

# The Army and the Horse Thieves

by James David Drees

ALTHOUGH INDUSTRIALIZATION WAS SPREADING and steel rails tied the nation together, the Post-Bellum American West was still dependent upon mules, horses, and oxen to provide power and mobility. This dependency made these animals valuable; and wherever there is something of value, there are men who will attempt to steal it. Despite the risks of imprisonment or death, horse thieves were numerous on the frontier. These outlaws and desperadoes left a memory of daring deeds, hard rides, and violent deaths that are a major theme in the history of the Old West.

The army, the single largest owner of mules and horses on the frontier, was a major victim of the horse thief. Army posts and camps, as well as the wagon trains that supplied them, were in as much danger from a raid by these criminals as they were from Indian war parties. Solitary thieves and organized bands frequently swooped down to run off as many mules and horses as they could. Such was the problem confronting Fort Hays and the other posts in western Kansas in the 1860s and 1870s.

Fort Hays was situated on the high ground overlooking the site where the tracks of the Union Pacific Railway, Eastern Division, crossed the south fork of Big Creek. Construction of this post was begun in June 1867.<sup>1</sup> Rome, a squatter's town within a mile of the fort

on the west bank of Big Creek, was started about the same time. By late August, Hays City had come into being, also about a mile from Fort Hays. Trade with construction crews and travelers on the Smoky Hill Trail was brisk and both settlements flourished. Government wagon trains were a common sight as they arrived at and departed from the post.

Naturally all of this activity did not go unnoticed by horse thieves and other desperadoes. One early-day resident of Hays City recalled years later how an organized band of thieves became a major problem in Ellis County and the surrounding area during the summer of 1867. Disguised as Indians (a frequently used trick), thieves made several forays under cover of darkness against the camps of railroad workers and ran off many mules and horses. Although the losses were at first attributed to war parties known to be in the vicinity, the recovery of some of the missing stock at Salina revealed the existence of a horse thief gang.<sup>2</sup>

According to the *Hays City Railway Advance*, the gang had its headquarters in the Solomon Valley, north of the fort. On December 21, 1867, a party of hunters near the Solomon River discovered the remains of a man who had been shot seven times in the head and body. It was estimated that the victim had been killed some ten days before. In reporting the incident, the *Advance* stated that the Solomon Valley "is known for the past two or three years to be infested by a band of renegade white men and Indians, who plunder and murder all who are unfortunate enough to fall into their clutches."<sup>3</sup>

On February 18, 1868, Maj. John E. Yard, post commander of Fort Hays, received a letter from Ellis County sheriff Thomas Gannon that concerned the thieves on the Solomon. The sheriff requested that Yard

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The author wishes to thank the following individuals for their invaluable assistance in providing information for this paper: the Rev. Blaine E. Burkey, OFM Cap., Hays; Joseph G. Rosa, Ruislip, England; Rodney Staab, curator, Grinter Place; and Leo E. Oliva, Woodston.

1. For an excellent history of the post, see Leo E. Oliva, *Fort Hays, Frontier Army Post, 1865-1889* (Topeka: Kansas State Historical Society, 1980).

2. *Hays Daily News*, February 26, 1961.

3. *Hays City Railway Advance*, as cited in the *Marysville Enterprise*, January 4, 1868.



Horse thieves and their exploits have served as themes for artists of the American West. When *Horseflesh Comes High*, by Charles M. Russell, depicts a posse riding into the fire of two horse thieves as one mounts his horse "Indian style," hoping to make his escape and deserting his partner.

detail fifteen to twenty men to the Ellis County jail at 7:00 a.m. the following morning to act as an escort for Gannon on a four or five-day trip. Gannon's intended purpose was to arrest "a band of desperadoes and horse thieves, said to be camped on the Solomon river."<sup>4</sup> Major Yard ordered a lieutenant, with one noncommissioned officer and fourteen men of Troop F, Tenth Cavalry, riding in two six-mule wagons, to act as Gannon's escort. The lieutenant was to "render the Sheriff such aid in arresting the parties he is in search of" as the lieutenant deemed necessary.<sup>5</sup>

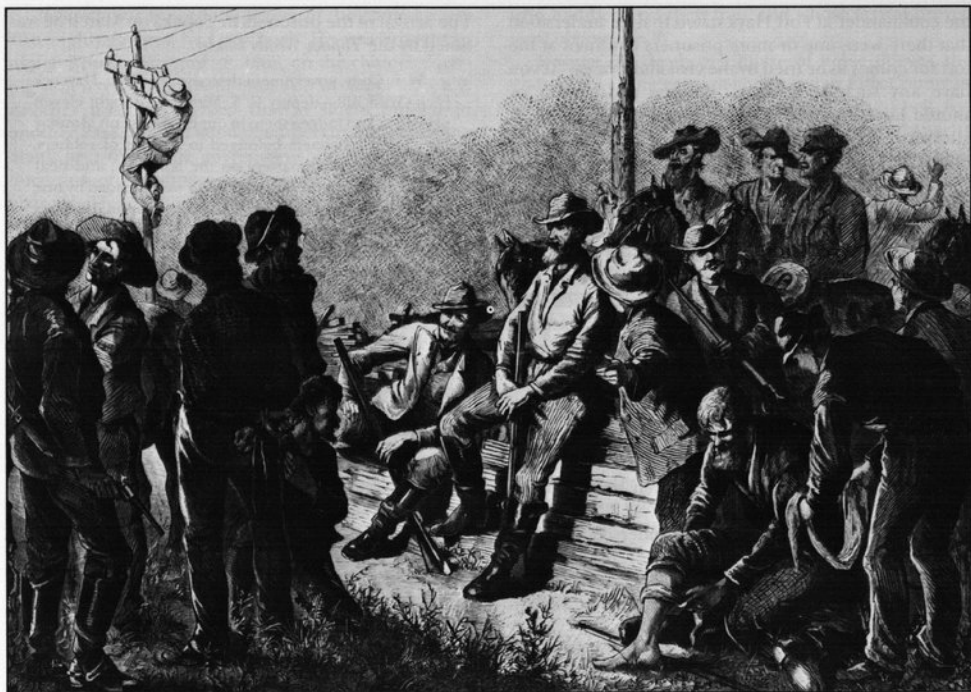
4. Sheriff Thomas Gannon to Maj. John E. Yard, February 18, 1868, Letters Received, 1867-1868, Fort Hays, Kansas, National Archives, Washington, D.C. (microfilm, Kansas State Historical Society).

5. Special Orders No. 24, February 19, 1868, Records of the U.S. Army Continental Commands, 1821-1920, Fort Hays, Kansas, Special Order Book, 1866-1868, v. 49, Record Group 393, National Archives (microfilm, KSHS).

It would seem that Gannon was unsuccessful in his mission despite having had an armed detail, for thieves made a raid on Fort Hays a few days after the sheriff's expedition. On the morning of March 2 five mules were missing from the post corral. Four soldiers of the Thirty-eighth Infantry were consequently placed on guard at the corral, but on the morning of March 5 another two mules and three horses were added to the list of stolen government property. The guards were arrested and examined for complicity in the crime, but their good characters and lack of evidence prompted the officer who had ordered them confined to request their release five days later.<sup>6</sup>

Major Yard apparently decided that it was time to take more direct action rather than to depend upon the

6. *Kansas Daily Tribune*, Lawrence, as cited in the *Leavenworth Daily Conservative*, March 15, 1868; Lt. Myron J. Amick to Lt. Jacob A. Souders, March 9, 1868, Letters Received, 1867-1868, Fort Hays, Kansas, National Archives (microfilm, KSHS).



*In an 1874 issue of Harper's, vigilantes, horse thieves, and the resulting gallows were depicted in this illustration of an incident on the Texas-Oklahoma border.*

efforts of the civilian authorities to catch the thieves. He wrote the following and gave it to government detective William F. "Buffalo Bill" Cody:<sup>7</sup>

Head Quarters  
Fort Hays, Kansas,  
March 8, 1868  
To the  
Comdg. Officer  
of any Mil. Post  
Sir:—

I must respectfully request that you render such assistance to the bearer of this as in your judgment you may consider necessary under the circumstances.

Mr. W. F. Cody has been sent in pursuit of Deserters

and stolen Government property, the particulars connected therewith he will more fully explain to you.

The Quartermasters Department will furnish the necessary transportation by stage.

I am, Sir,  
Very respectfully  
Your obt. servt.  
J. E. Yard  
Major 10<sup>th</sup> U. S. Cav.  
Comdg Post<sup>8</sup>

Cody was successful in his pursuit and several suspects were brought in and lodged in the Fort Hays guardhouse. These prisoners may have been the ones referred to in a March 19 letter written by U.S. Marshal Charles C. Whiting. Whiting's brief communication with

7. In addition to being a government detective, Cody was employed as a scout at Fort Hays and operated a saloon at Rome. He is said to have won his nickname hunting buffalo for railroad work crews while residing at Hays City in the winter of 1867-1868.

