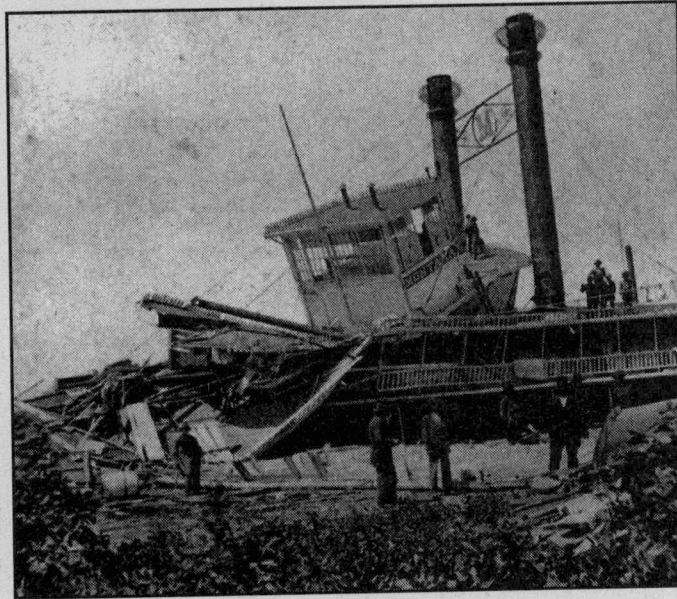
In May 1891, his pay as pilot of the *Helena* was only \$75 a month, much less than the \$75 a day one boat owner paid him for months at a stretch.

When there was no work for him on the Missouri, Massie signed on with the Eagle Packet Company, running such boats as the *Idlewild*, *Grey Eagle*, *Ferd Herold*, *Cherokee*, *War Eagle*, and *Cape Girardeau* on the Mississippi River.

Massie apparently did not mellow in his later years. Trail knew him then, and said that although he was "sentimental to a fault," there was "plenty of good and bad about him." At times, Trail said, he could be

"rather childish." Trail had been in Massie's pilothouse with him when he would "fly into a rage, curse himself and everybody around, and wind up by cursing his own mother for having given him birth. Remorse would soon settle upon him and he would speak lovingly of his mother and would apologize for having talked so shamefully in his fit of anger."

In 1900 Massie was on the Missouri taking passengers on excursions between St. Louis and Kansas City, and during the last



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The steamboat *Montana* was severely damaged in a tornado at Bismarck, Dakota Territory, on June 30, 1879. Captain William Massie was at the wheel when the *Montana* veered into a pier and sank.

three years of his life, he was making short runs in and out of Bismarck on the government snag boat *Washburn*.

He piloted the *William Stone* for the Missouri River Commission and also piloted boats on the Red River of the North.

During his sixty-four years as a riverman, according to Trail, William Massie "saw practically every phase of steamboating on the Missouri. No doubt he piloted more boats than any man that ever navigated that stream."

Trail marveled that Massie was "still running when steamboating had all but disappeared from the

river." At seventy-nine, he "took a heavy draft launch to Memphis during the low water season over a section of the river that he had not been over for three years, without touching a bar." It was his last work on the river. In St. Louis, on January 20, 1910, after a two-day illness heralded by a coughing fit, Massie died.

No mention was made of the Deadwood incident in the obituary tributes in the *St. Louis Republican*.

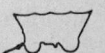
In 1905, western writer Ray Thorp, only nine, met Massie, who had come to Miami, Missouri, on the *Electra*.

"When old Captain Al Ruxton told him I was determined to be a river man," Thorp said, Massie "patted me on the shoulder and growled: 'The steamboat days are gone, boy. You came along a little too late.' He was left-handed, and I didn't dream at the time that the arm he patted me with held the bullet that killed Wild Bill."

Many assumed that Massie carried that historic bullet to his grave in the Bellefontaine cemetery, in St. Louis Missouri, but a nephew of Massie's, William Keith, claimed it was removed sometime before his uncle's death and made into a watch fob. The historic piece of

metal was later formed into a lavaliere for Massie's daughter, Ada. Keith had seen Ada wear the pendant often, but didn't know what happened to it after her death.

If true, this is ironic, because Ada was more than likely the daughter Massie was worried about disgracing because of his having been "in a poker game where a man was murdered."



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AND THEY CALLED HER JANO

BY DENNIS BURCHETT

It was during the turbulent period of the 1880s and 1890s that the small town of Baggs, Wyoming, became an established ranching town. Although it was iso-

lated from Rawlins, several miles to the north, and Brown's Park to the south, it was close to the borders of both Colorado and Utah. Bandits and rustlers found Baggs more tol-

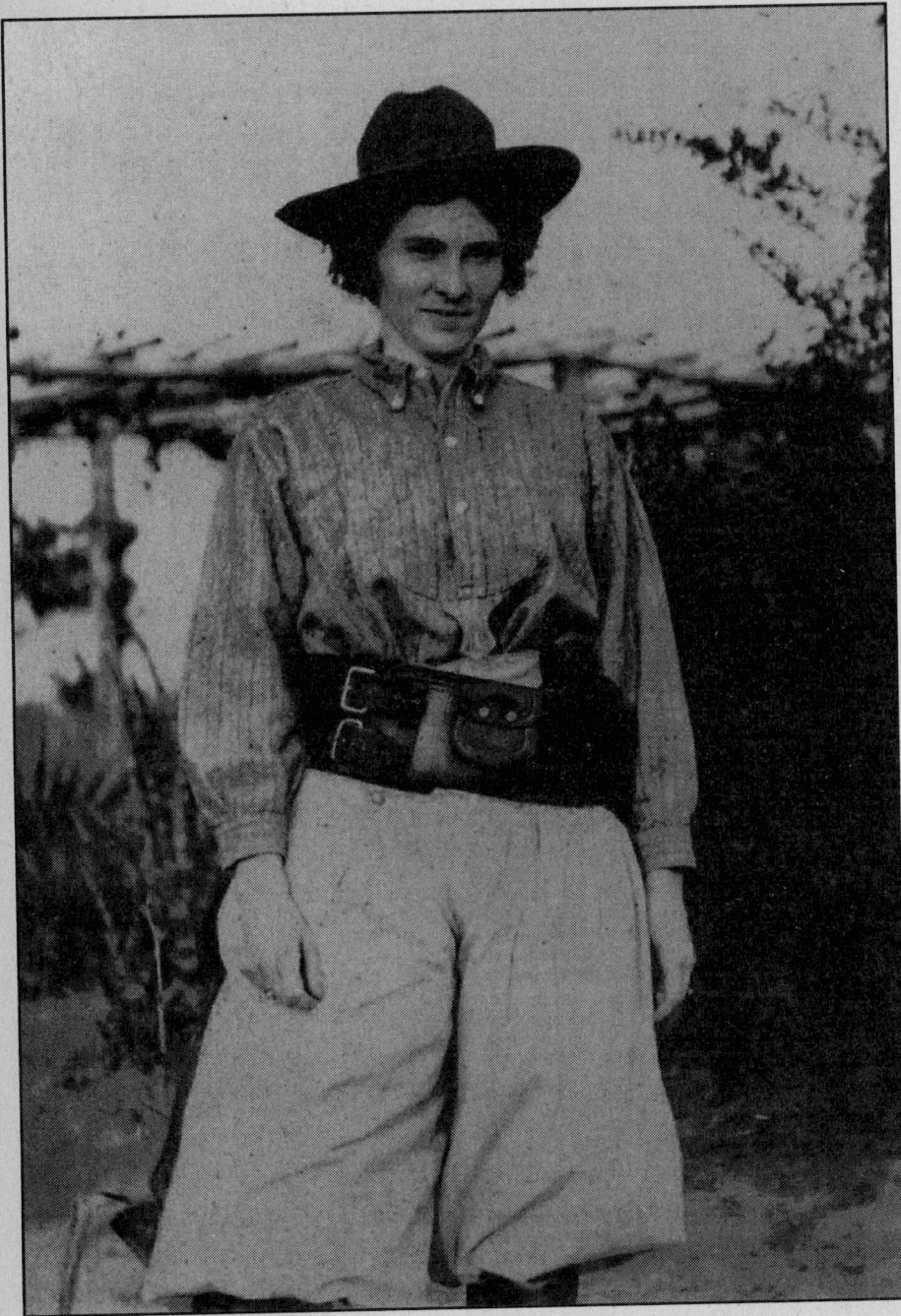
erent than the neighboring towns, with an unwritten but respected code of "You leave us alone, and we will leave you alone." It was during this wild period that Jeanette E. Magor was born at Beggs to Thomas and Eliza Magor on February 25, 1889.

Tom and Eliza were born in Hazel Green, Wisconsin, and married there before heading west. The couples' trek to Wyoming was at the urging of Tom's brother, Richard, who moved to Rawlins in 1884 in order to open a general store. Richard's mercantile business was doing extremely well, so Richard wired Tom and persuaded him to come to Wyoming and open a branch of the Magor business in Baggs.

Tom and Eliza, along with their seven children, arrived in Baggs in 1887. Tom soon had his general store, while Eliza was managing the family boardinghouse. All was going well enough for the Magors to add two more children to the family—Jeanette born in 1889 and Harley in 1890.

