

## Some Notes on Kansas Cowntown Police Officers and Gun Fighters—Continued

NYLE H. MILLER and JOSEPH W. SNELL

BROWN, HENRY NEWTON  
(1857-1884)

**S**HORTLY after the murder of Caldwell City Marshal George Brown, on June 22, 1882, the city council appointed B. P. "Bat" Carr as his replacement with Henry N. Brown as Carr's assistant. The *Caldwell Commercial* voiced its approval of the appointments in this article, July 6, 1882:

The City Council on Monday night appointed Henry Brown, formerly marshal of Tuscola, Texas, Assistant City Marshal. Mr. Brown is a young man who bears an excellent reputation, and although he has acted in similar capacities for several years, has never acquired any of those habits which some seem to think are absolutely necessary to make an officer popular with the "boys." With Mr. Carr for Marshal, and Henry Brown for assistant, we think the city has at last secured the right kind of a police force. Carr is a quiet unassuming man, but there is that look about him which at once impresses a person with the idea that he will do his whole duty fearlessly and in the best manner possible. We have not the least doubt but he will give entire satisfaction, and it is now the duty of every citizen to see that he is promptly and efficiently sustained in his efforts to preserve the peace of the city and the safety of its inhabitants.

The *Caldwell Post*, July 6, 1882, called upon the city to back its new officers for better law enforcement:

Messrs. B. P. Carr and Henry Brown are on the police force of our city now as Marshal and Assistant Marshal. These gentlemen will do their utmost to see that order is kept, and the peace of the city preserved, if a little bit of fine shooting has to be indulged in by them. If our citizens will back the officers, there will be a great deal less trouble with the lawless classes than there has been heretofore.

---

We have a new Assistant Marshal on the police force now—Mr. Henry Brown—and it is said that he is one of the quickest men on the trigger in the Southwest.

In August, 1882, Brown assisted Marshal Carr in preventing a fist fight which had certain religious connotations. The newspaper item reporting this may be found in the section on B. P. Carr.

NYLE H. MILLER and JOSEPH W. SNELL are members of the staff of the Kansas State Historical Society.

NOTE: Appearance of the first installment of this series in the Spring, 1960, *Kansas Historical Quarterly*, has resulted in numerous requests for additional copies. If interest continues the entire series will be reprinted and offered for sale under one cover, with additional information and perhaps an index.

About the middle of September, 1882, Henry Brown resigned as assistant marshal in order to accompany Sheriff J. M. Thralls' posse into the Indian territory after the killers of Mike Meagher.<sup>1</sup> The expedition, however, was a failure. The *Caldwell Commercial*, October 12, 1882, recorded the posse's adventures:

#### AFTER THE TALBOTT GANG

##### A HUNT OF TWO WEEKS AND NO CAPTURE.

About the 14th or 15th of last month information was received from below that the Talbott gang, or part of them, was located in the southwest part of the Indian Ter., and had with them a lot of stolen horses and cattle. The information came from a reliable source, and acting upon it, Sheriff Thralls organized a party to hunt up and if possible capture the gang.

The sheriff and his men left on the 19th of September, returned last Thursday the 5th inst., having been gone seventeen days. From Henry Brown, Assistant Marshal of this city, who accompanied the expedition, we learn that the party went from here to the Cheyenne and Arapahoe agency, and after consulting with Agent Miles a detachment of troops was secured to accompany Sheriff Thrall's party, and if need be assist in the capture of the outlaws.

It was also learned at the agency that Dug. Hill and Bob Munsing were among the outlaws, the former going by the name of Bob Johnson and the latter by the name of Slocum; also that Dug Hill had been connected with and employed in the camp of a man named Kooch, holding cattle on Quartermaster creek, ever since the 27th of last July.

Thrall's party traveled about one hundred miles southwest of Cantonment, to Seger's cattle camp, where they halted and Seger went over to Kooch's camp, about twenty miles distant, to ascertain the exact whereabouts of Hill and Munsing. Brown says it took Seger two days and one night to travel the forty miles, and when he returned he stated that from the description given of Dug Hill, the man at Kooch's camp going by the name of Bob Johnson, could not be Dug. However, the sheriff's party proceeded to Kooch's camp, and on arriving there found that "Bob Johnson" was gone, and that "Mr. Slocum" had cut his foot and gone to Cantonment to get some medicine for it.

The Thrall's party then followed Quartermaster creek to where it empties in the Washita and not obtaining any trace of the fugitives, came on home.

Mr. Brown also informs us that in addition to the camp of Seger and Kooch, the Standard Cattle Co., Ben Clark, Henry Street, and others are holding cattle in that section of the Territory. The country is supposed to be a part of the Kiowa and Comanche reservation, but whether that is the fact we are unable to say.

Having returned to Caldwell Brown was reappointed assistant marshal. The *Caldwell Post*, October 12, 1882, announced his re-employment.

Henry Brown is again on the police force, after a two-weeks' lay-off. Henry has been down in the Wichita mountains on the lookout for "rustlers," but the birds had been notified of his coming, and had flown. There must be an underground railway connected with these cattle thieves' camps and the border towns, or they could be taken in with less trouble.

Shortly after Brown's return, Marshal Carr took a leave of absence and the assistant marshal assumed the duties of acting city marshal. The *Caldwell Commercial*, October 19, 1882, reported:

Henry Brown is acting as City Marshal during the absence of Bat Carr, with Ben Wheeler as assistant. Henry is all business, yet withal quiet and obtrusive, and will do his full duty in preserving the peace of the city. Of this fact he has given ample evidence in his former position as assistant City Marshal.

On November 2, 1882, the *Commercial* reported that:

Henry Brown, acting city marshal, received a letter on Tuesday from Ben Franklin, Will Quinlin's foreman, notifying him that he had the horse and saddle stolen from Jim Sibbets on Sunday night, October 22. The horse was taken while Jim was in church. No particulars were given by Mr. Franklin as to how the horse came into his possession.

Bat Carr returned to his Caldwell position on November 2, 1882,<sup>2</sup> and Brown resumed his job as assistant.

On December 28, 1882, it was announced in both the *Post* and the *Commercial* that Henry Brown had been appointed city marshal. Said the *Post*:

The City Council appointed Henry Brown as city marshal Thursday evening last. Henry has been assistant marshal for some time past, and is now promoted to the chiefship. Mr. B. is a good one, and will have the moral as well as physical support of our citizens in running the city as it should be.

The *Commercial* reported Brown's appointment as effective Friday rather than on Thursday as stated by the *Post*.

In the same issue of December 28, the *Commercial* noticed that "Henry Brown was the recipient of two very useful presents—that is they may be in the near future, if things turn out satisfactorily to all parties concerned—given him by some unknown friend on the Methodist Christmas tree, being a rattle box and a tin horn."

On New Year's Day the citizens of Caldwell presented Brown with a fine rifle. The *Caldwell Post* recorded the event on January 4, 1883:

#### A HANDSOME PRESENT.

A few of the citizens of this city, appreciating the valuable services of Mr. Henry Brown, city marshal, concluded to present him with a suitable token of their esteem, and so settled upon an elegant gold-mounted and handsomely-engraved Winchester rifle, as an article especially useful to him and expressive of services rendered in the lawful execution of his duties. The gun was presented to him Monday, Mr. Frank Johnes making the presentation speech, and a handsome one it was, too (we mean the speech this time!). On the stock of the gun is a handsome silver plate bearing the inscription "Presented to City Marshal H. N. Brown for valuable services rendered the citizens of Caldwell, Kansas, A. M. Colson, Mayor, Dec., 1882." Henry is as proud of his gun as a boy of a new top. He appreciates the present very highly, but

not half so much as he does the good will shown and approval of his services by the citizens of this city, as implied by the present.

The *Commercial*, in its edition of January 4, differed with the *Post's* version of the inscription:

A FINE NEW YEAR'S PRESENT.

On Monday afternoon our efficient City Marshal, Henry Brown, was quietly tolled into York-Parker-Draper M. Co.'s store, and in the presence of a few friends presented with a new Winchester rifle. The presentation speech was made by Frank Jones, to which Henry responded as well as he could under his astonishment and embarrassment at the unexpected demonstration. The rifle is of superior workmanship, the barrel being octagon, the butt end beautifully engraved and plated with gold. The stock is made of a fine piece of black walnut, with a pistol grip, and one side of it has a silver plate inscribed, "Presented to H. N. Brown by his many friends, as a reward for the efficient services rendered the citizens of Caldwell. A. M. Colson Mayor, Jan 1, A. D. 1883."

The present is one worthy of the donors and testifies in a substantial manner their appreciation of a most efficient officer and worthy gentleman.