8. Maj. John E. Yard to Commanding Officer of any Military Post, March 8, 1868, Letters Received, 1867-1868, Fort Hays, Kansas, National Archives (microfilm, KSHS).



the commander at Fort Hays stated that he understood that there were one or more prisoners confined at the fort for crimes to be tried by the civil authorities. "If you have any such at present," Whiting concluded, "or should have any in the future please notify Mr. J. B. Hickok of Hays City who will promptly respond to your notice."<sup>9</sup>

James B. Hickok,<sup>10</sup> the legendary "Wild Bill," a deputy U.S. marshal residing in Hays, would normally have gone after the thieves himself, as the recovery of stolen government property was a typical duty for a marshal. It seems, however, that he was out of town at the time.<sup>11</sup> When Hickok returned, he complied with Marshal Whiting's instructions, as stated in the March 19 letter, and made arrangements to move the prisoners from Fort Hays to Topeka. Writing from Hays City on March 28, Hickok requested that the new post commander supply a guard, consisting of a corporal and five men, to assist him in moving the accused thieves. This request was prompted by "the number and character of these prisoners and the feeling in their behalf in this community which renders a guard of U.S. Soldiers absolutely necessary."<sup>12</sup> The commander complied by ordering a sergeant and five privates of the Fifth Infantry to act as the escort.<sup>13</sup>

The *Hays City Railway Advance* reported the departure which took place March 29:

Twelve prisoners were taken below on Sunday night. They are charged with picking up Government stock, and from all we can learn, several of them will be compelled to devote some years to laboring for our Uncle's benefit. Among the party was one Capt. Smith, formerly of the Seventh Kansas, who is said to be the leader of the gang, and the hardest case of the lot.<sup>14</sup>

9. U.S. Marshal Charles C. Whiting to Commanding Officer, Fort Hays, March 19, 1868, Letters Received, 1867-1868, Fort Hays, Kansas, National Archives (microfilm, KSHS).

10. While a resident of Hays City in 1867-1870, Hickok was employed as a deputy U.S. marshal, city policeman, and acting county sheriff. He also ran a saloon on Front (now Ninth) Street in 1867-1868. For the most complete account of his life in Ellis County, see Blaine Burkey, *Wild Bill Hickok: The Law in Hays City*, 2d ed. (Hays: Thomas More Prep, 1975).

11. Hickok was in Atchison on March 12 and in Leavenworth on March 14. See *Atchison Daily Free Press*, March 12, 1868, and *Leavenworth Daily Conservative*, March 15, 1868. See also Joseph G. Rosa, *They Called Him Wild Bill* (Norman: University of Oklahoma Press, 1974), 95-98.

12. Deputy U.S. Marshal James B. Hickok to Capt. Samuel Oven-shine, March 28, 1868, Letters Received, 1867-1868, Fort Hays, Kansas, National Archives (microfilm, KSHS).

13. Special Orders No. 51, March 28, 1868, Records of the U.S. Army Continental Commands, 1821-1920, Fort Hays, Kansas, Special Order Book, 1866-1868, v. 49, RG 393, National Archives (microfilm, KSHS).

14. *Hays City Railway Advance*, as cited in the *Kansas Daily Tribune*, Lawrence, April 3, 1868.

The arrival of the prisoners in Topeka on March 30 was noted by the *Topeka Weekly Leader*:

W. F. Cody, government detective, and Wm. Haycock [sic]—Wild Bill—deputy U. S. Marshal, brought eleven prisoners and lodged them in our calaboose on Monday last. These prisoners belonged to a band of robbers, having their headquarters on the Solomon, and near Trinidad [Colorado Territory], and were headed by one Major Smith once connected with the Kansas 7th. They are charged with stealing and secreting Government property, and desertion from the army. Seventeen men, belonging to this same band, were captured eleven miles from Trinidad, on the 13th of March, and sent to Denver, Colorado Territory, for trial.<sup>15</sup>

Denver's *Daily Rocky Mountain News* reported the arrests in the Colorado Territory on March 10. Twenty-four accused thieves were captured by the army and civilian authorities; eight were arrested at Trinidad, while sixteen were snared at Fort Lyon. These outlaws had their headquarters on the Rio Las Animas, and besides being horse thieves and rustlers were said to have committed several murders. In addition to the several arrests made, the authorities recovered one thousand head of cattle and twenty-six hundred sheep. If there was a connection between the prisoners at Topeka and the men caught in Colorado, the combined arrests were undoubtedly a blow to the gang. According to one of the prisoners in Colorado, however, there were still over one hundred members of the band on the loose.<sup>16</sup>

James Smith was the alleged leader of this band of horse thieves. A native of Decatur, Meigs County, Tennessee, Smith had enlisted as a private in the Seventh Kansas Cavalry at Leavenworth on August 1, 1861. A short time after Smith's enlistment, the governor of Kansas commissioned him as a second lieutenant in Company C. The company's descriptive roll reported Smith as being single, a farmer by trade, standing six feet tall with blue eyes, and having light-colored hair and a fair complexion. In 1863 he was appointed captain and still held this rank when Company C was mustered out with the regiment on September 29, 1865.<sup>17</sup> Obviously Smith had never been an army major as the *Weekly Leader* had implied.

15. It is a puzzle as to why two different figures were given for the number of prisoners brought in and why the *Leader* identified Smith as a major. See *Topeka Weekly Leader*, April 2, 1868.

16. *Daily Rocky Mountain News*, Denver, March 10, 1868.

17. Descriptive Roll for Seventh Kansas Cavalry, Company C, 1861-65, Archives Department, Kansas State Historical Society; *Report of the Adjutant General of the State of Kansas, 1861-65* (Topeka: Kansas State Printing Co., 1896), 1:224.

If Smith was indeed the leader of the gang, he was also highly favored by Lady Luck. He was brought to trial at Topeka on April 28, 1868, on the charge of having stolen ten government mules on or about March 9. Another prisoner testified that to shield himself in another case, he had committed perjury in identifying Smith as a thief. The government was unable to produce any other witness to testify and Smith was discharged. The fate of the other men brought in by Cody and Hickok is unknown.<sup>18</sup>

While horse thieves were responsible for the army losing hundreds of mules and horses, they were occasionally forced to pay a price for their successes. Usually the payment was imprisonment, but sometimes a life was the fee. In May 1868 the U.S. Seventh Cavalry arrived in Ellis County to establish a summer encampment. This camp was first located near Fort Hays but was moved to a location on Big Creek fourteen miles farther west, near the present town of Ellis. When the regimental wagon train reached the fort, several civilian teamsters hired for the trip were discharged. Many of these men remained at Hays City and were soon suspected of having stolen several mules from the Seventh's train. A detective was placed on their trail and information was somehow acquired that the men planned to make a raid on the camp the night of May 22. Several officers and men of the Seventh consequently concealed themselves near the wagons that night and awaited the arrival of the thieves. Three men approached the camp and started to help themselves to six mules and other government property. The soldiers made their presence known and the thieves attempted to flee. One desperado was killed and his two accomplices, who were forced to abandon the mules they had escaped with, were later arrested at Hays City. They were taken before a justice of the peace for an examination and were released on a writ of habeas corpus, but were rearrested immediately on a similar charge. Nothing is known of their ultimate fate.<sup>19</sup>

Other outlaws fell into the hands of the authorities before they could even begin operations in the area. The *Hays City Railway Advance* reported that some "excitement was created on Sunday [June 14], by the arrest of a couple of horse thieves, fresh from Ellsworth. The knights of the stable were turned over to the officers

who had been on their trail, and whose arrival proved most opportune."<sup>20</sup>

Despite the death or capture of horse thieves, the theft of government stock continued in Ellis County in 1868. Occasionally the army's loss of stock was believed to be caused by its own employees. William "Apache Bill" Semans was one of the scouts who worked out of Fort Hays. Semans and Alexander Boyd were accused of stealing four mules from the fort in December 1868. Semans was arrested at Fort Harker on January 6, 1869, and Boyd was nabbed there the following day. The two men were tried at Topeka on May 20. Semans was acquitted, but additional charges were made against Boyd and he faced another trial.<sup>21</sup>

By the end of 1868, a conflict existed between Fort Hays and Hays City. Clashes between soldiers and citizens were frequent, and occasional homicides committed by both sides further fueled the trouble. The official forms of civil authority broke down, and throughout most of 1869 crime and violence were everyday occurrences on the streets of Hays. Officers at the post believed that this lawlessness played a significant role in the theft of government property—and they were probably correct.<sup>22</sup> One of the major incidents of violence that resulted from the animosity between the soldiers and citizens was over a mule and ended in a shameful miscarriage of justice.

Tom Butler, an employee of Fort Hays' quartermaster department, was discharged in February 1869 on suspicion of being connected with the horse thieves in the area. Butler left Hays City on February 6 and headed east. About the same time, a mule belonging to a civilian also disappeared. The day after Butler's departure an expedition, comprised of a government detective, the post surgeon, the quartermaster, several of his employees, and ten soldiers of the Thirty-eighth Infantry, left the fort in pursuit. Butler was captured at Fossil Creek (now Russell). While awaiting daybreak to start the trip back to the post, the soldiers and government employees passed the hours of darkness by torturing the prisoner into confessing that he had stolen the mule.

In the morning the officers in charge and the civilian employees rode on ahead to Fort Hays. Later, Butler left Fossil Creek in the charge of the ten soldiers;

18. Joseph G. Rosa, "J. B. Hickok, Deputy U.S. Marshal," *Kansas History* 2 (Winter 1979): 240.

19. The surname of the man killed was Grant. His two accomplices were Kittenback and Hammer. *Hays City Railway Advance*, as cited in *Kansas Daily Tribune*, May 29, June 4, 1868; Robert M. Utley, ed., *Life in Custer's Cavalry: Diaries and Letters of Albert and Jennie Barnitz, 1867-1868*. (New Haven: Yale University Press, 1977), 153-55.

20. *Hays City Railway Advance*, as cited in *Kansas Daily Tribune*, June 20, 1868.