Over the next several years, a local group of outlaws known as the Wild Bunch evolved under Butch Cassidy's leadership. Their exploits included a number of bank and train robberies. The gang made hiding places of Brown's Park, Hole-in-the-Wall, and many ranches and towns throughout the West. One of those towns was Baggs, Wyoming.

Jeanette Magor, now known as Jano, grew to know the Wild Bunch well. They stayed at her mother's boardinghouse and purchased food from her father's general store. Fights were commonplace, as was shooting up the saloons. Damages were always generously paid for when the fun was over. Baggs was wild, but the "live and let live" code



Author's Collection

Jeanette Magor as she looked while living in South America, around 1915.

of the gang held firm.

One of the early members of the Wild Bunch was a local named Bert Charter. Bert's reckless way of life soon led him into troubled waters and an association with Butch Cassidy, Matt Warner, Elza Lay, and other outlaws. Charter became seriously involved with the Cassidy gang about the time Jano was born, by participating in the robbery of the San Miguel Bank in Telluride, Colorado, in 1889. In 1892, he participated in the ill-fated train robbery at Malta, Montana, where two gang members were captured. The third member, Harry A.

Longabaugh, later known as the Sundance Kid, escaped. Bert was believed to be involved in maybe three robberies, his involvement with the Wild Bunch diminishing after 1897.

Maude Magor, Jano's older sister, worked in her mother's boardinghouse, where she soon fell in love with Bert Charter, alias Kid Madden.

Eliza's boardinghouse burned down in 1892 and was soon rebuilt. Tom Magor died of an unknown illness on May 12, 1898, after assisting a sick friend, James Kindred. Eliza died on March 20, 1903, and was buried next to her husband in Rawlins.

Jano was not yet eighteen years of age at the time of her mother's death so legal custody was awarded to her brother, Will, on June 30, 1903. Maude had married Bert Charter earlier that month and they settled into a livery business hauling freight between Rawlins and Baggs. By this time, the Wild Bunch had mostly disbanded. Butch and Sundance had already been gone for over two years. Although only fourteen, Jano remembered the outlaws' adventures in Baggs.

With the demise of the Wild Bunch, there was certainly a decrease in the level of excitement for Jano. The law was more active, Butch and Sundance were in South America, and Bert and Maude were living within the law. Jano's schooling continued, while she spent a lot of time with her closest friend, Mary Calvert. While working in the board-

inghouse and grocery store managed by her sister, Lizzie, Jano longed for adventures of the past and her friendship with gang members, especially Sundance.

There are three well-known Wild Bunch photographs. One of these photographs is of the Sundance Kid and Etta (Ethel) Place, taken at the DeYoung Studio in New York City in 1901. The only known photograph, other than the Pinkerton photograph, is in possession of the author. Close examination of this photo

shows blemishes, caused by the lack of care during the many years it was in Jano's possession. One of Jano's

Wyoming

★ Baggs



Author's Collection
Harry Longabaugh and Ethel Place, from the original photo owned by Jano Magor. The only other known copy of this photo was in the possession of the Pinkerton Detective Agency.

older sisters, Lizzie may have received the picture from Sundance.

Lizzie was in her early twenties when the picture was taken. Lizzie's only male child was named Magor Alonzo Bailey, strong evidence of a special friendship with Sundance. Alonzo was an alias used by the Sundance Kid, probably from Sundance's middle initial, "A," which may stand for Alonzo. Lizzie was married in January 1898, about the time the Wild Bunch broke up.

It is certainly possible that the major friendship with members of the Wild Bunch was with Lizzie and

not Jano. While Jano talked some about Sundance, Lizzie said nothing of those times. Jano may have kept the picture that belonged to Lizzie because the sisters lived together until Lizzie's death in Denver in 1958.

By 1905, the traditional western outlaw was becoming a thing of the past. There were still banks and trains to rob and cattle to rustle, but the law was better organized, ranchers less tolerant, and justice more swift. The days of the adventurous West were fading. Although excitement could still be found in Baggs, Jano and her friends often pre-

ferred riding to and from Craig, Colorado. The fun and games at the weekly dances there only fueled her desire for excitement.

Jano's life changed in the most dramatic way in 1907, when three outlaws rode into Baggs. According to researcher Colin Rickards, the three men, Elza Lay, Jack Dempsey, and George Musgrave, began their association in a New Mexico prison. Dempsey did not stay long in Baggs and ventured on north to continue his outlaw trade. He ended up in prison again within the year.

Elza Lay decided to stay in Baggs and was soon tending bar and courting Jano's friend, Mary Calvert. Mary's father and mother distrusted Elza and felt he was just a drifter with too much charm. Mr. Calvert reluctantly tried to help Elza by providing work, but the outlaw preferred to waste time, gamble, and date Mary. Mary's father no doubt knew that Elza rode with the Wild Bunch on a few robberies and spent time with other gangs and outlaws.

Elza was born in 1865 in Illinois, but much of his life was spent as an outlaw in the Southwest. He was wanted for robbery in Utah, Idaho, New Mexico, and probably Arizona. It was near Folsom, New Mexico, that Sheriff Ed Farr was killed by bandits in July 1899 following the train robbery of the Colorado-Southern railroad. Elza was soon captured and sent to a New Mexico prison under the name of William H. McGinnis. It was during his prison stay that his wife, Maude Davis, left him. Amazingly, he was released from prison in 1906 and returned to Baggs.

In March 1909, Mary Calvert left Baggs with Elza and headed to Thermopolis, Wyoming, where they were married on March 27, 1909. It was during this time that Jano fell in love with the third stranger, George Musgrave.

Musgrave was going by the name Bob Cameron, one of several aliases he used. With Elza and Mary now running a gambling joint in Shoshone, Wyoming, Jano and George's relationship intensified. George was working on ranches in



Author's Collection

George W. Musgrave, date unknown.

the area and staying on the right side of the law. The pair married in Denver, Colorado, on November 2, 1908, George using the alias George W. Murray. Their marriage license (#44651) states that both were from Denver. Jano used her real name, Jeanette Magor.

Although Jano was well-acquainted with Butch Cassidy, the Sundance Kid, and others of the Wild Bunch, George Musgrave had never been a member of the gang and was new to Wyoming Territory. George was born on May 27, 1877, in Atascosa County, Texas. The Musgrave family had their share of adventuresome children—one son, Daniel, became the sheriff of Atascosa County while three of his brothers became outlaws. The oldest son, Calvin Van Musgrave, used the alias Bob Lewis while running outside the law in Arizona, New Mexico, and Texas. The youngest, Volney Campbell Musgrave, born in 1881, spent time in prisons throughout the Southwest.

George was first indicted in New Mexico in September 1894 for cattle rustling from the Cass Land and Cattle Company. It was from this point that George Musgrave would lead an outlaw's life. But he was good at his trade and always seemed to be able to stay one step ahead of the law. Over the next forty years, he was involved in cattle and horse rustling, bank and train robberies, gun running, and even murder.

In the late 1890s, the High Five gang successfully robbed several banks in the Southwest. The gang, sometimes referred to as the Black Jack gang, was run by Will Christian with his brother, Bob Christian. Following a jail break in Oklahoma Territory, where they were being held for murder, a new gang was formed. It was in early 1896 that, according to researcher Jeff Burton, George Musgrave joined the "new" High Five gang along with Code Young and Bob Hayes. Robbery was the gang's trade, with successful holdups in Separ, New Mexico; Nogales, Arizona; and other jobs. During this time George decided to settle an old score. Soon Musgrave

would be wanted for murder.

The short version of the story appears to have a man named George Parker and Musgrave involved with some cattle rustling. Parker convinced Musgrave, who was very young at the time, that his odds were better if he left and let Parker take care of the law that was apparently on their trail. Instead, Parker sold the cattle and kept Musgrave's share of the profits. On October 19, 1896, George Musgrave and Bob Hayes rode into a cattle camp of the Diamond A, just south of Roswell, New Mexico. Parker appeared to go for his gun after greeting Musgrave; some versions of the story have Musgrave drawing his gun first. At any rate, Musgrave shot George T. Parker three times and killed him.

Immediately after the shooting, Musgrave and Hayes left the camp. The Diamond A wagon boss, Frank Parks, headed to town for Sheriff Charlie Ballard. George eluded Ballard, and soon joined up with the rest of the High Five gang for another string of robberies. A few weeks later Bob Hayes was killed when the gang got into a shooting match with lawmen.

George continued his association with the gang for a number of months until late 1897, when George disappeared. The law was on his trail, not only for several robberies, but for murder. George likely slipped back into his old trade of rustling cattle. Most of this is believed to have been done in Mexico with a lot of border jumping to sell the stolen cattle.

George Musgrave was next heard from when he arrived in Wyoming with Elza Lay and Jack Dempsey.

George probably didn't plan to fall in love, but Jano Magor captured his heart. For the next few years, Jano traveled with George a great deal. The couple spent time in New Mexico, Arizona and Mexico as George continued to dabble in the cattle business.

Sometime around December 1909, George was spotted by Frank Parks, a former Diamond A cowboy, on a cattle buying trip in Grand

Junction, Colorado. Sheriff Charlie Ballard of Roswell, New Mexico, was contacted and proceeded to Colorado. Having just missed Musgrave, Sheriff Ballard traced him, and Jano, to North Platte, Nebraska.