At the end of January, 1883, Brown obtained leave to visit his home in Missouri. The *Commercial*, in announcing his absence, commended his performance of duty:

Henry Brown, our city marshal, having obtained a leave of absence from the mayor and council, left yesterday on a visit to his old home at Rolla, Missouri, after an absence of ten years. Mr. Brown during the past eight months has given his entire time and attention to his duties first as assistant marshal, and then as marshal, has proven himself a most efficient officer and fairly earned the holiday. It is no flattery to say that few men could have filled the position he has so acceptably occupied. Cool, courageous and gentlemanly, and free from the vices supposed to be proper adjuncts to a man occupying his position; he has earned the confidence of our best citizens and the respect of those disposed to consider themselves especially delegated to run border towns. One other thing may be said in his favor: he has never been the recipient of self-presented testimonials, nor hounded the newspaper offices of the surrounding villages for personal puffs, and it gives us supreme satisfaction to state these facts. For one the *COMMERCIAL* hopes Mr. Brown will heartily enjoy his trip, the visit to scenes of his childhood, and return with renewed energy for the duties of his position.<sup>3</sup>

Brown returned to Caldwell about a month later. The *Commercial* on March 8, 1883, reported that "H. N. Brown, city marshal, returned on Saturday from a visit to his old home in Missouri, and has resumed the duties of his office. Since his return, the boys are not quite so numerous on the streets at night."

Apparently Brown entered into the social life of Caldwell for on March 22, 1883, the *Commercial* reported that "A party of young folks, headed by Prof. Sweet, guarded by City Marshal Brown



. . . started last Sunday for the classic shades of Polecat in order to enjoy a picnic. . . ."

In April, after the annual city election, the new city council of Caldwell met and reappointed both Brown and his assistant Wheeler.<sup>4</sup> A few days later Brown and Wheeler accompanied Deputy United States Marshal Charles M. Hollister after some horse thieves. In making the arrest the officers killed a man. The article reporting this battle may be found in the section on Hollister.

City Marshal Henry Brown killed an Indian in a Caldwell grocery store on May 14. Here is the story from the *Journal*, May 17, 1883:

#### KILLED BY THE MARSHAL.

Spotted Horse is no more. He departed this life last Monday morning, at the hands of the city marshal, H. N. Brown. The manner of his death and the circumstances leading thereto are about as follows:

Spotted Horse was a Pawnee Indian, whose custom it was to make periodical visits to Caldwell with one or more of his squaws, bartering their persons to the lusts of two-legged white animals in whom the dog instinct prevailed. Last Friday or Saturday Spotted Horse drove into town in a two-horse wagon, with one of his squaws, and went into camp on a vacant lot between Main and Market streets. About half past six on Monday morning he walked into the Long Branch Restaurant with his squaw and wanted the proprietors to give them breakfast. This they refused to do, when he left and wandered around town, taking in the Moreland House, where he was given a sackful of cold meat and bread. From thence he and the squaw went over to E. H. Beals' house on Market street, north of Fifth. Mr. Beals and his family were just sitting down to breakfast when Spotted Horse and his squaw walked in without the least ceremony and demanded something to eat. Mr. B's wife and daughter were considerably alarmed, and the former ordered the Indians to leave. They went out and then Spotted Horse handed to the squaw the bundle of grub he had obtained at the Moreland, and walked back into the house, up to the table and put his hand on Miss Beals' head. Mr. B. immediately jumped to his feet and made signs for the Indian to go out, at the same time applying an opprobrious epithet to him. The Indian immediately pulled out his revolver, and Mr. Beals told him to go out and they would settle the trouble there. Spotted Horse put up his pistol and walked out, and Mr. B. after him. Once outside, the Indian pulled his revolver again, and Mr. Beals seized a spade that was at hand. Just about this time Grant Harris run up to the Indian and told him to go away, that he ought not to attack an old man. The Indian then opened out with a volley of abuse, directed to Mr. Beals, in good plain English. Young Harris finally induced him to put up his pistol and leave.

The next heard of S. H. and his squaw was that they had walked into the back door of the Long Branch kitchen and helped themselves to breakfast, Louis Heironymous being the only one connected with the restaurant present in the building at the time, made no objections, and the two reds had a good feast.

It appears that after breakfast the squaw went to the wagon, while Spotted Horse strolled into Morris' grocery, one door north of the Long Branch. Meantime a complaint had been made to city marshal Brown in reference to the Indian's conduct at Beals' house, and the marshal had started out to hunt him up, finally finding him in Morris' grocery. The marshal approached Spotted Horse and requested him to go with him to Mr. Covington, in order that the latter might act as an interpreter. The Indian refused, when the marshal took hold of him. Spotted Horse didn't like that, and commenced to feel for his revolver. The marshal pulled his out and told the Indian to stop. On the latter refusing to do so, the marshal fired at him. In all four shots were fired by the marshal, the last one striking the Indian about where the hair came down to his forehead, and came out at the back of his head. Parties who were present state that if the officer's last shot had failed, the Indian would have had the advantage, because he had just succeeded in drawing his revolver when the shot struck him.

The Indian was shortly after removed to the ware house two doors north, where every attention was given him, but he died in about two hours without uttering a word, although he seemed to be conscious up to within a few moments before breathing his last.

Coroner Stevenson was telegraphed for and came down late in the afternoon, viewed the body and held an inquest that night. On Tuesday morning the jury brought in a verdict that the deceased came to his death by a gun shot wound in the hands of H. N. Brown, and that the shooting was done in the discharge of his duty as an officer of the law, and the verdict of the entire community is the same.

The squaw, we are told, upon hearing the first shot fired, hitched the horses to the wagon and drove off as fast as she could toward the Territory.

Toward the end of May, 1883, Brown, Wheeler, and Hollister again teamed up to arrest a thief. The *Journal* reported the story on May 31, 1883:

On Tuesday morning Constable McCulloch might have been seen wending his way to the office of Squire Ross. Preceding him was a lively young man of apparently twenty-five summers, or some'ers about, who bore upon his broad and stooping shoulders a heavy saddle, such as the festive cowboy is wont to sit upon while chasing the flying bovine, a saddle blanket and other paraphrenelia necessary to clothe a range horse. As the two took their solemn and stately walk up the stairs leading to the justice's office, with the bearer of burthens in the lead, our curiosity became excited, and, following the cavalcade into the sacred precincts of justice, we ascertained that the bearer of the saddle was one who gave his name as John Caypless; that, in company with two others, he had been loafing around the outskirts of the town for three or four days; that the attention of Brown, Hollister and Ben Wheeler had been called to the fact; that on Friday night Moores & Weller lost a saddle, which fact they reported to the police. On Monday night they ran across Mr. Caypless and interviewed him so successfully that he finally consented to show where his wicked partners—who had vamoosed the ranch—had hid the saddle. They accompanied him to the spot, which proved to be the ravine near I. N. Cooper's place, on Fall creek, where, hidden in a

clump of bushes, the saddle was found. Mr. Capless' attendants, taking into consideration the fact that he had packed the saddle to its hiding place, concluded that he could carry it back to town, which he did. Caypleess, on examination, was bound over, and, as the poor fellow had missed his breakfast, Mac took him to get a square meal, after which the train took him to Wellington, where he is now receiving the hospitalities of the hotel de Thralls. Had Caypleess and his friends succeeded in their schemes, there is no doubt that other saddles would have been missing, like-wise three good horses.

The Caldwell police force, made up of Henry Brown and Ben Wheeler, was more than paying its own way. The Caldwell *Journal*, August 2, 1883, reported:

Marshal Brown and his assistant, Ben Wheeler, have certainly earned their salaries for the past five months. During that time they have run into the city treasury, for fines for violations of city ordinances, the sum of \$1,296, being just \$421 more than the salary they have received for that time. A very good showing for a quiet town like Caldwell.

Ordinarily the arrests which Marshal Brown was required to make during his day-to-day routine consisted of nothing more serious than apprehending persons gambling, operating "houses of ill fame," carrying weapons within the city limits, fighting, swearing, and disturbing the peace. A fine of from one to ten dollars was usually assessed and the offender released.<sup>5</sup> On December 20, 1883, however, the Caldwell *Journal* reported a more serious adventure of Marshal Brown's:

#### NEWT BOYCE KILLED.

Newt Boyce, a gambler, was shot last Saturday night by City Marshal Henry Brown, and died about three o'clock the next morning. The coroner was telegraphed for, but word was sent back that he was out of town. Squire Ross, therefore, had a coroner's jury impaneled, and proceeded to hold an inquest.

The testimony went to show that on Friday night Boyce had some trouble in a saloon a few doors north of the post office, and had cut a soldier, and one of the proprietors of the saloon, with a knife. Ben Wheeler assistant city marshall, afterward took the knife away from Boyce and made him go home. Subsequently while Brown & Wheeler were in the Southwestern Hotel, some one informed them that Boyce was out again and liable to do some harm. The officers started out to hunt him up, and while passing Hulbert's store, saw Boyce in there. Brown stepped in, and seeing a knife and revolver lying on the counter, which B. was paying for, pushed the implements to one side, arrested Boyce, and put him in the cooler, where he stayed all night.

The next day he was brought before the police judge and fined, but at the time did not appear to be angry at the officers for what they had done. During the day, however, he got to drinking, and made threats against both Wheeler and Brown.