21. Semans, while serving as an Ellsworth policeman, was shot and mortally wounded at a dance hall disturbance on August 2, 1869. See Rosa, "J. B. Hickok, Deputy U.S. Marshal," 243, and *Times and Conservative*, Leavenworth, August 4, 5, 1869.

22. For an examination of conditions in Hays City at this time, see James D. Drees, "The Hays City Vigilante Period, 1868-1869" (unpublished master's thesis, Fort Hays State University, 1983).

Butler walked in the snow and was led by a rope tied to a saddle. Shortly after crossing back into Ellis County, Butler was shot and his body tossed into an abandoned dugout, with a little dirt thrown in on top.

When officials at Hays City learned of Butler's murder, they had the corpse retrieved and buried on Boot Hill. The county coroner refused to hold an inquest because he feared an increase in the hostility between fort and town. There is no indication that any official inquiry was made by the army, and the soldiers and employees involved in the crime went unpunished. Ironically enough, the mule that Butler was suspected of stealing was found near the fort on February 7; the same day that he was captured at Fossil Creek.<sup>23</sup>

Following the breakup in 1868 of the gang supposedly led by James Smith, it had appeared that the thefts of government stock in the Fort Hays area were the work of individuals or small bands. In 1870, however, evidence came to light that two or more bands of horse thieves, operating in a loose organization, had filled the void created by the disappearance of the Smith outfit.

The leader of the gang, with its headquarters at Junction City in Davis (now Geary) County, was John Sanderson, a thirty-three-year-old who resided on a Davis Township farm with his parents and brother Jonathan, aged twenty-six. Another brother, George, thirty-eight years old, lived with his wife and two children at Ellsworth, where he was a partner in the livery and freighting firm of Sanderson and White. The elder Sandersons and their sons had come to Kansas from England.<sup>24</sup>

John Sanderson was suspected of being a horse thief and bandit, but the only crime known to have brought him before the U.S. district court was the theft on July 15, 1869, of ten geldings belonging to Troop I, Seventh Cavalry, from the camp near Fort Hays. Sanderson and two members of his gang were arrested and tried at Topeka in May 1870. One thief was convicted of stealing government mules on a separate occasion and sentenced to four years in the penitentiary. Another was acquitted of charges. When Sanderson was tried, the jury

deadlocked at ten for conviction and two for acquittal. His new trial was set for October 1870.<sup>25</sup>

In July 1870, two detectives<sup>26</sup> were investigating the mysterious murder of a Junction City man that had occurred two years before. The detectives "fell in with a company of horse thieves," and obtained information about the theft of another sixteen government horses in Ellis County about May 1. This information was passed on to Deputy U.S. Marshal William N. White. A posse led by White arrested Lewis Booth in Butler County for complicity in the crime and took him to Junction City. Another member of the band was arrested at Junction City on July 27. The two prisoners were taken to Topeka on the train that night and locked up in the Shawnee County jail. A third thief was arrested in Topeka by the posse the following morning and joined the other two outlaws in jail. None of the three men could post the \$2,000 bond, and they languished in confinement until their examination before U.S. Commissioner Lewis Hanback the following month.<sup>27</sup>

Marshal White's posse returned to Junction City on the evening of July 28. After their arrival, gang member John C. Tucker was arrested on a charge of rape, and John Sanderson was arrested for involvement in the theft of the sixteen government horses. On the morning of July 29, Sanderson was placed in irons and taken by train to Topeka. At a hearing before Commissioner Hanback he posted a \$4,000 bond for his court appearance which was to take place on August 15 or 16. Sanderson was released and he promptly returned to Junction City.<sup>28</sup>

Farrell, a twenty-three-year-old Englishman, had been employed as scouts at Fort Dodge until the disappearance of some government property resulted in their discharge in April 1869. Stitt later resided at Junction City, where for the federal census he listed his occupation as gambler. See *Kansas Daily Commonwealth*, Topeka, April 22, May 5, 7, 11, 14, 15, July 30, 1870; *Kansas State Record*, Topeka, May 11, 25, December 7, 1870; *Times and Conservative*, May 6, 8, 10, 12, 14, 1870; Criminal Case No. 827, First Division of the First District of Kansas, U.S. District Court, National Archives—Kansas City Branch; U.S. Census, 1870, Kansas, Davis County, Junction City Township, p. 22, L. 38, National Archives (microfilm, KSHS).

26. Joel Lewis Music and Augustus Coring were the detectives. U.S. Census, 1870, Kansas, Davis County, Junction City Township, p. 14, L. 21-22, National Archives (microfilm, KSHS).

27. John Schooler (or John N. Schouler), a twenty-nine-year-old Pennsylvanian, was the gang member arrested at Junction City on July 27. James Stitt was the man captured in Topeka. See *Kansas Daily Commonwealth*, July 29, 30, 31, August 18, 1870; *Kansas State Record*, August 3, 1870; U.S. Census, 1870, Davis County, Junction City Township, p. 70, L. 9, National Archives (microfilm, KSHS).

28. John C. Tucker, a twenty-five-year-old Canadian employed as a hostler, resided in the same hotel as Stitt. See *Kansas Daily Commonwealth*, July 30, 31, 1870; *Kansas State Record*, August 3, 1870; U.S. Census, 1870, Kansas, Davis County, Junction City Township, p. 23, L. 1, National Archives (microfilm, KSHS).

23. *Kansas Daily Tribune*, February 19, 1869; Adolph Roenigk, "Railroad Grading Among Indians," *Kansas Historical Collections*, 1903-1904 8 (1904): 384-89; Adolph Roenigk, *Pioneer History of Kansas* (N.p., 1933), 177-78.

24. U.S. Census, 1870, Kansas, Davis [Geary] County, Davis Township, p. 36, L. 28-31, National Archives (microfilm, KSHS); U.S. Census, 1870, Kansas, Ellsworth County, Ellsworth, p. 7, L. 21-24, National Archives (microfilm, KSHS).

25. Manly B. Gilman (or Gilmore or Gillman) was the thief convicted. Gilman and the thief acquitted, James Stitt, alias James



# TEAM STOLEN!

## \$150 REWARD

**STOLEN--On the Night of October 2d,**  
from the farm of Geo. E. Clayton, Claytonville, Brown county, Kans., one

### Light bay Horse

with heavy mane and tail, inclined to kink or tangle, rather large limbed and rough, slender in body for size of limbs; about 16 hands high, 7 years old, large head, long foretop, nose slightly Roman, very plain collar marks on bottom part of both shoulders and a few white hairs on each side of backhous caused by backband of harness; branded on left shoulder with letter B or M.

### One bay Mare,

with star in forehead, 16 hands high, 6 years old, one and perhaps both hind feet white, well quartered and high carriage; when stolen had sore spot on left side of the head, immediately behind left ear, and a smaller similar spot on right side made by buckle of backband. The right name of

**THESE THINGS**

is Edward Bradley. He is about 5 feet 11 inches high, had on when left

short dark brown hair, has light thin mustache and a thin crop of burnside whiskers, growing well back on the upper part of his jaw; light complexion; blue eyes, and Roman nose; addicted to profanity and uses it frequently in conversation. Had with him, when he crossed the Missouri River at Rulo, Nebraska, on October 2d, a light spring wagon or buggy, designed for two seats but had only one in, and a pair of mismatched harnesses, one having round lines and one flat, one having Japan plate or mounting on the backband and the other "C" plate white metal. The buggy was old and pretty well worn; had lost staple out of the end of tongue which keeps neck yoke in place, and which was substituted by a nail or spike driven through the tongue and a rope wrapped around to keep neck yoke in place. The

### Wagon and Harness were Stolen

from different parties, for the recovery of which \$25 reward will be given.

\$50 reward for the horses or \$25 for either of them, and \$75 for the capture of the thief and delivery to me in either of the United States.

Edward Bradley was jailed previous to this for stealing a horse, let broke jail at Troy, Doniphan County, Kansas, subsequently stole the outfit mentioned above, crossed the river at Rulo, Neb., and was trailed thence to Maryville, Mo., and thence to Princeton, Mercer county, Mo., via Denver, Worth County, Egglestonville, Harrison County, and thence to 4 miles north-east of Ravenna—where it is supposed the thief left the main road and struck North through Sumner into Iowa. Between Sweet Home in Nodaway county, and Denver, in Worth County, he was joined by another man, described as about 5 feet 8 inches high, slender made, dark hair, thin whiskers and dark mustache; name unknown.

In addition to the bay horses, buggy and harness, Bradley had with him a grey horse, saddle and bridle, supposed to belong to himself, which was generally led behind the buggy, but sometimes worked on the off side and one of the bays led.

Officers to whom this circular is addressed will please give their especial attention to this matter, to the end that justice may overtake the thief, worthy man recover their stolen property, and society be rid of a thief for a term of years.

R. J. YOUNG, Sheriff.

Hiawatha, Brown Co., Kansas.

Reward posters, such as this one from the late 1870s, were indicative of the threat posed by horse thieves.