When arrested by the local sheriff, George was using the alias John Stoner. Jano was allowed to proceed on to Denver; George was taken to the county jail where he was identified by Sheriff Charles Ballard. George was taken back to New Mexico where he stood trial for the murder of George Parker. Following a nine-day trial, George was found innocent on June 3, 1910. Sheriff Ballard chose not to comment, but it was a popular opinion that George Parker got what was coming to him.

For the next four years, it was difficult to track George and Jano. George remained good at his trade, and it is believed he spent a good deal of time dealing cattle across the border of Mexico directly with Pancho Villa. Jano commented in later life how she knew Villa and how George traded cattle and guns with free rein in northern Mexico. Villa did not gain national recognition until late 1910. Jano often commented about having to cross battlefields during the Mexican Revolution. She was most upset seeing all the dead men and burning homes. It must have been near mid-1913 that George decided to leave for South America.

There are several versions as to why George Musgrave decided it was best he and Jano leave for South America. One is that George received some \$30,000 from a Texas rancher to buy cattle in Mexico, but chose to keep the money and leave for South America. Whether George had a sizable amount of money before he left for South America is unknown. What is known is that Tex Rickard, a well-known millionaire and boxing promoter, had decided to start a cattle ranch in South America. He lacked knowledge of the cattle business and, therefore, was hiring a number of cowboys for the ranch. George hired on, along



Author's Collection

George W. Musgrave, Jeanette "Jano" Magor, and an unidentified friend, date unknown.

with Andrew Jebens of Baggs.

The Rickard's ranch was quite large, with 325,000 acres leased from the Paraguayan government and stocked with 50,000 head of cattle. It was decided that Jano would stay behind until George had established the ranch. It is believed that George left for Asunción, Paraguay, in late 1913 or early 1914, acting as one of the ranch foremen. In 1914, accompanied by Sarah Jebens and her two children, Jano left from the port of New York for South America.

George and Jano made their home in Paraguay, upriver from the Rickard ranch. George decided to change his name again, so Jano and George became Jeanne and Bob Steward, names they would use for their entire stay in South America.

Tex soon tired of his cattle venture and returned to the U.S. in 1915. George, resorting to familiar tactics, was soon rustling strays and applying his own brand. Before long George and Jano moved from the Gran Chaco to the city of Asunción, and then to Buenos Aires, Argentina.

George was doing well and began performing in rodeos with the famous cowboy, Alex Cord. Life was nice and Jano soon had three maids. She often talked about her time in

South America, where she spent a great deal of time riding the range, a pistol on her hip. She spent time in town and with the local Indians with equal ease. Only a few mementos of her days in South America survived, including a beautiful parasol cover, a native necklace, and a whistle given to her by the chief of police for protection.

Sometime in the early 1920s, the good times began to turn bad. George began drinking more, lost interest in his business, and began spending time with ladies other than Jano. Jano finally left him in 1924, returning to the U.S.

With Jano gone, George Musgrave continued to backslide. Dealing in cattle, both legal and rustled, became his main source of income. In 1947, George died a lonely man. He died of throat cancer in Asunción during the Paraguayan civil war. Jano never commented about his death.

Following her heartbroken return, Jano made her way back to Wyoming. She spent two years with her sister, Maude, and brother-in-law, Bert Charter. She soon realized that if life was to continue she needed to finalize her life with George Musgrave. She was granted a final divorce from George on September 10, 1926.

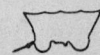
Following the divorce, Jano moved to California to spend time with her old friend, Mary Calvert, now married to Elza Lay, both using the alias McGinnis. Jano stayed in the area for some time and then moved to Arizona.

Within a few years of Elza Lay's death in 1934, Mary McGinnis changed her name back to Lay and moved to Tucson, Arizona, to be with Jano.

Jano and Mary decided to establish a sanitarium to take care of men with tuberculosis. Tubercular clinics were not new in the dry climate of Arizona, and there was plenty of money to be made because little treatment was involved. Mother Nature did most of the "curing." Comments passed down from Jano's brother, Neil, indicate that she and Mary were involved in trying to extort money from sick old men. Their "trade" was soon uncovered, and they left the state.

Jano travelled around the country, working a variety of jobs, until she was forced to return to the West after a disastrous scandal with a married man. By the late 1940s, Jano had decided to reside in Denver. After a short-lived second marriage, she moved into the Denver boardinghouse run by Lizzie and Maude Magor. She remained at this Denver location until Lizzie died in 1958.

Jano remained in good health until a stroke in 1967 left her temporarily unable to talk. When she was able to converse again, she mainly spoke Spanish. A second stroke in 1973 forced her to enter a nursing home. Jano died on February 24, 1975, at the age of eighty-six. Her remains are buried in Rawlins, Wyoming, along with several of the Magor family. A simple, gray stone marks the final resting place of one of the West's most adventuresome ladies—and they called her Jano.



MUSTANG: SYMBOL OF THE AMERICAN WEST

By Charles W. Sasser



National Archives

The mobility and freedom offered by the mustang helped make the Indian one of the fiercest warriors in the history of the world.

Images of the American West: rough-riding cowboys; mountain men on half-wild broomtails; marauding Indians on war ponies; vast herds of free wild horses ranging the plains, whose breed carried the weight of the nation through the turbulent years when the country was expanding from sea to sea. More than any other single factor, the taming of the West depended upon the horse—the mustang—whose ancestors came from Old Spain.

“Halted in animated expectancy or running in abandoned freedom,” wrote J. Frank Dobie, “the mustang was the most beautiful, the most spirited, and the most inspiring creature ever to print foot on the grasses of America.”

North America was likely the center of the evolution of early horses. However, they drifted into extinction and returned only with Columbus’ second voyage when the

explorer brought with him twenty-four stallions and ten mares. While Columbus might have missed the importance of horses returning to the New World, the Spanish conquistadors who followed most certainly did not.

They selected mounts from the best stock available. A ship’s passage from Spain to Mexico took about two months, further weeding out the weak and the more infirm. While at sea, the horses stood picketed on the main deck with little protection from the elements. Storms washed some overboard. Others died of seasickness and general debilitation. In becalmed waters, conquistadors sometimes drove their least desirable mounts into the sea in order to ration feed and water for the others. Perhaps less than fifty percent of the horses that embarked in Spain made it to America. These were generally the best of the best, assuring that only

the finest animals populated the New Land.

The only domestic animal Indians kept when the conquistadors arrived was the dog. Since the white-skinned strangers also brought dogs, bloodhounds trained to attack Indians and “tear their entrails out,” the Indians mistook the horses to be only larger and therefore more vicious dogs. They were at first terrified of horses. Indian languages are full of doggish references to describe the new, fearsome beasts.

To the Blackfeet, the horse was “Ponoka Nita”—elk-like dog. Sioux called him “Shonka Wakon”—medicine dog. The horse was “god dog” to the Comanches and “big dog” to the Snake tribe.

Conquistador horses were of the Cordoba breed, from a line of five-vertebrae animals developed by the Barbary Moors in the 1200s and considered to be the best saddle

horses in the world. First and foremost fitted for hard work, they were larger and far superior to any native bred horses in Spain today. The plains of the American West did not change their basic quality; they built upon it.

Almost from the beginning, horses escaped or were set free by Indian attacks. Within less than fifty years after Columbus brought horses to the New World, small scattered bands were beginning to run wild. Grasslands from Mexico north to Canada proved to be exceptionally suited for horses. The Spanish Barbs began to change in looks and temperament according to the natural laws which govern all wild animals. The escaped wild horses were becoming mustangs.

The word mustang derives from the Spanish *mesteno*, which comes from *mesta*—a group of stock raisers. A horse escaping from a *mesta* and running wild was therefore called a *mesteno*, later corrupted by English into mustang.

Mustangs quickly developed characteristics that enabled them to cope with the vagaries of their new freedom. They became smaller, more rangy, tougher, with larger heads and bigger, longer ears. They were more wily and smarter than their ancestors. They developed acute senses of sight and hearing and a feeling for locality and direction. Stories abound of how mustangs, turned loose hundreds of miles from their home ranges, have found their way back.

Although Indians south of the Rio Grande were in early terror of the strange beasts and sought only to kill them, Indians of the Great Plains quickly recognized their value and were soon stealing them for their own use. Castaneda, Coronado's historian, records how natives stole horses from the expedition in 1540 and about how several mounted soldiers, horses and all, vanished while crossing the Texas plains. Other sixteenth century explorers also mention horses lost or stolen.

The great spread of horses in the West, both wild and domesticated,

began after Juan de Oñate founded his colony at Santa Fe, New Mexico, in 1598. He brought breeding stock with him to supply 530 soldiers and the settlers and ranchers the soldiers accompanied. That same year, two Indians caught trying to steal a horse were strung up in what is believed to be the first public hanging in North America.

For its own welfare, Santa Fe passed harsh resolutions prohibiting Indians from even riding a horse. In spite of such attempts to keep Indians and horses apart, however, the settlement proved to be the main source for the equine hordes which were to change the fate and character of the West. Horse stealing became the center of Indian existence.