About an hour before he was killed, Wheeler saw Boyce in the saloon north of the post office, dealing monte. B. asked him where Brown was, at the same time applying epithets regarding Brown. Wheeler afterward met

Brown and told him to look out, that Boyce was a dangerous man, and was liable to do him some harm. Brown then went to the saloon, and some words passed between the two men, Boyce remarking that as soon as he was through with that game he would settle with Brown.

Shortly after Wheeler met Boyce in front of Moore's saloon, and B asked him where Brown was, that he wanted to see that fighting S. B. etc. Wheeler told him that Brown was in the saloon, but advised Boyce to go home and behave himself. While they were talking, they heard footsteps, as if some one [were] approaching the door from the inside. Boyce immediately stepped to the alley way between the saloon and Moore's, and, as he did so, Wheeler noticed that he had his right hand under his coat, on the left side. T. L. Crist came to the door, and Wheeler, seeing who it was, turned to go north. Boyce immediately jumped out of the alley way, pulled his pistol, cocked and pointed it directly at Wheeler's back, but seeing Crist at the same time, he put back the weapon and started down the alley.

Crist called to Wheeler and informed him regarding Boyce's actions, and while they were talking Brown came out of the saloon. Wheeler informed him what had occurred, and cautioned him to look out, that he believed Newt Boyce intended to do him some harm. Brown said if that was the case he would go and get his Winchester, because he didn't want to be murdered by any one.

After Brown got his gun, he and Wheeler walked north on the west side of Main street, and when opposite Unsell's store they saw Boyce standing on the sidewalk in front of Phillip's saloon. Brown immediately started across the street, and when within about thirty feet of Boyce, called out to him to hold up. Boyce ran his right hand into his breast, as if feeling for a weapon, and stepped around so as to put one of the awning posts between himself and Brown. The latter fired two shots from his Winchester, and Boyce started toward the door of the saloon, at the same time telling Brown not to kill him. Brown followed him into the saloon, and shortly after entering it, Boyce fell. Dr. Noble was called in, and an examination showed that the ball had struck Boyce in the right arm, close to the shoulder, broken the bone and penetrated the right side. Every effort was made to save his life, but he expired the next morning from the loss of blood.

Boyce had a wife here, who had the remains encased and started with them, Tuesday, for Austin, Texas, where Boyce's father lives.

The verdict of the jury was that the deceased came to his death at the hands of an officer while in the discharge of his duties.

On January 24, 1884, the *Caldwell Journal* suggested that the city police should be elected constables:

The JOURNAL nominates for constables of Caldwell township, to be voted for on February 5, Messrs. Henry Brown and Ben Wheeler. The boys would make excellent constables, and the offices would be a great advantage to them when pursuing criminals outside of the corporations. When a city marshal makes an arrest outside of the corporation limits of the city in which he is serving, he does it as a private citizen, and if he kills a man while resisting arrest, he can be successfully prosecuted for murder, whereas were he a constable he could make the arrest legally and be protected by the statutes.

No record was found of their subsequent nomination or election. On March 27, 1884, the *Journal* announced Brown's marriage:

#### BROWN-LEVAGOOD

But he did not Lev(a)good girl at all, but took her unto himself for better or for worse, in true orthodox style, at the residence of Mr. J. N. Miller, in this city, last evening. Rev. Akin officiated, and in a few quiet remarks joined Mr. Henry N. Brown and Miss Maude Levagood in the holy bonds of wedlock. A company of select friends witnessed the ceremony, and extended congratulations to the happy couple. The *JOURNAL*, metaphorically speaking, throws its old shoe after the young folks and wishes them a long and prosperous life.

Apparently Brown intended to settle permanently in Caldwell for on April 10, 1884, the *Journal* reported that "Henry Brown has bought the Robt. Eatock place, and has gone to house-keeping."

Also in April Brown was appointed city marshal for the third time.\*

Less than a month later Caldwell was shocked to learn that its marshal and assistant marshal had attempted to rob a bank at Medicine Lodge. The *Journal* May 8, 1884, elaborated on an earlier dispatch:

#### A TERRIBLE DAY!

MEDICINE LODGE WITNESSES AN ATTEMPTED BANK ROBBERY,  
TWO MURDERS AND FOUR LYNCHINGS IN ONE DAY.

CALDWELL'S FORMER MARSHAL AND ASSISTANT THE LEADERS OF THE BAND.  
RETRIBUTION, SWIFT AND SURE OVERTAKES THE DESPERADOES.

#### THE BRAVERY OF THE MEDICINE LODGE MEN.

Last Thursday morning a dispatch came to this city stating that the Medicine Valley bank, at Medicine Lodge, had been attacked by robbers Wednesday morning, and that the president and cashier were both killed. This much last week's *JOURNAL* contained. This was considered startling news enough to justify a second edition of the paper, which contained all the particulars that could be obtained.

Not until late Thursday evening was the startling announcement flashed over the wire that Caldwell was directly interested in the affair, other than as a sister city mourning the loss of her neighbor's prominent citizens; but when the news came it fell like a thunderbolt at midday. People doubted, wondered, and when the stern facts were at last beyond question, accepted them reluctantly.

The evidence that has since come to light shows that the plan was of mature deliberation, and that it had been in consideration for weeks. Just who the originators were will, perhaps, never be known. It is surmised that it was originated in this city this spring; that it was a deep-laid scheme to perpetrate several robberies, the Lodge first, the banks at this place the next, and a train on the Santa Fe the next. This is, however, only rumor; but from remarks made by members of the band before they were captured, it can be accurately conjectured that they had an extensive campaign planned,

which only the vigilance and bravery of Medicine Lodge men prevented being carried into execution. That the termination was as short as it was terrible is a matter of congratulation.

#### THE START.

One week ago Sunday afternoon, Henry N. Brown, marshal of this city, and Ben F. Wheeler, his deputy, having obtained permission from the mayor to be absent from the city for a few days, mounted their horses and rode out of town, going to the west. The excuse they made for leaving was, that there was a murderer a short distance down in the Territory, for whom there was a reward of twelve hundred dollars, and they thought they would be able to capture him. Previous to starting, they both had their horses shod for running, and supplied themselves with a large quantity of ammunition. Both carried 44-calibre revolvers and Winchester rifles. They were joined, it is supposed, on Monday by Smith and Wesley, cowboys. The former worked on the T5 range, and the latter for Tredwell & Clark. Both were hard men, and at the last Smith showed himself to be the bravest man of the party.

The first news that reached here was brought by telegraph Thursday evening. It was in few words, and caused more excitement than there has been in this city for years. People gathered on the streets, and business for the evening was stagnated. Every one discussed the matter, and not until a late hour were the streets deserted. The telegram was received about 6:30 Thursday evening, and in an hour was known all over the city.

The following is a copy:

MEDICINE LODGE, KS.,  
May 1, 1884.]

BEN S. MILLER, Caldwell, Kan.:

The bank robbers were Brown and Wheeler, marshal and deputy of Caldwell, and Smith and Wesley. All arrested. Tried to escape. Brown killed. Balance hung. Geppert dead. Payne will die.

CHAS. H. ELDRED.

Of the account of the tragedy at Medicine Lodge, we can give it no more accurately than it was published in the *Crescent*, of that city. We reproduce it entire. It will be remembered, however, that this was published last Thursday morning, and that there are facts that have since come to light:

Our little city was yesterday (Wednesday, April 30) thrown into a state of intense excitement and horror by the perpetration of a murder and attempted bank robbery, which, for cold-bloodedness and boldness of design, was never exceeded by the most famous exploits of the James gang.

The hour was a little after nine, a heavy rain was falling and comparatively few people were upon the streets, when four men rode in from the west and hitched their horses back of the bank coal shed. The bank had just opened up; Mr. Geppert, had taken his place and begun work on settling the monthly accounts; E. W. Payne, president, was sitting at his desk writing, when, as nearly as we can learn, three of the robbers entered. According to a pre-concerted plan, we presume, one advanced to the cashier's window, one to the president's window, while one seems to have gone around into the back room to the iron lattice door. Almost immediately after the men were seen to enter the bank,

## SEVERAL SHOTS WERE HEARD,

in rapid succession. Rev. Friedly who happened to be just across the street, immediately gave the alarm, and Marshal Denn, who was standing near the livery stable, across the street from the bank, fired on the robber outside, who returned the fire, fortunately without effect. The robbers now saw that the game was up, and broke for their horses, mounted and rode out of town, going south. It was but a few minutes until a score or more men were in hot pursuit.

To those who remained, on going into the bank, a horrible sight was presented. George Geppert, the esteemed cashier, lay at the door of the vault

## WELTERING IN HIS BLOOD,

and dead. A hole in his breast showing where the ball had entered and probably severed the carotid artery, told the tale. Mr. Payne, the president, lay near him

## GROANING WITH PAIN.

An examination showed that a pistol ball had entered the back of the right shoulder blade, and ranging across had probably grazed his spine and lodged somewhere under the left shoulder blade.