According to the *Kansas Daily Commonwealth*, credit for the arrests belonged to the two detectives who had uncovered the evidence that resulted in Sanderson's capture and that of four of his associates. "Further developments," concluded the *Commonwealth*, "are expected in due course of time, which may or may not result in the breaking up of a gang of murderers and horse thieves which are thought to have their headquarters near Junction City." The editor of the *Junction City Weekly Union* wrote that the arrests had put broad grins on the faces of residents, knowing, as they did, that Sanderson "and his gang have been on the steal constantly for years. . . . We have faith," prophesied the editor, "that this is the end of their string."<sup>29</sup>

It was the end of the string as far as Sanderson was concerned. He had no sooner returned to Junction City than the law again demanded his capture for crimes committed. When the summons was made to answer for his misdeeds, Sanderson declined. The resulting affray was reported by the *Daily Commonwealth*:

It appears that during Monday night [August 1] John Tucker, one of the gang, who was arrested on a charge of rape, made a confession, implicating Sanderson in several murders, in addition to his long run of robberies. A warrant was served out for Sanderson, on the charge of having murdered Thomas Reynolds, near Junction City, two years ago, and Sheriff [Richard C.] Whitney, accompanied by Deputy U. S. Marshal White and James Reynolds, attempted to make the arrest. Sanderson surrendered himself, but asked the sheriff to have White and Reynolds put away their arms. They had no sooner done so than Sanderson seized a double-barreled shot gun, and shot Reynolds in the head. He fired the second barrel and two shots from a revolver at White. Reynolds was badly shot, but not dangerous. White received a few shot[s] in his side. Sanderson escaped to the brush, and up to Wednesday noon no trace of him was found.<sup>30</sup>

Sanderson was eventually discovered near town and was captured on August 4. A guard of some thirty men was placed around the jail to prevent "the designs of an incensed mob."<sup>31</sup> Two days later Sheriff Whitney and a bodyguard of fifteen to twenty men took Sanderson, escorted by brothers Jonathan and George, to Humboldt Creek for a preliminary examination before a justice of the peace on the charge of murder. The justice of the peace determined that Tucker's confession was sufficient evidence to warrant holding Sanderson, and he

ordered the accused man taken to the nearest jail to await trial. Just as the sheriff was preparing to leave with the prisoner, a mob of about one hundred men arrived and seized the three Sanderson brothers. John refused to admit his guilt and was shot dead. The mob, with Jonathan and George as prisoners, then departed. Despite threats to execute them for connection with their brother's crimes, both Sandersons were forced to sign a document stating that they would leave the area forever, and they were later released unharmed.<sup>32</sup>

The Sanderson gang was smashed—its leader was dead; his brothers banished from Junction City; two members ultimately were sent to the penitentiary.<sup>33</sup> However, revelations about the extent of the horse thieves' organization, of which the band had been a part, continued to expand.

Lewis Booth, arrested for complicity in Sanderson's crimes, was the connection between the Junction City thieves and a gang in Butler County. Booth, a thirty-year-old native of the state of New York, remained in the Shawnee County jail until August 6 when he was released on bond. At a hearing held on August 17 and 18 before Commissioner Hanback on the charge of involvement in the theft of sixteen army horses, it was decided that Booth should face the U.S. district court for trial at a later date. He posted a \$2,000 bond for his appearance and was released. Booth returned to Butler County and his Walnut Township farm, where he lived with his wife and two daughters; George, his brother, aged twenty-four; and two hired hands.<sup>34</sup>

Butler County in 1870 had an unsavory reputation. A local reporter concisely stated the reason: "It is well known some of the principal men of an organized band of thieves have made Douglas[s] and vicinity its headquarters for more than two years. In fact this southwestern county has been their rendezvous and highway for ten years."<sup>35</sup>

In addition to being horse thieves, the Butler County outlaws mirrored the activities of the Junction City gang by practicing the art of murder. In late May 1870 the Butler County thieves killed two young men for their

29. *Kansas Daily Commonwealth*, July 31, 1870; *Junction City Weekly Union*, July 30, 1870.

30. *Kansas Daily Commonwealth*, August 4, 1870.

31. *Ibid.*, August 7, 1870.

32. George Sanderson, despite his close brush with death, continued to have his name appear in newspapers and court records as a horse thief in the early 1870s. See *Kansas Daily Commonwealth*, August 20, 1870; *Kansas State Record*, August 10, 1870.

33. Stitt and Schooler were sentenced to prison terms at the December session of the U.S. District Court at Topeka. See *Kansas Daily Commonwealth*, December 7, 8, 10, 1870; *Kansas State Record*, December 7, 14, 1870.

34. U.S. Census, 1870, Kansas, Butler County, Walnut Township, p. 21, LL 33-39, National Archives (microfilm, KSHS).

35. *Winfield Censor*, December 3, 1870, as cited in the *Wichita Vidette*, December 8, 1870.



wagon and team on the main road between El Dorado, Butler County, and Wichita, Sedgwick County. To conceal the crime, the bodies were hung from the branch of a tree and a note left at the scene that stated that the two victims had been lynched for being horse thieves. The ruse was successful and it was several months before the truth was revealed. This heinous crime and the disappearance of stock throughout the Walnut Valley finally forced settlers in that region to take the law into their own hands to deal with the Butler County desperadoes.<sup>36</sup>

On November 8 a band of mounted men visited the settlement of Douglass. The riders went about the town making inquiries concerning stolen horses and the whereabouts of Lewis Booth and James Smith. Failing to locate either man in Douglass, the riders departed from town around sundown.

Apparently someone in Douglass had informed the band as to where Booth and Smith could be found, for the riders made straight for the rural homes of the two in Walnut Township. During the ride it seems that a small party separated from the main group and made for Smith's dwelling, while the larger band went on to Booth's place.

James Smith, thirty-years-old and characterized as "a notorious desperado and horse thief," lived alone on his claim near the Little Walnut. It is not known if he was the same James Smith who was arrested in Ellis County in 1868, but it is known that this James Smith who lived on the Little Walnut sometimes used the name, J. H. Gilpin. On the day the band of vigilantes had visited Douglass, Smith had returned from Wichita, where he and Jack Corbin had gone to pick up a stolen army horse. As the vigilantes approached his place, Smith realized what it meant for he mounted his horse and attempted to escape across the Little Walnut. Both horse and rider were killed in midstream by several shots. Smith's body was pulled from the water and left on the bank with a note pinned to the clothing. The note stated simply: "Shot for a horse thief."<sup>37</sup>

When the remainder of the expedition, comprising some fourteen men, arrived at the Booth farmhouse at about 9:00 p.m., they entered with weapons at the ready and captured Booth, his brother George, and Jack Corbin. The three were taken outside and marched to a sycamore some one hundred yards from the house.

The purpose of the visit was made known, and Lewis and George Booth attempted to run for their lives. A fusillade of shots cut them down. Both had a final bullet fired into the head. Corbin was then hanged. Their grim work completed, the vigilantes disappeared into the night.<sup>38</sup>

Although the exact cause of the action taken against the four men will possibly never be known, their deaths were justified by the "plea that they were horse thieves." The four, however, were not to be the only victims of a hunt for thieves. Before dying, Corbin had condemned others on the same charge. It was reported that "Jack Corbin's confession before being hung... was... very damaging to a large number of men in the [Walnut] Valley." In late November four more men, residents of Douglass, were arrested and charged with being implicated in the activities of the Butler County horse thief gang. On November 28 they had a preliminary examination before a justice of the peace and were bound over for trial. Unable to post bail, all four remained in jail.<sup>39</sup>

About this time, an organization of vigilantes was formed at Douglass. Its members were lawbreakers as well as enforcers. They used armed intimidation to prevent lawmen from catching and prosecuting those responsible for the murders that occurred November 8; allegedly going so far as to make prisoners of the officers. "The 'vigilants [sic],'" reported one correspondent, "have put the town under martial law, and are arresting and examining every passing traveler." It was also rumored that the "entire country is up and in arms, and patrols are out almost the entire length of the Walnut valley."<sup>40</sup>

With vigilantes looking to deal with horse thieves, it was only a matter of time before their attention turned to such alleged criminals already caught. On the night of December 1, supposedly with the sanction of one or two hundred men, "many of them prominent citizens," the vigilantes took action. At about 2:00 a.m., a mob, numbering between seventy-five and one hundred or more men, went to the place where the four men implicated by Jack Corbin were being held and took custody of them. The prisoners were taken to a place

36. *Kansas State Record*, June 8, 1870; *Emporia News*, December 16, 1870.

37. *Wichita Vidette*, November 10, 1870; *Walnut Valley Times*, El Dorado, November 11, 1870; *Augusta Crescent*, November 14, 1870, as cited in the *Kansas State Record*, November 23, 1870.

38. A partner of Moses E. "California Joe" Milner, Corbin worked as an army scout as late as June 1870. At the time of his death, he had in his pocket a warrant for the arrest of a Scotsman, name unknown. See *Wichita Vidette*, November 10, 1870; *Walnut Valley Times*, November 11, 1870; *Augusta Crescent*, November 14, 1870, as cited in *Kansas State Record*, November 23, 1870.

39. *Winfield Censor*, December 3, 1870, as cited in *Wichita Vidette*, December 8, 1870.

40. *Kansas Daily Commonwealth*, December 4, 6, 8, 1870.

about a mile and a half south of Douglass and hanged. One of the men killed had been expected "to make a confession that should throw even more light upon the gang of 'Road Agent[s]' than Jack Corbin's confession did."<sup>41</sup> Whether or not this confession was made is not known.