The horse changed Indian life like no other single development until modern times. Nomadic to begin with, the mounted plains Indian could now roam farther afield and obtain food with less effort. Horses became many things to the Indian: transportation, friend, power, riches. They were well-trained for war and for hunting. Geronimo claimed that his blaze-faced dun would follow on signal if he had to dismount in order to reach safety during combat. When times were hard, the horse also meant food. Apaches were said to be particularly fond of horse meat.

"When they [Apaches] can get flesh of horse, mule, or burro," noted an eighteenth century chronicler, "they shun the flesh of other animals....The diet is supposed to give them a very unpleasant odor, and the inhabitants of the Sonora Mountains say that when they ride within the neighborhood of hidden Apaches their horses sense the odor and will not go forward except under compulsion."

The mobility and freedom provided by the horse helped make the Indian the fiercest warrior in the history of the world. The unmounted Indians of the East were far more easily subjugated, with much less bloodshed, than were the mounted red men of the West. And of all the mounted Indians of the plains, the

Comanches, known as "The Horse People," were the most fearful. It was their horse stealing and horse trading which put all the plains Indians on horseback by the year 1740. The Comanches once boasted that the only reason they permitted Spaniards to remain in Indian country was so they could raise horses for the Comanches to steal.

General George Crook called the Comanches "the finest and most efficient light cavalry the world has ever known." With their six-foot-long lances and their short, powerful bows, they roamed the prairies from Mexico to the Central Plains, posing the greatest threat to the westward march of the white man's civilization. Already well-mounted by the time people from the United States crossed the Mississippi River, the Comanche became legendary for his courage and daring. One of the Comanches' favorite pastimes, reported an early traveler, was for a brave to ride hell-for-leather alongside a stampeding buffalo, upon which he would leap, armed only with a knife, and stab the beast to death while at full gallop.

By theft of horses, by breeding, and by catching and taming wild mustangs, Indians scattered stolen Spanish horses over half a continent to run wild. By 1848 the American mustang reached its numerical zenith in the wild and became the dominant mount of Indian, mountain man, and cowboy. Estimates were that at least two million wild mustangs ranged the West in the mid 1800s, half of them in Texas.

It was Texas that brought the cowboy and the mustang together. Emerson Hough, in 1897, commented upon the meeting of the cowboy and the mustang: "For generation after generation it [the mustang] lost flesh and gained angles, lost beauty and gained 'wind' and stomach and bottom and speed, until at the time of the first American cowboy's meeting with it, it was a small, hardy, wiry, untamed brute, as wild as a hawk, as fleet as a deer, as strong as an ox."

What was said of the mustang applied equally to the cowboy.

Cowboys were half-civilized at most, and all were said to be at least half-horse. There was no better horse, in the cowboy's opinion, than the mustang. Never more than half-gentled, the mustang expressed better than words the nature of wild men who called "broke" any horse that had been saddled at least once and who had little use for a horse without "a little life in his bones."

"Any mustang that outgrows a hankering to elevate [buck]," said one Texan, "is guilty of treason to the grand old state of Texas."

Wherever cattle spread, mustangs were ridden to manage them. Mustangs with names like Chalk Eye, Bald Eagle, Bo Legs, Cave Head, Cole Oil Johnny, Bull Frog, and Mollie (undoubtedly named after a love lost or still held) drove millions of longhorns from Texas to railheads in Kansas. The mustang

was the preferred mount where hard riding was demanded. Estimates are that one million range mustangs came out of Texas to work ranches all over the West.

Wild mustangs brought mustangers, who caught the wild ones to supply to cowboys, settlers, and the army. The Staked Plains of Texas before fences came were a mustanger's paradise. Tens of thousands of wild horses roamed there. They were good horses. Records indicate herds of palominos or paints or all-blacks segregated into their individual bands. The Spanish Barb was mixing with other breeds.

"Some of the stallions were over fifteen hands and weighed 1,000 to 1,100 pounds," Frank Collinson reported. "They were not merely the descendants of horses lost by early Spaniards, for the Indians had been stealing good horses in East

Texas and from emigrant trains going to California."

Mustangers captured wild horses using a variety of methods. They fenced-in water holes, or they constructed corrals with wide funnel wings into which the herds were stampeded. Relaying was also a popular method. In relaying, wild mustangs were run hour after hour, day after day, by a succession of fresh riders until the wild ones were exhausted and could be easily roped or corralled.

A black, ex-slave cowboy named Bob Lemons developed a unique method of capturing wild horses. He called it "walking down the mustangs." It took eight or ten days and began with a lone rider joining a band. He followed the herd wherever it went until he and his horse were accepted as a member. During that time he could not change his



National Archives

Mustangs became smaller, more rangy, tougher, with larger heads and bigger, longer ears. Buffalo hunters utilized the mustang on the high plains.



National Archives

The mustang expressed better than words the nature of cowboys who called "broke" any horse that had been saddled at least once.

appearance in any way, not even to switching canteens, or he would have to begin all over. Eventually, the wild herd trusted him to the point that he could drive it or lead it into a capture pen.

"Creasing" was another method of capturing a wild horse, although few were ever successful at it. In creasing, an expert rifleman must place a bullet through the upper vertebrae of the horse's neck in order to temporarily stun it. Artist George Catlin tried it near Oklahoma's Red River in 1838; he killed the mustang. A buffalo hunter named George Causey, who had killed an estimated 30,000-40,000 bison and was considered one of the best rifle shots in the West, was asked if he had ever creased a mustang.

"No," he said, "but I have killed hundreds trying to. I generally break their necks."

Like the cowboy, the mustanger was a half-wild character whose profession frequently took him into Indian country and into conflict with the plains tribes. J.W. Moses, a south Texan mustanger in the 1850s, tells of an encounter with Comanches.

One evening, he said, he and a number of other mustangers were

waiting to catch wild horses at a water hole when a band of Comanches spooked the herd. Angered, the mustangers decided to ambush the Indians.

"The Indians were struck with panic," he later wrote, "and rushed up the ravine right into the pen, hotly pursued by the mustangers, shooting and yelling like demons. I think the Indians must have supposed a mighty host was after them, for when they found themselves in the corral they abandoned their horses, and clambering over the pickets, fled for their lives, bearing their dead comrades, a thing they never do except when they are panic-stricken. The mustangers gained a glorious victory, and ten good horses, bridles, saddles, and other Indian fixings besides great fame by their night exploit."

For nearly four hundred years after Columbus re-introduced the horse to the New World, the mustang was the center of life in the American West. He drove long-horns to market, he plowed the hardpan of Texas and Oklahoma, and he carried mail on the Pony Express. He accompanied soldiers to war and he elevated the plains Indians to legendary status. Westerners lived and died by the

mustang. The mustang literally tamed the West. He left indelibly imprinted upon the land the signs of his passing in thousands of place names like Mustang Bayou, Pinto Canyon, Wildhorse Mountain, Horsehead Crossing, Broomtail Flat, and Red Horse Creek.

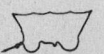
The 1870s and the 1880s were the great and final days for the large mustang herds. The fencing of the West was beginning to bring an end to the free-roaming lifestyle of the wild horses, considered by ranchers to be a great nuisance anyhow.

"Like the buffalo, they had to go," wrote Frank Collinson. "Their time was up when the cattle took the range...."

There are few genuine mustangs left today, descendants of the Spanish Barb, although some 55,000 wild horses still roam public and private lands in seven western states. The remaining bands are protected by law. Yet, they are still threatened by encroaching civilization and barbed wire. Soon, they will be further protected by herding them onto preserves. That is when the mustang will finally disappear from the American West.

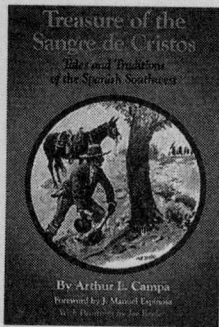
A mustang robbed of his liberty and confined behind fences, stripped of his mystique and dignity and history, is just another scruffy-looking little beggar with a hammer-head and a ragged mane and tail. The symbol of the West will have vanished, along with the free Indians of the plains, the buffalo, hard-riding cowboys, and mustangers.

Then, writes J. Frank Dobie, "Only by blotting out the present can one see these wild horses of the prairie. They have gone with the winds of vanished years. They carried a way of life and a spirit that no pastoral prosperity could in coming time re-present."