[Mr. Payne died Thursday morning, May 1st, about 11 o'clock, having suffered for twenty-four hours, eighteen which he was conscious. We give his obituary in another place.—ED. JOURNAL.]

## THE PURSUIT.

Going back to the pursuing party, we get the story of the exciting chase from a participant. The pursuing party first came in sight of the robbers beyond the crossing of the Medicine south of town. The party, seeing that they were about to be overtaken, turned and opened fire. Several volleys were exchanged. While the fight was going on, Charley Taliaferro and we believe one or two others rode around the robbers and headed them off on the south. Seeing that they were cut off in this direction they left the road and started almost west, toward the breaks of gypsum hills, but were so hotly pursued that they took refuge in a canyon some three or four miles southwest of town. The boys in pursuit surrounded the canyon to prevent the possibility of escape, and George Friedley and Charley Taliaferro came in for reinforcements. In a short time every gun and horse that could be brought into service was on the road to the canyon. Before the reinforcements arrived on the ground, however, the robbers had surrendered. The surprise of the captors can be better imagined than expressed when, on taking charge of the outfit, they found that they were all well known. The leaders of the gang were

## HENRY BROWN, MARSHAL OF CALDWELL,

and Ben Wheeler, assistant marshal of the same city; the other two were well known cowboys, William Smith, who has been employed for some time on the T3 range, and another cowboy who is known by the name of Wesley, but having several aliases.

Of these men, Brown is the only one who has acquired any notoriety. His history on the frontier began with his connection with "Billie the Kid" in New Mexico. It is said that he was a companion of the noted desperado in some of his most exciting adventures. Of late years, however, he seemed to have sobered down. Some three years since he was elected assistant marshal of Caldwell, and for the past two years has occupied the position of marshal of our neighboring city. In appearance Brown does not show the criminal

particularly. He is a man of about medium height; strong, wiry build; wears no beard except a mustache, and his face indicates firmness and lack of physical fear. During the time he has held his office he has killed several men, but was generally considered justifiable.

Ben Wheeler, the man who fired the shot that killed George Geppert, is a large and powerfully-built man, dark complected, with rather an open countenance. So far as we know he has never been noted as a desperado. He has occupied the position of assistant marshal of Caldwell for the past two years, and has been considered, we believe, a good officer. His action yesterday, however, showed him to be the most cold-blooded murderer in the gang.

Wesley is rather under medium size, and has an evil, reckless expression of countenance, and is just such a boy as would aspire to be a desperado.

Smith is also an undersized man with dark complexion and rather a hardened expression of countenance.

When the party were brought in they were surrounded by a crowd of exasperated citizens, and cries of

HANG THEM! HANG THEM!

sounded on every side, and for a while it looked as though they would be torn from the hands of the officers and lynched on the spot. A somewhat calmer feeling came over the crowd, not that the feeling was any the less intense, but the desire to do the job up in a more business-like style was greater.

All afternoon little knots of quiet, determined men could be seen, and all over town was that peculiar hush which bodes the coming storm. Little was said, but the impression prevailed that before many hours the bodies of four murderers would swing in the soft night air.

So ended the most exciting and the most sorrowful day in the history of Medicine Lodge. No bank robbery ever chronicled in the annals of crime was ever bolder in its design or accompanied by more cold-blooded murder in its attempted execution. That the desperadoes failed in accomplishing their full purpose was not the fault of their plan, but was due to the courage and promptness of a number of our citizens and others—a promptness and courage, in fact, which has rarely been equaled on any similar occasion anywhere.

#### CLOSING SCENES.

About nine o'clock the stillness of the night was broken by three shots fired in rapid succession, and at the signal a crowd of armed men advanced toward the jail and demanded the prisoners. This was refused, but, notwithstanding their spirited resistance, the sheriff and his posse were overpowered and the doors of the jail opened, when the prisoners who were in the inner cell unshackled made a sudden

#### DASH FOR LIBERTY.

In an instant the moonlight was so mingled with bullets that it was a highly unsatisfactory locality for a promenade, and the fact that no one except the prisoners was injured is a matter of wonder. Of the robbers, Wheeler, Smith and Wesley were captured, Wheeler badly wounded. Brown ran a few rods from the jail and fell dead, riddled with a charge of buckshot, besides having a few stray Winchester balls in various parts of his body.

Wheeler, Smith and Wesley were taken by the crowd to an elm tree in the bottom east of town, and told if they had anything they wished to say, now was their time to say it, for their time of life was short. Wheeler at the last showed great weakness, and begged piteously for mercy. Wesley was also



shaken, but managed to answer, in reply to inquiry, that he was born in Paris, Texas, in 1853, and requested that word of his fate be sent to friends in Vernon, Texas. Smith displayed great nerve, and gave directions coolly, to sell his horse and saddle and some few other trinkets, and send the money to his mother, in Vernon, Texas.

After the remarks the ready ropes were fastened on the necks of the robbers, the end tossed over a limb, and in a moment more their bodies swung in the wind. So ends the chapter. Mob law is to be deplored under almost any circumstance, but in this case the general sentiment of the community will uphold the summary execution of justice by the taking of these murderers' lives.

#### THE VICTIM.

Of the deceased, who was shot down in such cold blood, we have not space to speak in fitting eulogy. He has been a resident of our town for some four years past, and was widely known and universally respected by all his acquaintances. A man of excellent business capacity, he had already accumulated a handsome competence. In the prime of life and vigor of his manhood, with a most comfortable home and a pleasant family, the future seemed to have in store for him abundant years filled with golden fruitage of happiness. The respect of his fellow citizens was shown by the fact that the business houses of the town, we believe without an exception, were draped in mourning. His death has aroused the deepest and most general sympathy. We have lost a most excellent man, a kind husband and father, and one of our most enterprising citizens.

This ends all there was known Thursday morning. While in jail at the Lodge Brown wrote a letter to his wife. We reproduce it below, only leaving out such parts as are of a purely business character and of no interest to the public. They contained minute directions how to dispose of his property and as to the payment of some debts.

#### BROWN'S LAST LETTER.

MEDICINE LODGE, April 30, '84.

DARLING WIFE:—I am in jail here. Four of us tried to rob the bank here, and one man shot one of the men in the bank, and he is now in his home. I want you to come and see me as soon as you can. I will send you all of my things, and you can sell them, but keep the Winchester. This is hard for me to write this letter but, it was all for you, my sweet wife, and for the love I have for you. Do not go back on me; if you do it will kill me. Be true to me as long as you live, and come to see me if you think enough of me. My love is just the same as it always was. Oh, how I did hate to leave you on last Sunday eve, but I did not think this would happen. I thought we could take in the money and not have any trouble with it; but a man's fondest hopes are sometimes broken with trouble. We would not have been arrested, but one of our horses gave out, and we could not leave him alone. I do not know what to write. Do the best you can with everything. I want you to send me some clothes. Sell all the things that you do not need. Have your picture taken and send it to me. Now, my dear wife, go and see Mr. Witzleben and Mr. Nyce, and get the money. If a mob does not kill us we will come out all right after while. Maude, I did not shoot

any one, and did not want the others to kill any one; but they did, and that is all there is about it. Now, good-bye, my darling wife.

H. N. BROWN.

This shows that he anticipated the doom which awaited him, and realized in his calmer moments the awful atrocity of his crime.

Mrs. Brown is also in receipt of a very kind letter from Sheriff Riggs of Barber county, of which the following is a verbatim copy.

THE SHERIFF'S LETTER.

MEDICINE LODGE, May 1st.

Mrs. H. N. BROWN, Caldwell, Ks.

*Madame:*—It becomes my painful duty to inform you of the death of your husband, H. Newton Brown, at the hands of an infuriated mob. Your husband and three others attempted to rob the Medicine Valley Bank, and in so doing killed Mr. Geo. Geppert, the cashier, also wounding the president, Mr. Payne, from which wounds he will surely die. I wish to say that in my capacity as sheriff of this county I did my best to protect my prisoners; but by being overpowered I was forced to submit. Perhaps it will be some satisfaction to you to know that his death was instantaneous and quite painless, being shot two or three times, dying instantly, while his comrades in crime were taken some distance from town and hung. There are some effects in this town the property of your husband, and as soon as I can get them together I will forward them to you. I also send to you a letter written by your husband and handed to me to send to you. He wrote it a little before dark last evening.

C. F. RIGGS,  
Sheriff.

Friday morning last Messrs. Ben. S. Miller, John A. Blair, S. Harvey Horner and Lee S. Weller started over to the Lodge, Messrs. Miller and Blair to give their sympathy to the bereaved families, and Messrs. Weller and Horner to look after property that belonged to them. From them we learn the full details, and give them below as nearly as possible:

Mr. Payne and Mr. Geppert had been warned of the attack, and had agreed to surrender. When Brown and Wheeler entered the bank, the positive character of Mr. Payne asserted itself and to defend his property he reached for his revolver. This was his death warrant. Brown shot him, and Wheeler immediately shot Geppert while that gentleman had his hands up! Wesley, thinking to add to the terrible work already done, shot him again to make assurance doubly sure. After being shot twice, Mr. Geppert, true to his trust, staggered to the vault and threw the combination lock on, and then sat down in front of the vault a corpse, the contents it guarded safe from the profaning hands of his murderers.