Following the second set of hangings, rumors of additional vigilante executions, general violence, and civil disobedience in Butler County were reported in Kansas newspapers. County officials were alarmed over the state of affairs to the extent that they requested assistance from the governor. Gov. James M. Harvey sent the state's adjutant general, together with a supply of carbines and ammunition, to help put down any armed insurrection. Despite fear of further bloodshed, however, the Douglass vigilantes were apparently satisfied with their night's work on December 1 and are not known to have taken any other action. Douglass and vicinity returned to normal.<sup>42</sup>

In regard to the characters of the eight men killed in Butler County, there was a diversity of opinion. The *Daily Commonwealth* stated that "some of them were notoriously desperate characters, a terror to the community in which they lived, while others are represented as being peaceable and law-abiding citizens." The guilt of the Booths, Smith, and Corbin seems clear enough. At any rate, their deaths angered the Butler County horse thief gang, who "threatened death to those who had participated in the summary removal of Jim Smith" and the others. It appears that the thieves made good on their threat—at least partially. The *Augusta Crescent* informed readers that the body of a vigilante believed to have been involved in Smith's death had been found in January in the Arkansas River weighted down with two bullets. The vigilante was one of three (a father and two sons) who had been arrested, examined, and released at El Dorado.<sup>43</sup>

The *Winfield Censor's* article on the December 1 events in Butler County claimed that the vigilantes had been correct in executing the four accused thieves. According to the *Censor* the number and boldness of the thieves had made ordinary means of law enforcement

useless. As an example of the thieves' activities, the *Censor* related one raid in which they had participated: "last spring two hundred and fifty mules were stolen at one time by a party of thieves on Bluff creek.... That party of thieves were overhauled in Texas. Some of them were killed, some captured, and others escaped. That party started from Douglas[s] and vicinity. Some are back, others never got back.... There are more of the same gang in the Valley."<sup>44</sup>

The raid to which the *Censor* alluded was made against an army wagon train. After delivering supplies from Fort Harker to Fort Sill, Indian Territory, the train was on its return journey when camp was made at Bluff Creek on the evening of April 6, 1870. Under the leadership of John "Pony" Donovan, thieves raided the camp that night and ran off 139 mules, driving them south into Texas. Stung by such a large loss, the army sent cavalry units in pursuit of the outlaws. Those thieves who were not killed or who successfully escaped capture were taken to Van Buren, Arkansas, for trial in the U.S. district court at that place. Before they could be tried, however, the desperadoes escaped and returned to Butler County.<sup>45</sup>

The punishment meted out earlier in Butler County to the eight accused horse thieves convinced Donovan and the surviving gang members that it was time to move on to a more congenial locality.<sup>46</sup> In early February 1871, a Mr. Carter of Marion County purchased a horse from Francis M. Common (or Camron). Within a short time the horse and three mules owned by Carter disappeared. Carter hired a man named Green to assist him in recovering the stock, and the two set out in pursuit. Carter and Green trailed the stolen animals to a ranch on Ash Creek, ten miles east of Fort Larned. The ranch's inhabitants told the two that Common had passed by in the company of John Donovan, Jake Black,

44. *Winfield Censor*, December 3, 1870, as cited in the *Wichita Vidette*, December 8, 1870.

41. William Quimby, Michael Dray, Dr. James F. Morris, and his son, Alexander, were the men hanged and were "the most notorious" of those named in Corbin's confession. See *Walnut Valley Times*, December 9, 1870; *Kansas Daily Commonwealth*, December 4, 6, 8, 1870; *Winfield Censor*, December 3, 1870, as cited in *Wichita Vidette*, December 8, 1870; *Leavenworth Daily Commercial*, as cited in *Daily Atchison Patriot*, December 7, 1870.

42. *Kansas State Record*, December 14, 1870; *Kansas Daily Commonwealth*, December 4, 6, 8, 15, 1870.

43. *Kansas Daily Commonwealth*, December 15, 1870; *Augusta Crescent*, as cited in *Kansas State Record*, January 18, 1871.

45. Special Orders No. 38, February 28, 1870, Special Orders No. 61, April 9, 1870, Special Orders No. 73, April 29, 1870, Special Orders No. 167, October 2, 1870, Records of the U.S. Army Continental Commands, 1821-1920, Fort Harker, Kansas, Special Orders, 1869-1873, National Archives (microfilm, KSHS); Maj. George Gibson to Col. William G. Mitchell, April 12, 1870, and April 19, 1870, Maj. Marcus A. Reno to Col. Nelson A. Miles, April 29, 1870, Maj. George Gibson to Assist. Adj. Gen., Department of the Missouri, February 16, 1871, Letters Sent, 1866-1873, Fort Hays, Kansas, National Archives (microfilm, KSHS); Capt. James S. Casey to Acting Assist. Adj. Gen., Department of the Missouri, February 21, 1871, Letters Sent, 1866-1882, Fort Wallace, Kansas, Ms. 140, Manuscripts Department, Kansas State Historical Society.

46. The *Emporia News* reported that Jake Black "is one of the gang who have been figuring rather largely in the Walnut Valley recently, but after the hanging in the vicinity suddenly disappeared." See *Emporia News*, March 3, 1871.

and a thief known only as Williams. About a dozen horses and mules were in the possession of the outlaws, and Williams was driving a light wagon.

Realizing that they could not confront four armed desperadoes alone, Carter and Green went to Fort Larned and asked the commander for assistance. Although notified of the presence of Donovan and his men in the vicinity and aware that they were headed north, the Fort Larned commander gave Carter and Green a letter addressed to the commanding officer at Fort Hays and took no other action. Having been unsuccessful in securing any direct aid at Fort Larned, the two pursuers followed the thieves north on the military road between the two posts. At Walnut Creek crossing they learned that the men they followed had left the road there and gone west along the creek. Carter and Green continued on to Fort Hays.

On February 13, Maj. George Gibson, the commanding officer at Fort Hays, met with Carter and Green. Told that Donovan and his men were nearby, Gibson was willing to help but prevented from doing so because of a general order issued by department headquarters that governed such cases.<sup>47</sup> Gibson asked that the two see Deputy U.S. Marshal John L. "Jack" Bridges<sup>48</sup> in Hays City in the hope that he could be of assistance. Carter and Green could not locate either Bridges<sup>49</sup> or

Lee F. Stuart,<sup>50</sup> a deputy U.S. marshal residing at Hays, and instead related their story to Ellis County sheriff Peter R. Lanihan.<sup>51</sup>

When Donovan and his men left the Fort Larned-Fort Hays Road, they followed Walnut Creek to the Fort Dodge-Fort Hays Road. About this time Common left the others, who went on ahead. Donovan, Black, and Williams went north on the road until they came to the Smoky Hill crossing, which they reached on February 14 or 15. The desperadoes attempted to sell two of Carter's mules at the ranch located at the crossing, but they were turned down. They left the mules there anyway, stating that they might return for the animals later. Donovan and the two others rode farther north on the road until they came to Lookout Station, one of the old Butterfield Overland Despatch stage stations, in Ellis County. There the outlaws left the military road and headed west on the Smoky Hill Trail.

Common arrived at a ranch, located at the Walnut Creek crossing of the Fort Dodge-Fort Hays Road, about the same time that his associates were at the Smoky Hill ranch. He traded one of Carter's mules there for a sixty-dollar I.O.U. owed by a Hays City merchant. On February 15, Common left Walnut Creek crossing with a buffalo hunter. The two men rode to the Smoky Hill ranch where Common separated from the hunter, following him into Hays City after dark.

After arriving in Hays, Common visited a saloon. Someone in the place recognized him and reported his presence to the sheriff. Lanihan searched the town until he found Common at the buffalo hunter's camp, just outside of the city limits south of the railroad depot. Common was arrested and the hunter questioned in regard to his relationship with the thief. The hunter told the sheriff how he had come to be in Common's company and related the details of the sale of Carter's mule at Walnut Creek. He also stated that while at the Smoky Hill ranch he had spotted two mules that answered the descriptions of Carter's stolen animals.<sup>52</sup>

At daylight on February 16 Lanihan conducted a search along Big Creek near Fort Hays for Carter's

47. General Orders No. 29, issued by the commander of the Department of the Missouri, instructed post commanders of the conditions under which they could furnish men for posses. It was to be done only in cases where U.S. laws had been violated, where there was a lack of sufficient number of civilians to form a posse, and were to be furnished only upon the written application of a U.S. marshal or deputy. The officer or noncommissioned officer in charge of such a detail was to strictly obey the instructions of the marshal, and was to request all orders in writing. See General Orders No. 29, October 22, 1870, Headquarters, Department of the Missouri, Letters Received, Fort Hays, Kansas, National Archives (microfilm, KSHS).

48. John "Jack" Lyman Bridges was born July 4, 1839, in Washington County, Maine. His early career choice was that of a sailor, but he abandoned the sea when the Civil War began and made his way to Kansas. Bridges served the Union during the war first as a scout and guerrilla with the notorious "Red Legs." When George H. Hoyt, who had led the Red Legs, received appointment as the head of government detectives on the Kansas-Missouri border in 1863, he employed Bridges. At the end of the war, Bridges took a job as a trader, but found that it failed to satisfy his thirst for adventure. He hired on as a scout at Fort Dodge in 1867 (serving in his own words, as "Chief Scout"). The next year he moved to Hays City where he was appointed a deputy U.S. marshal in 1869 and held that position until 1876. After working for a short time as a detective in Colorado, he was appointed city marshal of Dodge City in 1882. The next year he resigned or was discharged from the position and left Kansas. See Nyle H. Miller and Joseph W. Snell, *Great Gunfighters of the Kansas Cowtowns, 1867-1886* (Lincoln: University of Nebraska Press, 1963), 33-41.