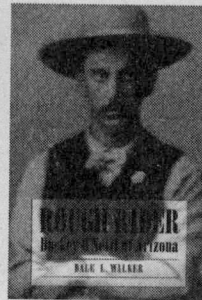




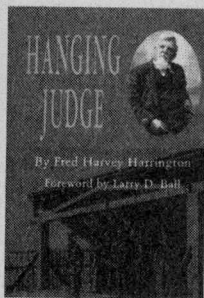
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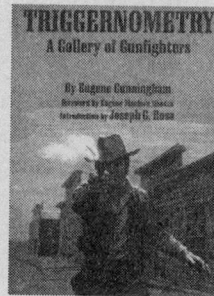
516—TREASURE OF THE SANGRE DE CRISTOS: TALES AND TRADITIONS OF THE SPANISH SOUTHWEST. By Arthur L. Campa; foreword by J. Manuel Espinosa. This collection includes stories of silver locked away in outlaw hoards, lost mines stacked with bars of gold, and fabulous Jesuit treasures buried when that order was expelled from New Spain. Not all of these folk treasures are of mineral wealth, however. There are also the legends of the Hermit of Las Vegas and of the lovelorn nun. 223p. University of Oklahoma Press. **Paper, \$12.95**



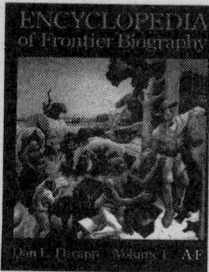
679—ROUGH RIDER: BUCKEY O'NEILL OF ARIZONA. By Dale L. Walker. O'Neill was famous in Arizona Territory as a gambler, lawyer, newspaperman, miner, sheriff, and politician. This fast-moving narrative takes him from the streets of Tombstone all the way to Cuba, where he won Theodore Roosevelt's admiration as the wildest and bravest of the Rough Riders. "Life in frontier Arizona is well depicted in [this] biography.... [It is] a story of Irish daring."—*Southwest Chronicle*. 224p. University of Nebraska Press. **NEW SELECTION! Paper, \$12.95**



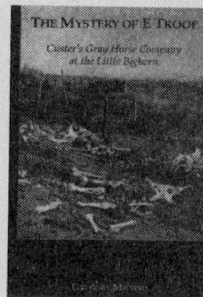
602—HANGING JUDGE. By Fred Harvey Harrington. Long out of print, Harrington's book focuses on Isaac Parker, the stern Indian Territory judge who tried and sentenced to death more murderers than any other judge in U.S. history. Although he sent 79 convicted felons to the gallows, he also passed sentences on thousands of other criminals, bringing order to a lawless frontier. This edition includes a foreword by Larry Ball. "Scholarly and well-written"—*American Historical Review*. 224p. University of Oklahoma Press. **Paper, \$12.95**



603—TRIGGEROMETRY: A GALLERY OF GUNFIGHTERS. By Eugene Cunningham; intro by Joseph G. Rosa. First published in 1941, Cunningham's long popular volume features biographies of nearly a score of the Old West's most notable gunfighters, including Hardin, the Kid, Hickok, Cassidy, and Horn. A Westerner himself, Cunningham knew firsthand several of the Texas gunfighters profiled in his book. This new edition includes and extensive and updated bibliography by Rosa. 446p. University of Oklahoma Press. **Paper, \$18.95**

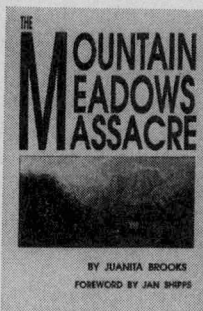


300—ENCYCLOPEDIA OF FRONTIER BIOGRAPHY, VOLUME I: A-F. By Dan Thrapp. First of three volumes that comprise a wealth of information about persons who lived on the American frontier. Profiles approximately 4,500 frontier figures. University of Nebraska Press.

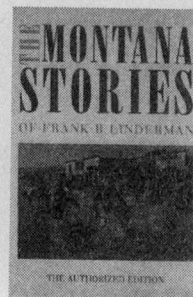


524—THE MYSTERY OF E TROOP: CUSTER'S GRAY HORSE COMPANY AT THE LITTLE BIGHORN. By Gregory Michno. The men of Company E of the Seventh Cavalry rode big gray horses that stood out amidst the confusion during the afternoon of June 25, 1876. The Indians later recalled seeing the horses by the river, on the bluffs, and eventually on Last Stand Hill. Their riders lay dead in a ravine after the fighting ceased. Why couldn't the army find their bones? Why didn't archaeological excavations uncover any remains? Michno finally provides the answers. 365p. Mountain Press Publishing. **Paper, \$18.00**

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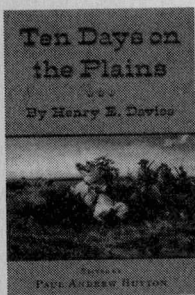
656—THE COWBOY: AN UNCONVENTIONAL HISTORY OF CIVILIZATION ON THE OLD-TIME CATTLE RANGE. By Philip Ashton Rollins. Rollins attempts to provide a complete, accurate handbook on the everyday life of the cowboy—trailing, herding, branding, roundup, and horsebreaking. He also discusses tools of the trade and the cowboy's personality, codes, mores, and amusements. This new reprint of the 1936 edition features 31 illustrations, index, and a new chapter. "Highly accurate..."—*Southwest Review*. 432p. University of Oklahoma Press. **NEW SELECTION! Paper, \$19.95**



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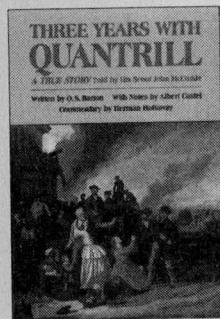


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235—TEN DAYS ON THE PLAINS. By Henry E. Davies; ed. by Paul Andrew Hutton. Originally published in a limited edition in 1871, this well-illustrated and produced book is an account by Civil War General Henry Davies of a spectacular hunting expedition on the high western plains. Davies features a young scout, William F. "Buffalo Bill" Cody, as the central figure in the story of the expedition. 194p. Southern Methodist University Press.

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681—THREE YEARS WITH QUANTRILL: A TRUE STORY TOLD BY HIS SCOUT JOHN McCORKLE. By O.S. Barton. This famous memoir by McCorkle is the best published account by a scout who "rode with Quantrill." McCorkle displayed an unflinching violent nature while he participated in raids and engagements, including the massacre at Lawrence, Kansas. First published in 1914, this new edition contains a critical introduction and notes. 240p. University of Oklahoma Press.

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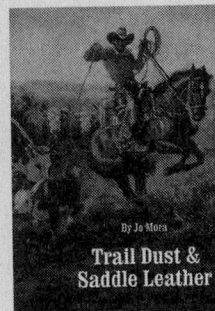
551—A TEXAS COWBOY; OR FIFTEEN YEARS ON THE HURRICANE DECK OF A SPANISH PONY. By Charles A. Siringo; intro. & biblio. by J. Frank Dobie. Siringo punched cattle for Shanghai Pierce, rode the Chisholm Trail, knew Tascosa, once roped a buffalo, and joined in the chase for Billy the Kid. His chronicle of his years as a itchy-footed boy, cowhand, range detective, and adventurer was originally published in 1885. This edition reprints the 1886 Addenda. 216p. University of Nebraska Press.

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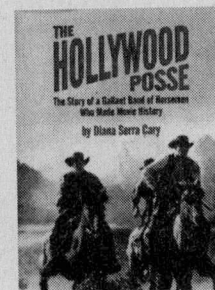
532—SOILED DOVES: PROSTITUTION IN THE EARLY WEST. By Anne Seagraves. *Soiled Doves* tells of the grey world of prostitution and the women who participated in the oldest profession. Colorful, if not socially acceptable, these women of easy virtue were a definite part of the early West. Illustrated with many rare photos, this book provides a touching insight into the lives of the ladies of the night. 173p. Wesanne Publications.

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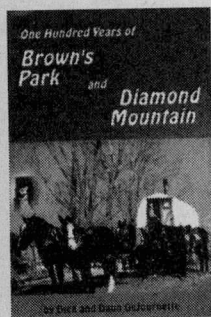
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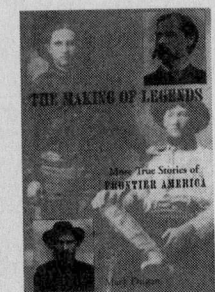
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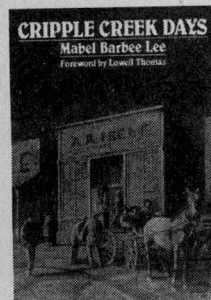
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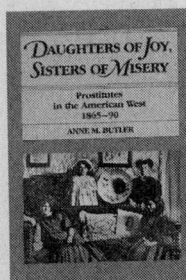
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TRIO OF TALES FROM A SOUTHWESTERN STATE

Days of Destiny, *The Law of the Gun*, and *They Left Their Mark: Heroes and Rogues of Arizona History*. (All available from Arizona Highways, 2039 West Lewis Avenue, Phoenix, AZ 85009-2893.)

If you are too young to have been around when Stuart N. Lake published his "biography" of Wyatt Earp, rejoice! Like the young child says in the Poltergeist movie, "They're back!"

Sadly enough they are published by *Arizona Highways*, an organ of the Arizona State Department of Transportation. *Arizona Highways* is, beyond a doubt, one of the best travel magazines in the business. The folks there should have stuck to their fantastic photography. Unfortunately, they did not.

Days of Destiny (\$7.95 paper) is perhaps the worst of this lot. What is obvious is that this book, as well as the other two, were written for tourists to Arizona. No self-respecting historian would use this hodgepodge of stories for even a secondary reference. The book includes twenty stories dealing with Buckskin Frank Leslie, Johnny Behind the Deuce, Billy Claibourne, the Earps, Burt Mossman, and others. The book is best described, as was Burns' *Tombstone*, as "a zesty blend of fact and fiction." This volume has a lot of additional fiction thrown in for good measure.

The second of this triumvirate is Marshall Trimble's *The Law of the Gun* (\$8.95 paper). Trimble is an admirable writer, and it is small wonder that his students think highly of him. Indeed, there are some fine points to this volume such as his essay on "The Western Gunfighter." The sad part is that when he reaches such figures as Wyatt Earp we are back in the arena of Lake and Burns. Trimble glosses over the murder and robbery of

Frank Stilwell and the murder of Florentino Cruz, who received all of his bullets in the back. Many of these stories have already been thoroughly discredited by modern historians, both "pro" and "anti" Earp. Yet judging from this lack of modern research (not to mention the lack of biography and footnotes), the entire work is suspect.