The story of the capture is briefly told. Nine men were the principles in it. Barney O'Connor was the first man to mount his horse and start in pursuit, and in all of the short, final run guided the pursuing party to ultimate success. After the failure the robbers were completely demoralized. They had not taken failure into consideration in their plans. They were without an appointed leader, and all wanted to lead; hence the capture. One horse began weakening, and they left the main road and turned into a canyon in the gypsum hills. This led into a small pocket thirty or forty feet deep, with only one exit, that by which they entered. The bottom of the canyon was

covered with water from a foot and a half to two feet deep, and it was raining hard and water running down the sides. Here resistance was kept up for two hours, many shots being exchanged but no one hit, all having to shoot at a disadvantage. The cold water was the greatest friend the pursuers had. It cooled the ardor of the pursued, and in two hours after they entered this place they surrendered. Brown was the first to lay down his arms and walk out, and was followed by the rest. When they rode into the city the people were wild, and loud threats of lynching them were made; but not until night were they put into execution. In the afternoon comparatively good pictures of the band were taken, and also of the captors. They ate two hearty meals while in the jail, and Brown wrote the above letter. Wheeler tried to write, but broke down.

#### BIOGRAPHICAL.

Henry Newton Brown is the only one of the band who has achieved any notoriety as a desperado. He was a native of Rolla, Phelps county, Missouri, but at an early age left his home for the West. He went first to Colorado, and from there drifted into a cow camp in Northern Texas, where he killed a man after firing three shots at him. He shortly went into the band of the celebrated "Billie the Kid," and participated in many of his most daring exploits. In the Lincoln county war he was with the Kid's party when they lay ambushed for Sheriff Brady's party and killed him and nearly all of his men. In the fall of 1878 he was at Tuscusa, Texas, with the Kid with between 75 and 100 stolen horses. In a short time he went to New Mexico and was employed as boss of a ranch, but owing to a shooting scrape there he left for Texas, having been among the number pardoned by the governor of that State for participation in the Lincoln county war. He was appointed deputy sheriff of Oldham county by Capt. Willingham in 1880, but only held the office a short time, when he started up the trail and came to Caldwell. Batt Carr was then marshal of this city, and having known Brown as deputy sheriff in Texas, had him appointed as his deputy marshal in the summer of 1882. In the fall of that year, Carr having resigned, he was appointed marshal, and has since held that position, being reappointed the third time only four weeks ago. Since in office he has killed two men. The only fault found with him as an officer was that he was too ready to use his revolver or Winchester. He had gained the entire confidence of the people however, and had conducted himself in such a manner that the doors of society were always open to him. He neither drank, smoked, chewed nor gambled. In size he was rather under the medium, but compactly built, and such a man as would be supposed capable of great physical endurance. He was very light complexioned, blue eyes and light mustache. He was twenty-six years old last fall. He leaves relatives in Rolla, Missouri, and a sister in Iowa. Only six weeks ago he was married to a most estimable young lady in this city, Miss Alice M. Levagood.

Ben Robertson, alias Ben F. Burton, alias Ben F. Wheeler, was a native of Rockdale, Milam county, Texas, where he was born in 1854, and where he has a number of relatives who are most estimable people. One of his brothers was at one time general land agent of the State of Texas. Wheeler, as he was known here, left Texas about six years ago on account of a shooting scrape in which he severely wounded a man. He went to Cheyenne, Wyoming Territory,

where he stayed for some time and then started south again with cattle. At Indianola, Nebraska, he met Miss Alice M. Wheeler. In November, 1881, they were married under the name of Burton, at her parents' residence in that place, where they lived happily together until the next spring. He then left and came to this place, where he was soon appointed deputy marshal. She came in a few months, but he refused to keep her here, and told her if she would go away he would support her. She stayed away most of the time, but last winter spent several weeks here. Her father died last December, and she is left alone to support her aged mother and one sister, and also her eighteen-months-old child. She is willing and anxious to work for their support, and in her brave resolution she will no doubt meet with ready help from the kind-hearted ladies of this city.

Of Smith and Wesley little is known other than that they were natives of Texas, one of Vernon and the other of Paris. Smith was employed on the T5 Range, and had just been given charge there. He was about 28 years of age. Wesley has been employed on Treadwell & Clark's ranch all winter, and when he left Sunday afternoon he stated he was going to meet Smith in Kansas. He was always considered a hard citizen, but a good hand about the ranch. He always carried his six-shooter, and never retired at night without his Winchester was within his reach. He was about thirty years old.

Wheeler is said to also have a wife and four children in Texas, under the name of Robertson.

#### FINALE.

There was another heavy sound,  
A hush and then a groan,  
And darkness swept across the sky,  
The work of death was done.

The tragic death of the robbers has already been told. That it was just, all know; that it was a terrible penalty for their crime, visited on them by the iron hand of judge lynch, all admit. There have been cases before where it was surely justifiable and there will be others to come. The near relations which two of the principals bore to the citizens of this city made it doubly horrible. They had made many warm friends in this city, and while here had made two as good officers as the city has ever had. They had been given credit for honor and bravery, and while here no man can say, and say truthfully, that they had not been worthy this trust. That they have brought disgrace on the city, no one can help; and that they met their just deserts, all rejoice. But let the mantle of charity fall over their memory, and like the tear of the repentant sinner which the peri brought to the gates of heaven, let it obliterate them as it did the sins of the penitent, blot them out from existence, and let them be judged by the Higher Court where we are taught to believe that all shall receive justice. Let them fall into the past as beings that are gone and forgotten; and while the dark cloud that obscures the final ending is rent by a few rays of golden light, let no rude hand be stretched passionately forth to close forever from sight those redeeming glimmerings.

1. *Caldwell Post*, September 28, 1882. 2. *Caldwell Commercial*, November 9, 1882. 3. *February 1, 1883*. 4. *Caldwell Commercial*, April 5, 1883. 5. "Police Docket," *Records of the City of Caldwell*, July, 1882-May, 1884. 6. *Caldwell Journal*, April 10, 1884.

## BROWN, J. CHARLES

(— — —)

For several days following the August 15, 1873, shooting of Sheriff Chauncey B. Whitney, the city of Ellsworth had police problems. The men on duty at the time of Whitney's death were summarily dismissed by the mayor and not until August 27 did the police force assume any semblance of permanence. On August 28, 1873, the *Ellsworth Reporter* gave the names of the new officers in this article: "The entire police force was changed at a special meeting of the City Council yesterday, Richard Freeborn was appointed City Marshall, with power delegated to select two policemen. He selected J. C. Brown and DeLong."

In September Brown shot and killed John Morco, a former Ellsworth policeman, for wearing weapons within the city limits. "The coroner's inquest over the body of 'Happy Jack' decided that 'John Morco came to his death from the effects of two bullet wounds, discharged from a six-shooter in the hands of Chas. Brown, a police officer of the city of Ellsworth, in self defence, while in discharge of his duty, and was justified in the act," said the *Reporter*, September 11, 1873. The article which reported the shooting may be found in the section on Morco.

Marshal Freeborn resigned on November 18 and apparently Brown was then promoted to the higher position for on December 11, 1873, the *Reporter*, in its "City Officers" section, began to list him as marshal.

Several months later Charles Brown assisted the Ellis county sheriff to arrest "Dutch Henry," a widely known horse thief. The *Ellsworth Reporter* carried this article on June 18, 1874:

## HENRY BORN ARRESTED.—AN EXCITING CHASE.

Last Monday afternoon an arrest was made near this city that occasioned considerable stir among our population. Sheriff Ramsey came down from Ellis county, and armed with a United States warrant and revolver proceeded to obey orders, having called to his assistance under-sheriff Stephens of this city.—About five miles from town as they were riding horseback they discovered their man riding across the prairie. Riding after him Ramsey ordered him to surrender—in answer Born raised his revolver. Ramsey and Stephens dismounted from their horses and each fired at Born. Born galloped off to Oak creek where he secreted himself in the bushes. Ramsey ordered Stephens to ride to Ellsworth for more men and some guns. Stephens returned with City Marshal Brown and S. G. John, each being armed with guns. Arriving at the creek it was found that Born had hid himself in a cave and had afterwards crept up a ravine. He was soon found by the party, hid in the grass.