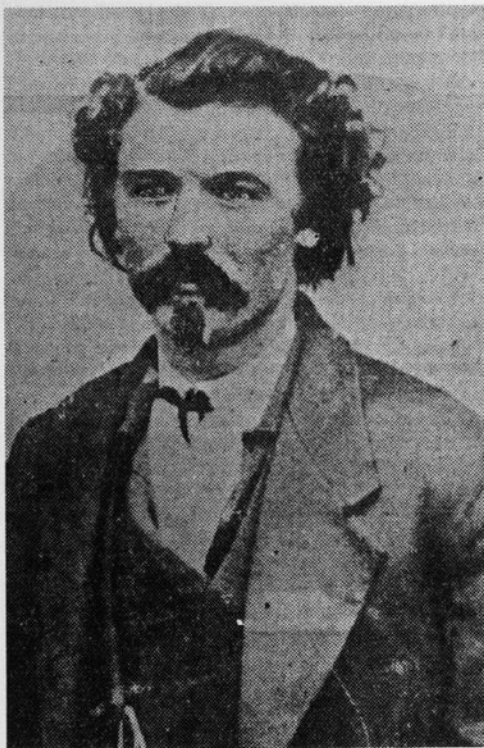
49. Bridges may have been attending the funeral of John V. Macintosh at Leavenworth. See *Ellis County Star*, Hays, January 31, 1985.

50. While serving as an army scout Stuart killed two men in a gunfight at Kit Carson, Colorado, on August 29, 1870. See *Leavenworth Daily Times*, August 30, 31, 1870.

51. Peter R. "Rattlesnake Pete" Lanihan (or Lanahan) attempted to drive out the desperadoes who infested Hays City and was assassinated by them on July 16, 1871. See *Ellis County Star*, March 7, 1985.

52. Common was taken to Ellsworth and released. He returned to Hays City, stole a horse on February 26, and disappeared. Maj. George Gibson to Assist. Adj. Gen., Department of the Missouri, February 28, 1871, Letters Sent, 1866-1873, Fort Hays, Kansas, National Archives (microfilm, KSHS).





*When John Ledford, a well-known horse thief, was shot and killed in Wichita, town officials and citizens wanted to arrest the law enforcement officers responsible for his death.*

horse that Common had been riding. It was discovered hidden among the trees. While the sheriff was busy with his search, Carter left for the Smoky Hill crossing with a deputy sheriff and five other men. When they arrived at the ranch Carter's two mules were identified and recovered. The five men took the two mules and an ownerless horse found there back to Hays while Carter and the deputy continued on to Walnut Creek. After picking up Carter's third mule at the Walnut Creek ranch the two men returned to Hays City.

Deputy U.S. Marshal Stuart was also out on the Fort Dodge-Fort Hays Road that day. After his return to town Stuart was informed of the thieves' presence and set out to strike their trail, tracing them to where they had turned west on the Smoky Hill Trail. Having learned the direction they had taken, Stuart turned back and rode to Fort Hays. Upon reaching the post Stuart made written

application to Major Gibson asking for an escort of soldiers to assist him in arresting the wanted men.<sup>53</sup>

Later that day Gibson wrote a letter to department headquarters. He related everything he knew of the situation (giving the story of Carter and Green) and reported the steps he had taken to apprehend the suspects:

At all events, in conforming with Genl. Orders No 29, Hd. Qrs. Dept. Mo. of date of Oct 22, 1870, I deemed it advisable to issue a Post Order directing Capt [Frederick] Benteen to accompany him [Stuart] with 15 men of his Troop for the purpose of rendering him the assistance desired....

I think the Chief Qr. Mr. of the Dept. will bear me out in the assertion that the capture of these men is of vital importance as far as his Dept. is concerned. Black and Donnevon [sic] it is believed have been connected with every depredation committed upon Government mule Trains in this region [sic] during the past two years. If my memory serves me correctly especially with the running off of the Train returning from Ft Sill to Ft Harker a year since. Col. Benteen leaves at daylight.<sup>54</sup>

Gibson's original intention had been for the detail to set out on the evening of February 16, but this was prevented by a heavy rainstorm. Stuart and Benteen's men, the soldiers riding in two wagons pulled by mules, left at daybreak on February 17. A strong windstorm and the mud left by the rain made travel extremely difficult. After following the outlaws' trail as far as practical the detail separated. Stuart and six soldiers with one wagon continued the attempt to pursue, while Benteen and the others returned to Fort Hays, arriving that evening. Benteen told Gibson that it was believed that the thieves were headed for Denver.<sup>55</sup>

Marshal Jack Bridges had returned to Hays City by this time and had joined the chase. On February 18 he boarded a westbound Kansas Pacific train for Fort Wallace. His intention was to pick up a cavalry escort at that post and head east on the Smoky Hill Trail to intercept Donovan.<sup>56</sup> Meanwhile, the commander at Fort Wallace had received two telegrams; one from Gibson that informed him of the thieves' movements,

53. Deputy U.S. Marshal Lee F. Stuart to Maj. George Gibson, February 16, 1871, Letters Received, 1870-1871, Fort Hays, Kansas, National Archives (microfilm, KSHS).

54. Maj. George Gibson to Assist. Adj. Gen., Department of the Missouri, February 16, 1871, Letters Sent, 1866-1873, Fort Hays, Kansas, National Archives (microfilm, KSHS).

55. Maj. George Gibson to Acting Assist. Adj. Gen., Department of the Missouri, February 19, 1871, Letters Sent, 1866-1873, Fort Hays, Kansas, National Archives (microfilm, KSHS).

56. Ibid.

and a later one from Bridges that conveyed the marshal's plan. On February 19 the commander ordered a detail consisting of a noncommissioned officer and six men from Troop L, Seventh Cavalry, fully armed and equipped, to act as the marshal's posse. Leaving the fort before Bridges arrived, the detail made its way east on the trail. In the vicinity of Russell Springs the soldiers surprised the desperadoes and captured Black and Williams. Donovan, blessed with luck, escaped. The two prisoners, the wagon, three horses, and two mules were taken to Fort Wallace.<sup>57</sup>

Bridges arrived at the fort on February 19, about the time the detail made its triumphant return. The marshal confirmed that Black and Williams were the men sought. The stock and property seized with the outlaws were left at the post.<sup>58</sup> Transportation for the prisoners, however, was arranged quickly. On the morning of February 21, Bridges, accompanied by another deputy U.S. marshal, boarded a train with Black and Williams, as well as a third horse thief (held for a separate crime), and started for Topeka. The party arrived at the capital on February 23, but continued on that same day to Leavenworth where Black, Williams, and the other thief were locked up.<sup>59</sup>

After interrogating the prisoners and conferring with U.S. Marshal David W. Houston, Bridges secured warrants for various individuals to be served at Wichita. He then took the train to Fort Harker to obtain a military escort to aid him in making the arrests. Upon receiving Bridges' request on February 26, Col. Nelson A. Miles detailed Lts. Edward L. Randall and Charles E. Hargous as the officers for the escort. In addition to the lieutenants the detail consisted of a sergeant of the Fifth Infantry and twenty men of Troops C and I, Seventh Cavalry. The men were fully armed and liberally supplied with ammunition. The fort's quartermaster department furnished a wagon and mules, as well as twelve

days' rations. To ensure secrecy the detail was ordered to march only at night and to camp off the road. Bridges, Lee Stuart (who had arrived from Hays City), and the soldiers set out after dark that evening.<sup>60</sup>

Because of the activities of the Donovan gang and others, Wichita at the time had the reputation for being a headquarters for thieves. The *Ottawa County Index* gave its view of the town just a few weeks prior to the Bridges-Stuart expedition:

Some four weeks since, Messrs. Easley and Money-penny, of this place, had each a good team of horses stolen. After about two weeks' search, the horses being traced in the direction of Wichita, one of them belonging to Mr. E., was recovered at the place named. From what we learn of Wichita, from those engaged in the search for these horses, we are led to believe that a visit by a good, old-fashioned vigilance committee, and the hanging of about six-fifths of the adult male population of that delectable village would be a good thing for the moral atmosphere of western and southern Kansas.<sup>61</sup>

One of the residents of "that delectable village" named on a warrant in Bridges' possession was John E. "Jack" Ledford. Born in North Carolina in 1845 or 1846, Ledford was said to have ridden with William C. Quantrill during the Civil War. It is known that he later served as an army scout at Fort Dodge and was discharged in April 1869. Shortly after the discharge he was arrested for stealing government property and lodged in the Shawnee County jail. He was tried and acquitted, and by June 10, 1870, he was the sole inhabitant of a farm in Rockford Township in Sedgwick County.<sup>62</sup>

Ledford was well known as one of the thieves whose capture was desired by the army. His name had appeared in an army communication concerning the theft of five mules from an army wagon train on October 5, 1869; Jake Black and Ledford had delivered the mules five nights after the theft to the ranch of a firm, located two and one-half miles from Fort Larned, that did contract work for the post. The two thieves exchanged the mules for a money order for \$600.<sup>63</sup>

57. Maj. George Gibson to Commanding Officer, Fort Wallace, February 17, 1871, Letters Sent, 1866-1873, Fort Hays, Kansas, National Archives (microfilm, KSHS); Capt. James S. Casey to Acting Assist. Adj. Gen., Department of the Missouri, February 21, 1871, Letters Sent, 1866-1882, Fort Wallace, Kansas, Ms. 140, Manuscripts Department, Kansas State Historical Society; Special Orders No. 31, February 19, 1871, Special Orders, 1870-1871, v. 90, Fort Wallace, Kansas, Ms. Box 71, Manuscripts Department, Kansas State Historical Society.