Last, but hardly least, is *They Left Their Mark: Heroes and Rogues of Arizona History* (\$7.95 paper). This delicious little book contains sixteen stories on a number of individuals from Zane Grey and Will Barnes to George Goodfellow and Alcheyay. The book is well written and readily readable. Moreover, for the beginning western reader, it offers much of interest. These tales are food for thought, and the dedicated reader will find this a nice introduction to Arizona, one of the most beautiful states in the Union. It is hardly a definitive book, but for the tourist dollar I would consider it a good investment. As for the others—*caveat emptor!* Or better still, save your money.—*Dave Johnson, Zionsville, Indiana.*

Indian Perspectives on Peace

Linking Arms Together: American Indian Treaty Visions of Law & Peace. By Robert A. Williams, Jr. (Oxford University Press, 198 Madison Avenue, New York, NY 10016. \$29.95 Cloth.)

For over two hundred and fifty years the white man, from John Smith and Miles Standish to such recent "moderns" as Generals Philip Sheridan and William Sherman, failed to actually understand their partners in the Treaty Business—the American Indian.

Linking Arms Together: American Indian Treaty Visions of Law & Peace spells out the yawning chasm of dif-

ferences between the two races.

In the early 1800s the great Shawnee Chief Tecumseh put his finger on one of the major stumbling blocks to any lasting peace, the white man's insatiable drive to acquire land.

"The only way to stop this evil is for the red men to unite in claiming a common and equal right to the land, as it was first, and should be now. No tribe has the right to sell even to each other, much less to strangers. Sell a country! Why not sell the air, the great sea as well as the earth?"

Through the years many chiefs patiently tried to instruct their white partners in the true meaning of treaties, as they saw it, primarily mutual assistance against any current or future enemy. This tended to include weapons for defense as well as for the providing of game foods and incidentals such as clothing and agricultural implements which the Indian could only obtain by the long, laborious process of barter.

As the Miami chief Le Gris explained to General Anthony Wayne at the Treaty of Greenville, mutual assistance was best symbolized by hospitality toward each other. In the case of the Miamis, unable to provide much at that time, the ball was in the other's court:

"When brothers meet, they always experience pleasure. As it is a cool day, we would hope you would give us a little drink: you promised to treat us well, and we expect to be treated as warriors: we wish you to give your brothers a glass of wine. I hope you are pleased with this visit of your brothers. You have some things of which we have not any: we would like some mutton and pork occasionally."

But the true thrust of the Indian

treaty makers continued to be a firm belief in cooperation, solidarity, and reciprocity with others of like situation and loyalties.

It was, after all, largely the help of the Indians which made it possible for the Europeans to survive on a colonial frontier.

And it was the Indian philosophy of mutual assistance that brought this about despite the many broken treaties over the years.

The first of 370 treaties between the United States and the Indian tribes was signed in 1778 between the Delawares, whose lands once stretched from the Atlantic to the Ohio. But over the next century this presumably binding contract was negated with eighteen new treaties that saw the Delawares pushed all the way west to Oklahoma.

As far back as 1645, Kiotsaeton, the great Iroquois diplomat, attending the Three Rivers Treaty Council, placed an arm within that of a white man and clasped an Algonquin tribesman with his other. Having joined himself physically and symbolically to them he said, "Here's the knot that binds us. Even if lightning were to fall upon us, it could not separate us, for if it cuts off the arm that holds one to us, we will at once seize each by the other arm."

But such graphic examples of mutual protection were truly "ancient history" by 1871 when Congress declared that the U.S. no longer viewed Indian tribes as separate nations and would sign no more treaties. This was hardly necessary for by that time the Indians had little or nothing and the whites the rest.—*Bill Garwood, Mechanicsburg, Pennsylvania.*

Powder River Remembered

The Powder River Expedition Journals of Colonel Richard Dodge.
 Edited by Wayne R. Kime.
 (University of Oklahoma Press, 10005 Asp Ave., Norman, OK 73070. 206p, 10 illustrations, and maps. Bibliography, index. \$28.95 Cloth.)

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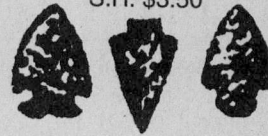
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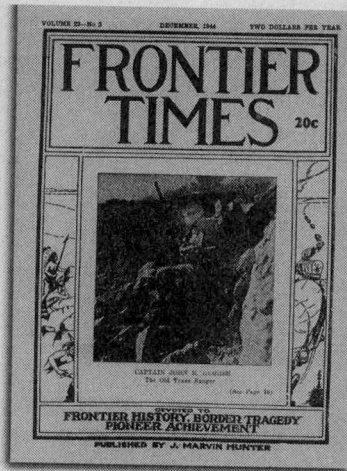
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In these journals he recorded his experiences, impressions, and thoughts during his years of military service in the American West.

Published by the University of Oklahoma Press in 1996, Dodge's Black Hills journals were edited by Kime. The journals edited here comprise Dodge's journals dating from 31 October 1876, through 8 January 1877. He was in command of the infantry and artillery battalions in the Powder River Expedition under General George Crook.

Dodge recorded his personal feelings and private thoughts in these journals, never intending them to be seen by his contemporaries. He was thus at ease in finding fault with his associates and expressed himself honestly. Of Cook, his servant, he wrote: "Cook is a character...He has not the slightest idea of politeness—no bump of reverence—never thinks of saying Sir to anybody, & speaks of officers as Crook & McKenzie [sic] without a thought of giving them their official title."

Dodge missed out in finding glory as General Ranald Mackenzie led the charge on Cheyenne Chief Dull Knife's camp. One officer and twenty-five soldiers were killed and twenty-six wounded before army reinforcements arrived. In spite of the victory—capturing 700 Indian horses and destroying their supplies of food and shelter—Mackenzie suffered from depression for the loss of his men.

Dodge recorded Mackenzie's feelings of self contempt, "bitterly reproaching himself for what he called his failure. He talked more like a Crazy man, than the sane Comdr. of a splendid body of cavalry."—*Chuck Parsons, Yorktown, Texas.*





STILES VS. CHADWELL

One of the most famous shootouts was not on the dusty streets of a wild western town, but on the town square of a peaceful Minnesota community called Northfield. The raid on the Northfield bank by the James-Younger gang on September 7, 1876, was a total failure. Two of the gang members were shot dead in the street, an innocent foreigner who did not understand English was shot and killed, and cashier J.L. Heywood was murdered because he foiled the robbery. Another of the gang was shot and killed near Madelia, where the three Younger brothers were captured.

Historians believe the only two who escaped were Frank and Jesse James. Lou Ann Clegg, a reader from San Antonio, Texas, inquires about one of the pair killed on the Northfield street.

"My great uncle was a Billy Chadwell, and through the years, I was told that this was the same Billy Chadwell who was killed during a bank robbery in Northfield, Minnesota, 1876, while riding with the James-Younger gang.... According to many books I have read, Billy Chadwell had an alias of Billy Stiles. Also, books tell me his real name was Bill Stiles and his alias was Billy Chadwell."

In checking the books on the James-Younger gang in my library (admittedly I do not have them all), it appears about half of the authors say he was Stiles alias Chadwell; half say he was Chadwell alias Stiles. The most recent book on the James-Younger gang, written by Marley Brant, says his name was Stiles and he was born in Monticello, Minnesota.

Stiles was a small-time horse thief and spent some time in Minnesota jails before relocating to Missouri and joining the James-Younger

gang. Stiles' familiarity with Minnesota was a deciding factor in the James-Younger plan to raid a Minnesota bank. Unfortunately for the gang, Stiles, the guide, was shot and killed in the street fight.

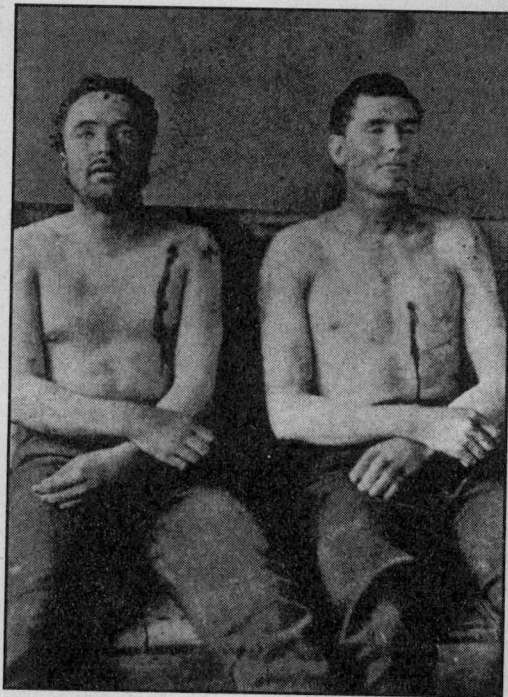
The Weekly Review, a newspaper in Mankato, Minnesota, in its issue of October 3, 1876, printed two letters which might provide a solid answer to Stiles' identity. The *Review* told of a Mr. Elias Stiles, a resident of Grand Forks, Dakota Territory, who had been informed of the death of the robber "Stiles" in Northfield. Elias Stiles was quoted as saying: "I thought he was in Texas. I suppose he got in with a lot of those d—d pirates." The letter further explained that Mr. Stiles said his son "had always been a wild boy and he could do nothing with him, but he did not think him vicious." The boy was twenty-three years old the previous April, suggesting a birth year of 1853.