Not answering the sheriff's orders to give himself up, a shot from that officer's revolver, which inflicted a slight wound on his face, and the presentation of three long guns in different directions, brought him to terms and he was disarmed, brought into the city and lodged in jail. The people here meanwhile knew what was going on and were out en masse watching the result. When the party rode in, a great crowd of men and boys gathered at the jail to see the prisoner. He was wounded in three places—but none of the shots were dangerous. He was cared for by our physicians. Sheriff Ramsey took his prisoner up to Hays City on the 10:35 train and will duly hand him to the U. S. authorities at Topeka. The prisoner was arrested for stealing mules from the Government. He was once before arrested by Sheriff Whitney, but there being some informality in the arrest he was released.—Born and his brother have had a claim on Oak creek for two years—though it is said that they have never entered their claim at the Land Office.

Nothing more was found concerning Marshal Brown until July 22, 1875, when the following appeared in the *Ellsworth Reporter*:

#### CITY COUNCIL MEETING

At a regular meeting of the city council, held July 20th, Mr. Beebe introduced the following resolution:

WHEREAS, OUR Marshal, J. C. BROWN, having resigned his position to fill one of like character on the frontier. Be it

Resolved, That in severing the connection of the Marshal with this city. Mr. J. C. Brown, has for the past two years, performed his duty to the entire satisfaction of our citizens.

That we cheerfully recommend him as an officer who is fearless, prompt, honest, and always on hand to attend to his duty and equal to any emergency.

That a copy of these resolutions be signed by the mayor and, with the seal of the city attached, be presented to Mr. J. C. Brown.

On motion of Mr. Montgomery, the above resolution was adopted and ordered spread upon the record, and the minutes of this meeting containing such, ordered published in the *Ellsworth Reporter*.

M. NEWTON,

Attest:

Mayor

W. F. TOMPKINS, City Clerk.

#### BROWN, JOHN

(— — —)

The Dodge City *Times*, April 13, 1878, reported that "Joseph Mason and John Brown have been placed on the Police force to serve temporarily." On May 7 Brown was paid \$52.50 for "salary as Ass't Marshal," according to proceedings of the city council published in the *Times* on May 11, 1878. Also it reported that on "motion of C. M. Beeson the appointment of John Brown as policeman was confirmed." The *Times*, from its issue of April 20 through the issue of May 11, 1878, listed Brown as assistant marshal in its "Official Directory."

Brown served as policeman under Marshal Charles E. Bassett and Assistant Marshal Wyatt Earp. "Dodge City is practically under an efficient guard," wrote the editor of the *Dodge City Times*, May 18, 1878. "The city fathers have wisely provided for the honor, safety and character of the city by the appointment of an excellent police force. We believe no better men for the positions can be found anywhere."

In May, June, and July Brown remained on the police force. At a city council meeting held August 6, 1878, it was decided that "the police force [should] be reduced; and the clerk be instructed to notify Policeman John Brown that his services would no longer be required."<sup>1</sup>

A few weeks later Brown was taught a lesson in etiquette, Western style. The *Ford County Globe* reported the affair on September 24, 1878:

THE FESTIVE REVOLVER.

A man named Brown, formerly one of our policemen, spat at Al Manning's face last Wednesday. Al very promptly responded to this insult by emptying a six-sho[o]ter at Brown, who being an expert runner and dodger, evaded the bullets. We are, however, sorry to say that a young man by the name of Wm. Morton caught one of the bullets in his foot. He is at present confined to bed nursing his wounded foot. While we regret very much to hear of the use of the revolver where innocent parties are liable to be hurt, we are glad to believe that Mr. Brown has learned a lesson he'll not forget soon.

The last mention found of Brown in Dodge City was in the proceedings of the city council meeting of December 3, 1878, as reported in the *Times*, December 7. At this meeting Brown was paid \$12.50 for "balance of salary," perhaps for the six days he had served in August.

1. *Dodge City Times*, August 10, 1878.

BROWN, NEIL (NEAL)

(1847?-1926)

James Masterson and Neil Brown were appointed marshal and assistant marshal of Dodge City on November 4, 1879. These "off season" appointments were occasioned by the recent resignations of Marshal Charles E. Bassett and Assistant Marshal Wyatt Earp. In reporting the appointments, the *Dodge City Times*, November 15, 1879, concluded with the statement that "these men make good officers." Brown and Masterson each received \$100 per month for their police services.<sup>1</sup>

On March 30, 1880, the *Ford County Globe* reported that "Capt. Dan Gardiner officiated as police officer yesterday in the temporary

absence of the marshal. He succeeded in steering another weakneed rooster over to the dog house, but his courage failed when policeman Brown arrived and proposed to put the two in together."

Both James Masterson and Neil Brown were reappointed by the city council on May 4, 1880.<sup>2</sup>

In June Brown arrested one of Dodge's first citizens and roughed him up somewhat in the process. The *Globe* reported the incident on June 8, 1880:

#### IN THE BASTILE.

Dr. Galland and Capt. Howard, proprietor and clerk, respectively, of the Great Western Hotel, were, after a short preliminary skirmish, in which the Doctor received a patronizing welt or two from the festive revolver of Policeman Brown, arrested and locked up in one of the dismal cells of the bastille, where they remained until the Policeman saw fit to kindly liberate them. The cause of the arrest was for a failure to pay hotel license. Yesterday the two culprits were brought before Judge Weaver who fined the Doctor one dollar and cost and dismissed the case against Howard. The Doctor and his friends claim that he was mistreated and abused by the policeman, and that the affair was caused by the Doctor's resignation last week as a member of the Council. Such cases of "unpleasantness" are not proper amusements for Christians to indulge in, and our voice is for peace.

Action was brought against Brown for his method and the trial was reported in the *Ford County Globe*, June 15, 1880:

The case of the State of Kansas vs. Policeman Brown, charged with a felonious assault upon Dr. S. Galland, late member of the City Council, was called last Saturday in Chief Justice Cook's court. Nelson Adams, of Larned, appeared for the defendant and Jones and Frost for the State. The court took the case under advisement until Monday, and when Monday came he took the case under advisement for another week. In the fullness of time we presume the judge will render an elaborate opinion.

The case was finally concluded in January, 1881. Brown was convicted and fined \$10 and costs.<sup>3</sup>

In August, 1880, Brown wounded a man while making an arrest. The *Globe*, August 24, 1880, reported:

Policeman Brown undertook to disarm a stranger last Friday, who was carrying a pistol in his pocket. The stranger refused to disgorge and started to run, whereupon the policeman gave chase and fired two shots, one of them passing through the stranger's foot and bringing him to a stand-still. He was taken to the calaboose and fined eight dollars, which he paid and took his departure from this beautiful city on the first train, taking with him quite a severe wound.

The city council, at a meeting held October 5, 1880, decided to reduce the salaries of the marshal and his assistant. The Dodge



City Times reported the action on October 9: "On motion of W. C. Shinn, seconded by T. J. Draper, that after the 31st of October 1880, the expense of Marshal and Assistant be reduced to one hundred dollars per month, which passed; the mayor will take notice to have such offices filled for amount named above."

The decision was reaffirmed at the December 7, 1880, meeting of the council:

The minutes of the previous meeting were read and approved, after they were corrected by motion of W. C. Shinn and seconded by M. W. Sutton, that the motion of W. C. Shinn in the previous minutes in regard to expense of city to read as follows: That after the 30th day of October, 1880, the total expense of the city marshal and assistant be reduced to one hundred dollars per month to keep the peace and quietude of said city, and the mayor take notice to have such offices filled for amount named above, passed the council Oct. 5, 1880.

The following bills were presented and allowed.

Jas. Masterson, salary for 1 month	\$100 00
Neil Brown,	100 00. . . .

The bills of James Masterson and Neil Brown, as marshal and assistant in the month of November, for one hundred dollars each, was presented, and on motion of W. C. Shinn, seconded by T. J. Draper, That fifty dollars be paid (the bills reduced that amount) and remainder laid over until the next meeting of the council for consideration, passed the council Dec. 7, 1880.<sup>4</sup>

On April 6, 1881, after the annual city elections, the newly elected city council met and declared the positions of marshal and assistant marshal to be vacant and new officers were appointed. Brown and Masterson were each paid \$420 on April 12.<sup>5</sup>

When the trouble occurred between Luke Short and the city authorities in the spring of 1883, Brown was still a resident of Dodge. Though his part in the troubles is difficult to ascertain, he was prominent enough to be included in the famous photograph of the "Dodge City Peace Commission." The story of the "war," and what is known of Brown's role, will be found in the section on Luke Short.

The Dodge City Times of August 30, 1883, printed a list of members of Dodge's recently formed militia unit, the Glick Guards. Neil Brown appeared as a member along with Luke Short, Bill Tilghman, Clark Chipman, and others famous in Dodge City's early history.

In January, 1889, when Cimarron and Ingalls were fighting a "war" for the county seat of Gray county, Brown was involved in a sharp and bloody battle in the streets of Cimarron. Other former Dodge City policemen were also participants: James Mas-

terson, Fred Singer, Ben Daniels, and Bill Tilghman. The full story of the fight may be found in the section on Tilghman.