58. Capt. James S. Casey to Maj. George Gibson, February 19, 1871, Letters Received, 1870-1871, Fort Hays, Kansas, National Archives (microfilm, KSHS); Capt. James S. Casey to the U.S. Marshal, Topeka, March 3, 1871, Letters Sent, 1866-1882, Fort Wallace, Kansas, Ms. 140, Manuscripts Department, Kansas State Historical Society.

59. Capt. James S. Casey to Acting Assist. Adj. Gen., Department of the Missouri, February 21, 1871, Letters Sent, 1866-1882, Fort Wallace, Kansas, Ms. 140, Manuscripts Department, Kansas State Historical Society; *Leavenworth Daily Times*, February 24, 1871; *Kansas Daily Commonwealth*, February 24, 1871; *Emporia News*, March 8, 1871.

60. Lt. George W. Baird to Lt. Edward L. Randall, February 26, 1871, Letters Sent, 1867-1873, Fort Harker, Kansas, Ms. 208, Manuscripts Department, Kansas State Historical Society.

61. *Ottawa County Index*, Minneapolis, as cited in *Leavenworth Daily Times*, February 15, 1871.

62. U.S. Census, 1870, Kansas, Sedgwick County, Rockford Township, p. 4, L. 1, National Archives (microfilm, KSHS); Joseph G. Rosa, *The Gunfighter: Man or Myth?* (Norman: University of Oklahoma Press, 1969), 104-5. Although Rosa says that Ledford was born about 1843, Ledford's age, twenty-four, given on the U.S. Census would indicate 1845 or 1846 more likely dates.

63. Capt. Amos S. Kimball to Lt. George W. Baird, March 8, 1870, Letters Received, 1868-1870, Fort Harker, Kansas, National Archives (microfilm, KSHS).

Evidence indicates that Ledford had been one of the desperadoes who participated in the raid at Bluff Creek in April 1870. While the army had concentrated its search for the missing mules and the outlaws to the south, Deputy U.S. Marshal Bridges had looked for the desperadoes in the towns along the Kansas Pacific Railway during the summer of 1870. Eventually, Bridges located Ledford. It was later claimed that when Bridges found him, Ledford, with Jake Black and another member of the gang, attempted to assassinate the marshal. At the very least Bridges suffered a severe beating at the hands of Ledford, for which the marshal allegedly vowed to kill him. Ledford escaped from Bridges but was later arrested by another deputy U.S. marshal. The accused horse thief was released after posting bond to appear at the next term of the U.S. district court at Topeka.<sup>64</sup>

As a result of his exploits, many people throughout the state considered Ledford "a notorious outlaw and desperado." Although some of Wichita's citizens conceded that he had been "a wild, reckless man," who associated with the wrong people, this did not prevent Ledford from becoming a leading town figure. In November 1870 he ran as the Peoples' party candidate for Sedgwick County sheriff and nearly won. On December 22 he married Ella Harris. The marriage was said to have done much to tame Ledford. A further possible sign of his settling down was his purchase of a half-interest in a general merchandise store and the outright purchase of the hotel at the corner of Third and North Main streets. Ledford renamed the hotel, the largest of the two in town, the "Harris House" in honor of his wife.<sup>65</sup>

That Ledford may not have taken entirely to the straight and narrow path, however, was demonstrated when Pauline Hall charged him in January or February 1871 with interfering with her lawful business (the nature of which is unknown).<sup>66</sup> While that charge was later dismissed he was wanted in 1871 on charges arising from his former activities as a horse thief and for resisting arrest the previous summer.

Bridges, Stuart, and the soldiers rode into Wichita from the north at around 1:00 p.m. on February 28. They made straight for the Harris House, which they surrounded. Ledford either had been warned or saw

the riders approaching for he secreted himself in the privy behind a saloon across the street from his hotel. After a search of the Harris House and the area failed to turn up Ledford or anyone else named in the warrants, the soldiers withdrew and set up camp outside the city limits.

Lieutenant Hargous and marshals Stuart and Bridges remained behind and continued to search the hotel "without showing any authority or stating the object of their search." About 4:00 p.m. their attention was drawn to the privy across the street by the frequent visitations of a man, who allegedly had smuggled two old and rusty revolvers to Ledford. Bridges and the other two men crossed the street and approached the privy. When Ledford realized that the game was up, he sprang from concealment and fired; two balls hit Bridges in the arm and another whizzed past Hargous. All three, having been caught by surprise, hastily drew their pistols, emptied them at Ledford, then turned and ran. Bridges' wounds were severe and he quickly collapsed from shock and loss of blood. Shortly afterward he was placed in a wagon and taken to the soldiers' camp.

While the aim of the three officers had been understandably shaky, it was sufficient to deal with Ledford. Ledford was shot twice through the body and once or twice in the right arm; this undoubtedly saved the marshals and lieutenant from further injury. The mortal wound to the body was supposedly fired into the desperado's back by Stuart, who had ducked behind the privy for cover when the shooting began.

Ledford crossed the street to a wholesale liquor store, entered the building, and lay down on the floor. A doctor examined him and did what he could to aid Ledford, but the wounds were fatal. The dying man was carried to the Harris House, where he breathed his last within half an hour.<sup>67</sup>

Ledford was a popular man in Wichita and the authorities of the town did not take kindly to his killing. On the day Ledford died the Sedgwick County coroner

64. *Walnut Valley Times*, March 3, 1871.

65. *Wichita Vidette*, October 20, November 10, 24, December 22, 1870, January 26, 1871; *Walnut Valley Times*, March 3, 1871; *Augusta Crescent*, March 3, 1871, as cited in *Leavenworth Daily Times*, March 8, 1871; A. T. Andreas, *History of the State of Kansas* 2 vols. (Chicago: 1883), 2:1388, 1390.

66. Rosa, *Gunfighter: Man or Myth?*, 105.

67. *Walnut Valley Times*, March 3, 1871; *Emporia News*, March 3, 1871; *Kansas Daily Commonwealth*, March 4, 1871; *Augusta Crescent*, March 3, 1871, as cited in *Leavenworth Daily Times*, March 8, 1871; Andreas, *History of the State of Kansas*, 2:1388.

*Opposite and following pages: In 1870 vigilantes organized in Butler County and applied their own brand of justice to area horse thieves. Citizens wrote Governor Harvey with their versions of events. One letter, written by John Irwin, explained that "There has been and is now an organized band of horse thieves who have been living by taking the All—from the Poor but honest settlers" who had but two choices, to stand and fight or to leave the county. According to Irwin, they "preferred the former" and "Four Thieves were Killed."*



Douglas. Kas. Dec. 6. 1870  
 Geo J Harvey Dear Sir

Flying rumors have reached this place (recently the scene of the so called outrages on peaceable citizens) that you had called out the ~~Army~~ Soldiers to quell the disturbance and arrest citizens of this place & vicinity who were supposed to be parties to the aforesaid outrages. Knowing that you are (and as your record has shown you to be ever on the side of truth and justice) I deem it necessary to acquaint you with some facts that have come under my observation. Since my settling in Southern Kans. by - There has been and is now an organized band of Horse Thieves who have been living by taking the All - from the Poor but honest settlers who have been attracted here by the Superior inducements offered - Their All in most cases - consisting of their Household Goods & Team - their main dependence being upon the latter - in losing that their all is gone - The settlers have borne all this uncomplainingly - thinking that the law would put a stop to this - Arrests have been made but so thorough

has been the organization that conviction was impossible. The Shivers had money - and that has been all powerful. And the Law has been powerless. Consequently there was but one of two things to be done - either the honest Citizens had to by joint effort protect themselves - and property - or leave the Country. They preferred the former - deeming this too fine a country to be given over to the Lawless. - Now as to the origin of the recent difficulty. A party of immigrants were passing through here in the search of homes - they were waylaid - overpowered - and stock to the value of One Thousand and Dollars - was taken. They gave the alarm as soon as possible - the Citizens turned out to help find the stolen property. The property was recovered - and four Shivers were killed. The leaders of the band then counselled the arrest of the leading Citizens of this place and attempted to place them in the hands of their allies - they refused to be so placed - were willing to be arrested by honest men - but by Shivers never - hence the difficulty. I can assure you that there is no disposition on the part of any good Citizen to resist the officers of the Law. They were only on the Lawless - and will ever be ready to protect their

property- Hoping the rumor is unfounded and  
that the recent trouble will cause the cowboys  
to turn from their evil ways- and do better  
in the future  
I am Yours Truly

John Irwin  
Lone Tree Kan

held an inquest and the coroner's jury reached the verdict that he had been murdered. Immediately thereafter the justice of the peace in Wichita, on the testimony of one of the county commissioners, issued a warrant for the arrest of "Lee Stuart and two Other persons whose names are unknown," on the charge of having "Committed the Crime of Murder in the 1st degree by feloniously, Maliciously, premeditatedly, deliberately and with Malice aforethought by Killing John E. Ledford." When word came to the soldiers' camp that the marshals and lieutenant were wanted, "the Marshals declined to allow themselves to be arrested." The presence of their military escort ensured that this decision prevailed.<sup>68</sup>

Bridges was able to be moved the day after the shooting, and the soldiers, at the marshal's request, broke camp and started for Fort Harker at 10:30 a.m. The expedition arrived at the post at 4:00 p.m. on March 3. After Colonel Miles was informed of what had transpired, he wrote a letter to department headquarters in which he reported Ledford's death and stated that he presumed a sheriff would be sent to arrest Bridges,

Stuart, and Hargous. Miles wrote that he would not "give them up until I hear from Dept H Quarters."<sup>69</sup> Apparently Sedgwick County and Wichita officials had second thoughts about the legality of the charges made against the three for no attempt was made to arrest them.