The second letter was dated September 12 and written from Monticello. It said Stiles was "very well known at this place—was here about two years ago. The officers were after him at that time...for selling whiskey to the Indians at Bismarck [Dakota Territory]."

The Mankato *Record* of September 30 reported: "It is now asserted that the Missouri bandit killed at Northfield and heretofore called Bill Chadwell, is a former resident of Monticello, this State, and is named Bill Stiles, and his identity seems to be pretty well established."

Mankato naturally took a special interest in the Northfield robbery. Once the gang members had arrived in Minnesota, their first tar-

get was going to be the bank in Mankato. They changed their mind because there was a sidewalk being built in front of the bank, which attracted a continuous crowd of



Author's Collection

Clell Miller, left, and Billy Stiles after the James-Younger gang's botched robbery of the Northfield, Minnesota, bank, September

gawkers who could have interfered with their plans!

The 1860 Wright County, Minnesota, census recorded the Elisha Stiles family, Elisha being a farmer with \$1,500 worth of real estate. No mother is listed in the household, but there are three children: Edward S., age 8; William, age 7, and daughter Christiana, age 5. All were born in New Brunswick. This, I believe, is the William Stiles, alias Chadwell, who would later die on the streets of Northfield.

Whose Wild West Show?

Edward M. Doak, a retired veteri-



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narian and long-time reader from
Houston, Texas, inquires about the
Yegua Knobs in central Texas and
a wild west show.

"I always thought it was knobs, as
on doors, until one day I found time
between Taylor and Houston to
explore a back road just north of
the hills and came upon a small sign
that read KNOBBS. Later I saw a
Highway Department sign showing
Knobs Creek that ran from the
knobs to the southwest.

"My interest is that, when I was
very young a Wild West Show came
to Taylor and performed in a
neglected baseball park. The only
part that I remember was some
prairie schooners racing around the
edge of the park, pursued by
mounted Indians. When the wagons
huddled in the center the Indians
raced around them bareback, lean-
ing away from the wagons' gunfire
and shooting arrows below their
horses' throats. A vague and oh, so
distant memory in later years led me
to believe that this was Cole Younger
and Frank James in a Wild West
Show, either Buffalo Bill's or the
101 Ranch show, circa 1914, when I
was quite small. Is it possible I saw
Cole Younger and Frank James?"

First, the correct spelling is Yegua
Knobs, although Knobs is quite
acceptable, except perhaps to the
purist. The name applies to a small
line of hills not far from Knobs
Springs in southeastern Lee and
Bastrop counties in central Texas,
their elevation averaging 1,750 feet
above sea level.

Did Younger and James ever
make it to Taylor with a Wild West
Show, circa 1914?

We know that Cole Younger left
the show business world in
December 1903, then created the
Cole Younger Coliseum, a show of
trick riders. By 1908 Cole had com-
pletely left show business. Cole died
on March 21, 1916.

Frank James teamed up with Cole
in 1903 but ended his association
with the Cole Younger show in 1904.
He then bought a ranch near
Fletcher, Oklahoma, where he lived
until the death of his mother in
1911. Frank moved back to



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Agent for the Department of Justice
Frank Angel, October 7, 1878

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Missouri, where he died on February 18, 1915.

I'm afraid, Mr. Doak, that you did not see either Younger or James in a wild west show...but you should savor the memory of a genuine wild west show nonetheless!

Revolutionary Request

A reader recently inquired about how to obtain a record of a Revolutionary War soldier.

Although out of my "area of expertise," I can lead you in the right direction. To obtain the record of any soldier prior to World War I, write to: Reference Service Branch (NNIR), National Archives & Records Administration, 8th & Pennsylvania Avenue NW, Washington, DC 20408.

You will be mailed a form to complete, and there is a nominal charge.

Maxwells alias Williams

Henry M. Porter of Omaha, Nebraska, inquires about a pair of outlaw brothers who have never received much publicity—except during their times—Lon and Ed Maxwell.

All I have been able to locate is a single biography devoted to them, *Twice Outlawed; A Personal History of Ed and Lon Maxwell, alias the Williams Brothers. A record of highway robbery, horse stealing, romance and murder, to which is added a detailed and graphic account of the arrest and lynching of Edward Maxwell at Durand, Wisconsin, November 19, 1881.*

The title inadvertently provided a synopsis of the book's contents! The author was Adrian Percy and it was published by the W.B. Conkey Company of Chicago in 1884. Bibliophile Ramon F. Adams described it as "very scarce." The edition had about 194 pages, including six pages of advertising at the end.



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TRUE WEST ON THE
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WILD OLD DAYS

DEATH ON THE PRAIRIE

BY TIM SIMMONS

It was a hot August morning in the year 1720. The men who sat on their horses and looked down from the hill they had just topped were different than most who normally traveled the prairie. The men wore coats of arrowproof leather and thick, leather boots. They carried broadswords, lances, and muskets. They were Spaniards led by Don Pedro de Villasur, lieutenant governor of New Mexico. The group consisted of forty-two Spanish soldiers, sixty Pueblo Indians, and sixty Jicarilla Apaches.

Don Villasur looked down at the clustered earthen mounds of the Pawnee village and wondered. Was this the Pawnee village they were looking for? And where were the French?

The entire goal of the Spanish expedition had been born a year ago. New Mexico Governor Antonio de Valverde was visiting an Apache village when he saw a warrior recuperating from a gunshot wound. He was told raiding Pawnee warriors had inflicted the wound. They had received guns from the French, and what really raised Valverde's hackles, the French were building forts on the Arkansas and Platte rivers. This was getting too close to Spanish territory. Valverde sent his report to Mexico City and his orders came back quickly. Send an expedition north to the Pawnee villages of the Arkansas River. See what the French were doing. Develop a relationship with the Pawnees. Investigate the practicalities of building a Spanish fort there.

Thus, practically one year later, Lieutenant Governor Don Pedro de Villasur sat on his horse, surveyed the situation, and pondered his next

move. Villasur was the son of a high-ranking Spanish official. He had been made lieutenant governor by merit of his pedigree and had no frontier experience whatsoever. On this expedition, he had his own lavish tent and servants. However, he did have two officers who were veterans of Indian affairs and he listened to them. Captain Tomas Olguin had served in Santa Fe many years and helped subdue the Pueblos. Captain Cristobal de la Serna had fought the Comanches and had been instrumental in bringing about a peace of sorts between Santa Fe and the northern Comanche bands.

As the Spaniards studied the village of the Pawnees, all they saw were the earthen homes and cultivated fields. There was no French fort. The Spaniards had a Pawnee slave with them. He had been captured as a boy by Apaches and later sold to the Spanish. After some discussion with his officers, Villasur sent the Pawnee slave down to the village with a message. He wanted to talk with the Pawnee leaders. He had goods for trading. The slave took the message down to the village...and never came back.

Villasur and his men waited. After a day or so, it became apparent the Pawnee slave was not going to return. It was later learned he was more than thrilled to be back among his people. Once he delivered his message, he had no intentions of rejoining the Spanish.

Villasur then wrote a note in French, and one of his Pueblo Indians delivered it. After a while, he came back with a note one of the Pawnees had scribbled with a burnt stick. History has not left what the Indian wrote. But Villasur was now

certain more than ever that the French were among the Pawnee.

What to do now? Villasur counseled with his officers and Father Juan Minguez, the sole priest on the expedition. Then he made the preposterous suggestion that he could send a messenger back to Santa Fe for further instructions. Olguin and Serna immediately disagreed. It was a trip of over a thousand miles.

Finally, a few Pawnee leaders ventured forth from their village to talk with the Spaniards. The conference turned out to be far from productive. The Spaniards thought they were on the Arkansas River. They were wrong. They were far to the north, most likely on the Loup River. These were Skidi Pawnees, the northernmost branch of the tribe. Their contact with the French had been limited. But they did know the French were their friends. The French traded with them, and yes, some of them now had guns. The Spanish, however, had been known to kill Pawnees or take them as slaves. The Skidi were not happy

with the Spanish presence. They were also quite suspicious about the questions the Spaniards were asking about their friends, the French. Villasur had presents he could have given to the Indians, but he decided to hold the gifts until the Pawnees cooperated. The Spaniards didn't believe the Pawnees were at all cooperative and, in fact, felt an air of hostility.

After the unsuccessful council broke up, Olguin and Serna strongly suggested they move their camp farther south, away from the Pawnee village. Villasur took their advice and, after the sun went down, the Spaniards and their Indian allies moved south about thirty miles to another river, probably the Platte. They made camp on the night of August 13, 1720, in a river bottomland filled with tall grass.