1. *Dodge City Times*, January 17, April 10, May 8, July 10, August 7, September 11, October 9, December 11, 1880. 2. *Ibid.*, May 8, 1880. 3. *Ford County Globe*, January 25, 1881. 4. *Dodge City Times*, December 11, 1880. 5. *Ibid.*, April 7, 14, 1881.

## BUGG, THOMAS

(—1883)

Contemporary evidence of Tom Bugg's law enforcement career is sketchy at best. In July, 1881, Bugg testified at the coroner's inquest over the body of Joseph McDonald who had been killed by Dodge City Marshal Fred Singer. At that inquest Bugg is quoted by the *Ford County Globe*, July 26, 1881, as saying "I am deputy sheriff. . . ." (The testimony may be found in the section on Fred Singer.)

The sheriff at that time was George T. Hinkle; the under sheriff was Fred Singer. Just when Bugg was appointed deputy sheriff of Ford county is not known. On November 3, 1881, the *Dodge City Times* reported that "Thomas Bugg, Deputy Sheriff, has resigned his office. Sheriff Hinkel has not yet designated Mr. Bugg's successor."

Apparently Bugg was reappointed a deputy sheriff for on March 7, 1882, the *Globe* mentioned that "Sheriff Hinkle has relieved Thomas Bugg of his office as Deputy Sheriff. Sensible move."

Bugg held another law enforcement position as this article from the *Times*, August 10, 1882, shows: "Thos. Bugg, acting constable, was yesterday accidentally shot. The ball passed through the left leg above the knee, and left arm above the elbow. He was scuffling with a man and the pistol fell out of the scabbard and was discharged. The wounds are not dangerous."<sup>1</sup>

In October, 1882, Bugg was a member of a posse, led by Ford county Under Sheriff Singer, which went to Lakin for several cowboys who had shot into a Santa Fe passenger train. (The account of the cowboys' capture may be found in the section on Singer.)

Tom Bugg died on February 10, 1883. The editor of the *Dodge City Times* was quite eloquent in this obituary which was published on February 15, 1883:

### THE DEATH ROLL.

Like the plant that has stood the variable climate, wither and die the early citizens of the border. There is nothing remarkable about the death of the old-timer, but to the surviving old-timers there is a lurking spirit of sadness on the sudden demise of those who have borne the brunt of the

battle on the plains. None here who have not enjoyed the full measure of life's pleasure, endured its hardships and for a period survived its vicissitudes. But there is a limit to physical endurance. Energy and work will sustain life, but poor whisky, the bane of the hall fellow, saps the foundation and soon destroys the manly physical body. Tom Bugg, who died Saturday night, after a brief illness, deserves no particular mention for either good or bad deeds. He was a hero withal. He struggled for an existence and bore the burden of his life's troubles. Whisky has done for Tom Bugg what it will do for all who tarry long at the social glass. It was heart disease, the doctor said; and how many more of the poor wanderers, sentinels on the border, are there in our midst, barring against that fate that awaits all of the human family! But these are of Tom Bugg's class. Their ebb of life is fast flowing and the receding stream is drawing them—

"Nearer, my God, to thee."

The preacher Sunday night delivered a doleful sermon on the grave. He preached the funeral service of the countless millions who pass to the other shore, unwept, unhonored and unsung. Appropos, the spark of life had no sooner left Al Updegraff, than came eternity's chariot and carried away Tom Bugg. Another, less known, but no less a man, though of a dark skin, also passed in his chips, and called the turn. Wm. Davis, the colored barber, died in Speareville, of pneumonia caused by exposure and over indulgence in strong drink. . . .

Tom Bugg was a carpenter by trade, and followed that business until about two or three years ago. He held the office of deputy constable at the time of his death. He resided in Dodge for several years. Of his antecedents we know nothing. His death was rather unexpected, he apparently being in the enjoyment of good health a few days previous to his death.<sup>2</sup>

1. See, also, *Ford County Globe*, August 15, 1882. 2. See, also, *ibid.*, February 13, 1883.

### CARR, B. P.

(— — —)

The murder of George Brown, June 22, 1882, left Caldwell without a city marshal. Only one arrest was recorded in the Caldwell police court docket between the date of Brown's death and July 1, and that was on complaint of J. A. Neal, a policeman. On July 1, 1882, the name of Marshal B. P. Carr began to appear on the docket. Both the Caldwell papers, the *Post* and the *Commercial*, in issues of July 6, 1882, mentioned that B. P. Carr had been appointed but no exact date was given.

"Carr is a quiet unassuming man, but there is that look about him which at once impresses a person with the idea that he will do his whole duty fearlessly and in the best manner possible. We have not the least doubt that he will give entire satisfaction . . ." said the *Commercial's* article.<sup>1</sup>

Apparently Carr gave immediate satisfaction, for within two

weeks the citizens of Caldwell took up a collection and presented him a gift of appreciation. The *Post*, July 13, 1882, reported the presentation:

ARMED.

The citizens of Caldwell, seeing the necessity of having an officer well armed, proceeded to raise seventy-five dollars yesterday morning by subscriptions from business men on Main St, Col. Jennison heading the list. He purchased a brace of fine six-shooters, and presented them to Mr B P Carr in behalf of the citizens. Col. Jennison said, in substance: Mr Carr:—In behalf of the citizens and business men of this city, I present you with these weapons, not that we would encourage the use of them, but that you may better protect the rights of property and life, and maintain the dignity and honor of the city and your office as Marshal. It is not for the intrinsic value of the present we offer you, but in it our appreciation of your services as an officer. I request you to accept these pistols from the citizens of this city as a slight token of their confidence in your ability to protect the same from being used for any purpose other than the defense of the city and maintaining peace and quiet in the same.

The presents were handsome ones, and Mr. Carr fully appreciates the sentiments that induced the citizens to present them to him.<sup>2</sup>

In the same issue the *Post* had occasion to mention Marshal Carr's dexterity with that type of weapon:

City Marshal Carr put it onto a wild and woolly negro that was promenading the street the other day. Carr concluded that the fellow had a six shooter on him and asked him for it. The negro instantly went down to get it, with the intention of standing the marshal off; but quicker than thought a "45" was shoved up under his nose, accompanied by a gentle request to throw up. He threw up both hands in short order, and was disarmed and taken to Judge Kelley's sanctuary and stuck for \$12 50, and told that he had better leave his gun off, in the future.

Bat Carr put a new twist in the interpretation of law at Caldwell when he saved a cowboy from going home completely broke. The *Commercial*, July 20, 1882, carried the story:

City Marshall Carr had to bruise a fellow last Friday, and all about a cowboy. It seems the latter came in from camp a day or two previous, with a couple of horses, one of which he sold. A chap running one of the gambling games in the city got hold of the cowboy, filled him up with whisky and then played him out of his money. The next morning the cowboy, partially sobered up and dead broke, undertook to sell the other horse, when Marshal Carr was informed of the circumstances. The marshal hunted up the youth, put him on his horse, and started him off for camp. Supposing everything all right, the marshal went off to attend to some other matters, when his attention was called to the fact that the gambler was endeavoring to have the cowboy remain, and had offered the latter \$40 on his horse in the game. The marshal went up and invited the gambler to move on and let the cowboy alone. The man of games couldn't see it, and not content with refusing to go off, gave

the marshal some slack. The latter settled the question very promptly by flooring the gambler, and compelling the cowboy to go to camp. Of course there was some indignation at the course of the marshal, but the more considerate portion of the community think he did just right. It has, in the past, been too common a thing for some of the sporting fraternity to beat every cowboy they could get hold of out of his hard earned money, and apparently without any det [sic] or hinderance on the part of the police force. That a change in that state of affairs has been inaugurated, and for the better, gives cause for congratulation. Our present force seem to comprehend the fact that men coming into the town are not to be openly robbed without any interference on their part, and we are glad of it.

The editor of the *Caldwell Commercial* seemed pleased on August 24, 1882, to report the growing use of fists over six guns:

Civilization is advancing in the west, particularly in that portion of it covered by the town of Caldwell. And for why? Because the Winchester and self-cocker have given place to nature's arms, good "bunches of fives," and perhaps a stick. Two ructions of that kind occurred last week, one on Thursday and the other on Saturday. Uncle Bill Corzine says the first row arose from the circumstance of one of our well known citizens having attended church or prayer meeting (we have such things in Caldwell) the night previous, where he learned for the first time that the Jews had killed the Gentile Savior something over eighteen hundred years ago. It incensed him to such an extent that the next morning he pitched on the first Jew he met. Bat Carr and Henry Brown, both of whom appear always to be in the way when any fun is going on, stepped up just in time to stop the citizen in his mad endeavor to avenge the wrongs of eighteen centuries standing, and quietly conducted him before his honor Judge Kelly. Uncle Bill says that his honor, putting on all his magisterial dignity, asked the prisoner in his most impressive tones: "What have you to do with Christ, anyhow?" Being unable to answer the conundrum his honor told him to contribute to the depleted city treasury the amount of five dollars, with an extra "In God we trust," to maintain the dignity of the court. The next imitation of a Democratic ward meeting, was brought about by a difference arising from a financial settlement. Both parties got the worst of the row, physically and financially. But while they may feel sore and somewhat distressed, we must congratulate them upon being pioneers in the new order of things that makes the six shooter in this community of no more account than a toy pistol.