Within days of the shooting, newspapers throughout the state were reporting the affray. The *Emporia News* and the *Walnut Valley Times* of El Dorado, both stated on March 3 that Ledford's death was a murder committed by Bridges and Stuart. The *Times* informed its readers of Bridges' alleged vow to kill Ledford and claimed that Bridges, Stuart, and Hargous had approached Ledford's hiding place with their revolvers in hand. In a reference to the dead man's character, the *Times* said that he "seemed to have settled down and was gaining the good will of all." The *News* reported that the "impression prevails that there was no occasion for the arrest of Ledford, and that the pretext of arresting him was only a cloak for the premeditated intention of killing him." The details printed by the *Times* and *News* were claimed to have been obtained from eyewitnesses.<sup>70</sup>

While the March 4, 1871, edition of the *Wichita Vidette* (then the town's only newspaper) is not on file, the edi-

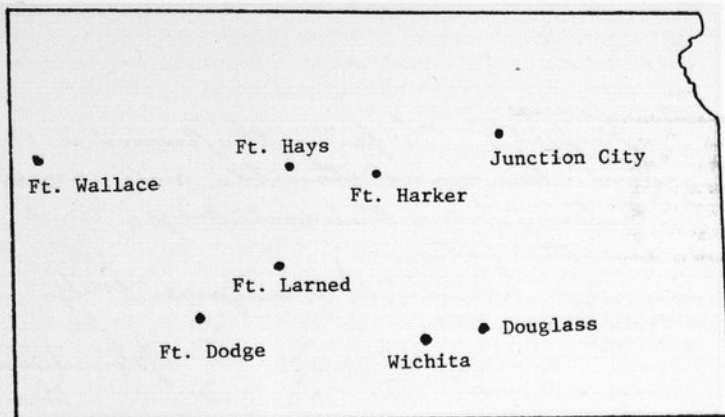
68. This paper owes much to the early research conducted by Miller and Snell in their classic work on Kansas gunmen. Col. Nelson A. Miles to Assist. Adj. Gen., Department of the Missouri, March 3, 1871, Lt. Edward L. Randall to Lt. George W. Baird, March 4, 1871, Letters Sent, 1867-1873, Fort Harker, Kansas, Ms. 208, Manuscripts Department, Kansas State Historical Society; Miller and Snell, *Great Gunfighters*, 35.

69. Col. Nelson A. Miles to Assist. Adj. Gen., Department of the Missouri, March 3, 1871, Letters Sent, 1867-1873, Fort Harker, Ms. 208, Manuscripts Department, Kansas State Historical Society.

70. *Emporia News*, March 3, 1871; *Walnut Valley Times*, March 3, 1871.



This map, showing the major centers of the horse thieves' operations, serves as a visual guide to the distances involved in moving stolen stock and the area covered by the thieves.



tor noted the following week that the *Walnut Valley Times* and *Emporia News* carried "accounts of the 'Wichita Murder,' in which they give substantially the same statement of the affair as published by us."<sup>71</sup>

The *Kansas Daily Commonwealth* took its story from the *Times* and on March 4, an indignant Bridges, recovering in the Fort Harker hospital, wrote the editor of the *Commonwealth*:

Ledford was arrested on more serious charges than that of resisting the U. S. Marshal on the former occasion, though warrants were out against him for that offence; he was charged with horse stealing and obstructing the administration of justice. It was well known in Wichita, that proper legal warrants for the arrest of this man were in the hands of U. S. Marshals Bridges and Stewart [*sic*]. Ledford was discovered in a privy, and upon the appearance of Marshals Bridges and Stewart, who were accompanied by Lieu Hargous... immediately opened the door and shot Bridges, and then fired upon Stewart and Hargous. Neither Bridges, Stewart or Hargous had their pistols in their hands, as your article states, at the time Ledford fired at them.<sup>72</sup>

The *Augusta Crescent's* account, also supposedly based on eyewitness testimony, agreed with Bridges' statement. It added a detail, however, that appeared nowhere else: when Ledford was confronted in his hiding place, Bridges "in a loud voice, read the warrant," at which point the fight began. The *Crescent's* editor reminded readers of Ledford's association with James Smith, the

man killed as a thief in Butler County a few months previous. "And thus," concluded the editor, "has the frontier been purged of another of its most hardened and reckless villains. When the country is entirely rid of such outlaws, we may look for an uninterrupted reign of peace and prosperity, and the use of hemp can safely be disposed of."<sup>73</sup>

With the death of Ledford, the army's pursuit of the Butler County thieves came to a halt—the trail of the remaining outlaws having been lost. John Donovan, the desperado chieftain whose capture was a major desire of the army, continued to elude arrest. He turned back and went east after his close brush with capture at Russell Springs. On March 2 he was spotted at Ellsworth, which he left the same day in the company of other horse thieves and headed west again.<sup>74</sup> Although the commander of Fort Hays was notified of Donovan's movements and asked if he could effect the thief's capture, Donovan again slipped through the army's grasp. A year passed before the army again had reason to note Donovan's activities.

While the major credit for the destruction of the horse thieves' combine at Junction City and Douglass belonged to vigilantes and various deputy U.S. marshals, the army's role was not unimportant. The army had captured many of the Butler County gang in Texas in 1870—only to lose them to a jail break. In 1871, how-

73. *Augusta Crescent*, March 3, 1871, as cited in *Leavenworth Daily Times*, March 8, 1871.

74. Col. Nelson A. Miles to Maj. George Gibson, March 2, 1871, Letters Received, 1870-1871, Fort Hays, Kansas, National Archives (microfilm, KSHS).

71. *Wichita Vidette*, March 11, 1871.

72. *Kansas Daily Commonwealth*, March 9, 1871.

ever, by serving as posses for the marshals, soldiers had recaptured two of the thieves and assisted in killing a third. In addition, stolen government property was recovered.

After their capture the fate of the horse thieves was in the hands of lawyers, juries, and judges. Justice, however, is often truly blind. Jacob "Jake" Black, captured by the army in February, appeared before the U.S. district court at Topeka on April 21, 1871, to face the charge of obstructing the administration of justice. He pled guilty and was fined \$300 and costs. It was then ordered that Black be taken to the U.S. District Court of Arkansas to stand trial for stealing 121 mules at Bluff Creek in April 1870. For some unknown reason the desperado did not go to Arkansas. In early October 1871 it was reported that Black, who was supposed to again appear before the court at Topeka, was instead at Newton where he had set fire to a man's house, stolen several head of stock, and then fled for parts unknown.<sup>75</sup>

Black was next heard of in the company of John Donovan. After successfully remaining free in 1871, Donovan returned to his old stamping ground on the Arkansas River near Fort Dodge. By July 1872 it was known that Donovan's gang was "holding high carnival all along the Arkansas, making their headquarters near Bluff creek."<sup>76</sup>

On July 21, Donovan, Jake Black, and about thirty other thieves made a raid on the camp of some Atchison, Topeka and Santa Fe Railroad employees thirty miles from Fort Dodge. The outlaws made a clean getaway with twenty to thirty mules belonging to the railroad. In addition to the mules being stolen, a railroad employee received a severe bullet wound in the shoulder. Two soldiers who pursued the criminals were captured, stripped of their equipment and clothing, and released after being threatened with death if caught again.<sup>77</sup>

Although the outlaw leader did not know it, that was his last raid. His luck, which had kept him free for years, had finally run out. Donovan came into Hays City and was arrested. He was taken to the cellar jail under the frame building that served as the Ellis County courthouse. There, with an accused murderer, he was kept chained to a post. On the night of August 22, 1872, a band of Dodge City residents crept up on the jail. They thrust the muzzles of their pistols and rifles through a window and filled the cellar with flying lead. While the other prisoner was totally unscathed, the same could not be said of the infamous horse thief. John "Pony" Donovan was buried on Boot Hill.<sup>78</sup>

The death of Donovan had little impact on the activities of his comrades-in-crime. Henry Born[e], better known as "Dutch Henry" and a contemporary of Donovan, built a network of thieves that achieved success undreamed of by Donovan. Dutch Henry's men stole thousands of horses and mules. In the 1870s this gang's activities ranged from Missouri to Colorado, from Texas to the Dakotas and Montana. As the events of 1871 demonstrated, however, the growing network of telegraph lines, roads, and railroads in Kansas enabled the army to react more swiftly to raids on its stock. The greater risks in attempting to steal government animals consequently prompted Born and other desperadoes to concentrate their attention on stock belonging to the increasing number of farmers and ranchers on the plains. As a result of this change of tactics on the part of the outlaws, the army in western Kansas found itself, for the most part, out of the horse thief catching business by 1874. [KH]

75. *Kansas Daily Commonwealth*, April 22, 1871; *Kansas State Record*, October 18, 1871.

76. *Junction City Union*, August 24, 1872.

77. *Ibid.*

78. According to S. S. Peters, Fort Hays correspondent for the *Junction City Union*, Donovan was arrested for being a "horsethief, rake, thief [sic], etc., having shown his face here after having been ordered to leave several times." As Bill McClellan had killed John A. Wright, a Dodge City resident, it is uncertain if the attackers meant to kill one or both of the prisoners. See *Junction City Union*, August 31, 1872; *Daily Atchison Patriot*, August 30, 1872; *Ellsworth Reporter*, September 5, 1872; *Hays Daily News*, November 3, 1939.