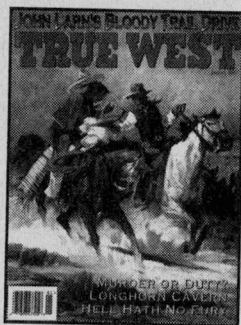
Meanwhile, the Skidi were busy as well. Runners were sent to their allies, the Otoes. While the Skidis had not had much contact with the French, the Otoes had. And they also had a lot of French muskets. It

didn't take long before a large Otoe war party was hurrying through the night to join the Skidi Pawnees, who had watched the Spanish move away.

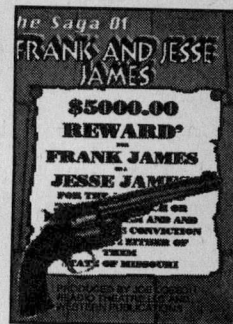
The Spanish camp was tense that night. Sentries reported that they kept hearing things. The calls of coyotes could be heard, along with birds that didn't quite sound right. The Spanish soldiers and Pueblo and Apache warriors slept with their weapons close by.

Early on the morning of August 14, the Spanish horse herd was stampeded. The guards yelled and the soldiers began to scramble. Villasur came out of his tent to see what the commotion was all about. A volley of musket fire ripped through the camp, and Spaniards and some of their Indian allies toppled over. They started reaching for their weapons when a heavy storm of arrows sizzled through the air. More men fell over and groaned as they grabbed at the arrows protruding from their bodies. The Apaches quickly ran and disappeared into the high grass.

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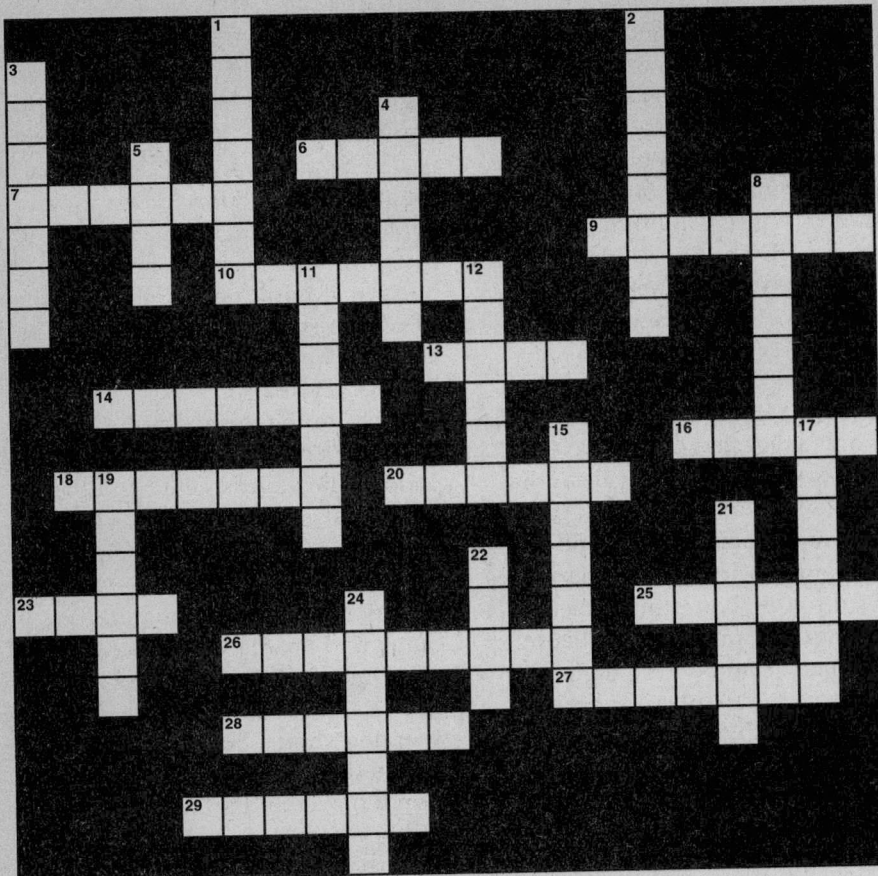
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Then came the high shrill of hundreds of warriors. The Spaniards and Pueblos stood shocked as nearly 500 Pawnee and Otoe warriors ran into their camp. Stone warclubs, steel swords, long lances, and the Pueblo *macanas* of wood and flint cracked against each other. Arrows flew. A few *pistolas* were discharged. But there were still just too many raging warriors.

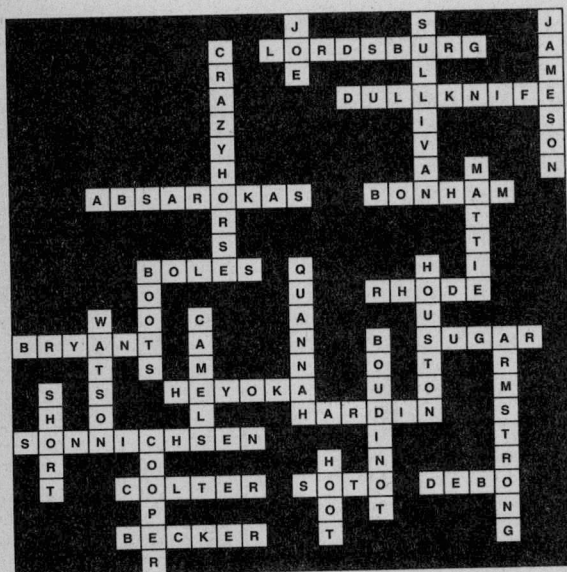
After a few bloody minutes, the remaining soldiers turned and scrambled to get away, along with the fleeing Pueblo Indians. Many were chased down by the angry Pawnee and Otoe warriors and killed.

When the fighting was finally over, thirty-five Spaniards and fourteen Pueblo Indians lay dead. Among the slain were Villasur, Olguin, and Serna. Father Juan Minguez was taken captive.

Weeks later, the survivors of the massacre straggled back into Santa Fe. Altogether, about a dozen Spaniards survived the ordeal. Their stories were horrible and full of confusion. Indian guides had led them on a circuitous route to the battle site, which left the Spaniards confused as to its exact location. They weren't sure where the battle had taken place. They didn't know what river it was. Some said they were sure there had been Frenchmen involved, although no one actually saw any.

The rumors, stories, and innuendoes flew for years. The Spaniards later learned that Father Juan Minguez had been traded from one tribe to another until he was finally killed by Kansa Indians. The French denied any involvement, but the Spanish insisted they had instigated the attack.

It was a defeat from which the Spanish never fully recovered. Some of their best soldiers had been lost out on that prairie. It turned out to be the last Spanish expedition to venture out onto the American plains.



Solution in next month's True West.



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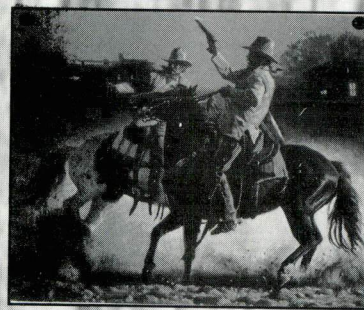
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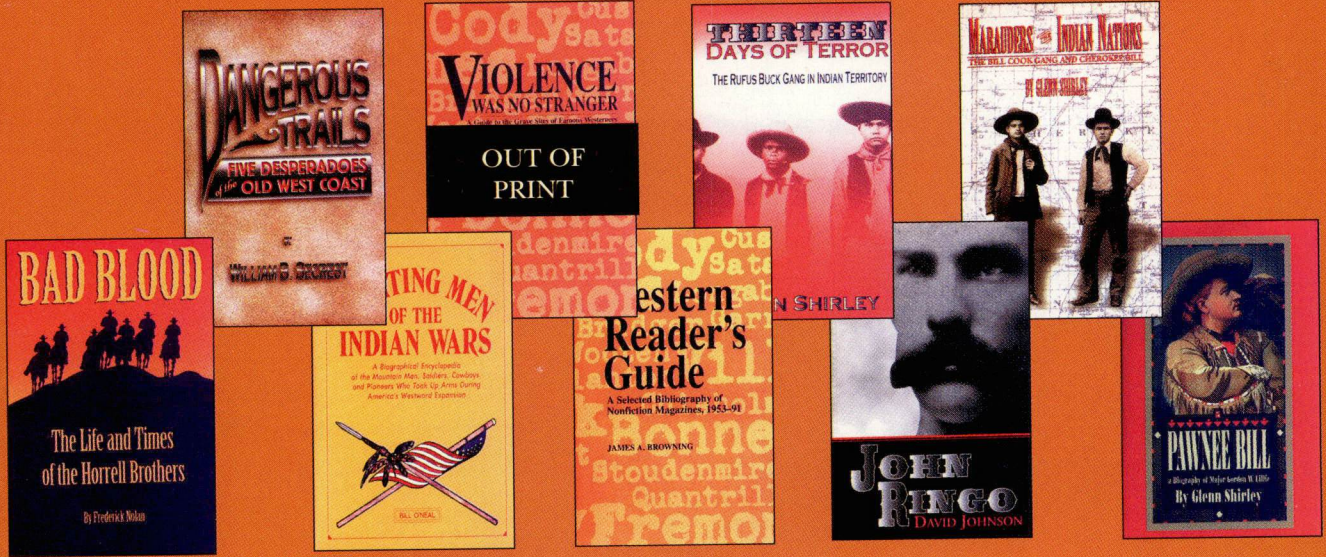
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