Civilization was indeed advancing in Caldwell and in "the new order of things" a local saloon had discovered the value of sex appeal. "A new device to get the cow boy's money—and we are afraid it catches a good many others—a woman dealing hazzard in one of the saloons," the *Commercial* reported on August 31, 1882.

Carr could also clamp down on the cowboy when it became necessary. The *Commercial*, September 7, 1882, said:

Monday is rather an uninteresting day in Caldwell, either in police, or other circles, but last Monday proved an exception. At least Bat Carr, our city marshal, thought so. A hilarious chap from the range came into town Monday

morning, and enthused by the pure air and easy going surroundings of Caldwell, undertook to have a little fun all by his lone self, so he mounted his kyuse and gaily galloped about the village. In his wild career he run across Dr. Noble's place where some of the doctor's fine sheep were sauntering around, like tony men saunter in front of a popular place where beverages are sold, and he proceeded at once to practice throwing the lariat upon them. It was fun for the ranger, but the sheep did not appear to enjoy the matinee. While engaged in his pleasant pastime, Bat. rode up along side of the ranger's pony, relieved the chap of his shooting iron, and conducted him to the presence of Judge Kelly. He gave his name as William St. John, but the St. John part did not relieve him from contributing a goodly sum to the city treasury, and when the shades of evening hovered o'er the village, William took his departure, poorer in purse, but doubtless happy in the consciousness that he had a "good time."

It appeared that gamblers were the particular prey of Marshal Carr. "Bat. Carr, our city marshal, the other morning rounded up a lot of gamblers who had been in the habit of going around with pops stuck down in their clothes. They had to pay a fine and give assurance that hereafter they would obey the city ordinance against carrying concealed weapons," reported the *Commercial*, September 28, 1882. On October 5, 1882, the *Commercial* said:

Some of the gamblers in Caldwell are terribly worried because Bat. Carr thinks the low down thieving games, such as "nine dice," three card monte," etc. ought not to be allowed. The final result was, that Bat. had some of them interview Judge Kelly on Tuesday morning, and the city treasury is richer by several dollars. We admire Bat's pluck, and hope he will keep up the fight until he runs every thieving gambler out of the town. Gambling in its mildest and most correct form is an injury at the best, but where it descends into down-right robbery, with no show whatever for the victim, it ought to be suppressed.

Caldwell citizens apparently approved of their marshal's actions for in October, 1882, they presented him a solid gold badge. The *Caldwell Post*, October 12, 1882, reported:

A little the handsomest badge we ever saw is the one worn by Batt Carr, our City Marshal, and presented to him last week by the citizens of Caldwell. It is solid gold in the form of a shield suspended from a plate at the top by chains. The lettering is in black enamel, and bears the inscription, "Batt Carr, City Marshal, Caldwell, Kan." On the reverse is, "Presented by the Citizens of Caldwell." Take it all together, it is the handsomest thing in that line we ever saw. Batt is deserving of the best regards of the citizens of Caldwell by reason of his excellent management of the rougher element that is common in any new community, and they take this method of showing it. The cost of the jewel was over \$75, and was bo't through Henry Auling, our jeweler, by a few of our businessmen and stockmen.<sup>3</sup>

"Bat Carr has obtained a leave of absence and leaves on a business visit to Colorado City, Texas, next Monday," reported the *Com-*

mercial, October 12, 1882. "Bat expects to return in fifteen or twenty days. We request the Colorado folks to handle him with care and send him back on time and in good condition." Henry Brown served as marshal in Carr's absence with Ben Wheeler acting as assistant city marshal.

On November 9, 1882, the *Caldwell Commercial* announced Carr's return:

Bat Carr, our city marshal, returned last Thursday from his visit to Texas. The *Commercial Clipper*, of Colorado, Texas, makes mention of his visit in the following style:

Capt. Battie Carr, city marshal of Caldwell, Kansas, is in our city shaking hands with his numerous friends and looking after his interests here. He has located at Caldwell, and has this week put his property here on the market. He has six neat residences north of and near the public square, which he offers cheap for cash. Battie was one of the early settlers of Colorado City, and showed faith in its future by investing in town lots and improving them as soon as lots were exposed to sale, showing a spirit of enterprise that enthused others to invest, and so the city started and has been rapidly improving all the time until we now have a lovely city of 3,500 souls and still the rush goes on. Carr is a man of cool nerve, and anything he undertakes he goes at it with a determination to win. He can now dispose of his property at an advance of 100 per cent. on first cost, and will reinvest in the thriving young town of Caldwell. From the handsome gold badge that he supports on his breast we see that his worth as a brave and efficient officer is appreciated by the city of his adoption, it having be[en] presented to him by the good citizens.

Bat brought back with him a splendid gold-headed cane, which he presented to Mayor Colson.

Robert Gilmore, more commonly known in his time as Bobby Gill, was a tramp familiar to nearly all the cowtowns of Kansas. Caldwell was no exception. The *Commercial*, November 9, 1882, recorded a visit in this article:

#### EXIT "BOBBY GILL."

Nearly all the tramps, bunko steerers, bummers and dead beats who have traveled over the main lines and prominent branches in Kansas, know "Bobby Gill." Bobby is and has been an odorous citizen for several years, one of those unfortunate contrasts necessary to show, by comparison, the advance made in civilization by the mass of humanity. Well, Bobby projected his carcass into Caldwell a few weeks ago, fuller than a tick and with a crowded case of samples of his ordinary meannesses. After remaining in his abnormal state a short time, he pulled himself together and toned down to a clean shirt and sobriety—for a few days. But Bobby couldn't stand that course for any length of time. It was too rich for even his aristocratic blood, and he soon went back to his old lay. By persistent effort Sunday evening found him with his tank full and his shirt looking as if it had been worn by a Cheyenne Indian ever since the white man began to follow the aforesaid aborigine's track.

To make a long story short, being in that condition, Mr. Gill concluded to

go to church, for a change, and while Brother Foster was reading the usual Bible lesson at the beginning of services last Sunday night, Bobby walked into the door, up the aisle, and planted himself right into the amen corner, in close proximity to Bros. Edwards, Ross and Lange. Bobby took in the entire services, and we must say in truth, conducted himself in a more reverential manner than many professed worshippers usually do. At the close of the services he retired quietly and unostentatiously, seemingly deeply impressed by the singing of the choir and the tender appeals of the pastor to erring humanity.

But alas, for good conduct. The next morning the gamblers insisted on Bobby leaving town. He had disgraced the profession by going to church, and they couldn't stand it; so they raised some money to pay his fare to the home of all such refugees, Dodge City, and at three o'clock, Bat Carr escorted him to the depot in style and saw him safely ensconced in a reclining chair, and we hope, that by this time, he is under the protecting care of Mayor Webster.

Poor Bob! His career and condition, if we look at it philosophically—only serves to show what many of us, who hold our heads so high above him, might have been under like adverse circumstances.

There are vessels made to honor, and vessels made to dishonor, and no man can say, given the same conditions, that he is better than another.

The *Caldwell Post*, November 9, 1882, reported more of Carr's activities against the gambling element: "Bat Carr, Chief of Police, is making it lively for the slick-fingered gentry and gamblers. He fired half a dozen or so out yesterday and pulled several others." On November 23, 1882, the *Post* said that "Bat Carr gathered in five hurrah fellows one day last week between six and seven o'clock, and two more the next morning—and it was not a good time for the business, either."

In December a shoe thief was caught. The *Commercial*, December 7, 1882, had this article:

In going to the postoffice on Tuesday, we met Marshal Bat Carr with a pair of ladies' shoes, and wondered what was the meaning of such a freak. Upon inquiring, we found that the colored man working for Dr. Noble had stolen the shoes from F. W. Leonard, our young enterprising boot and shoe man, and had been trying to sell the stolen goods to different parties. Bat went to him and told him he would take his company down town. The n— said "Does you want dem shoes, Mr. Carr?" whereupon Bat told him he did, and if they were not forthcoming, he would take him to the cooler. The gentleman in question replied: "I nebber stoled dem shoes, I jest borrowed 'em," and he went to a small house and after a time brought forth the property. Bat watches the pilferers closely and their way is a hard one to travel while he is around.

On December 21, 1882, the *Commercial* announced that "City Marshal Carr, left last week for Texas, and it is rumored around that he will bring back with him a frau. Wish you much joy, Bat." The same day Henry Brown was appointed city marshal of Caldwell.<sup>4</sup>



The next summer it was rumored that Bat Carr had been killed in Texas. The *Caldwell Journal*, August 30, 1883, said: "A report comes to us to the effect that Bat Carr, formerly marshal of this city, was recently killed in one of the border towns of Texas. The report lacks confirmation, still it is possibly correct."

But Bat Carr was very much alive:

#### BAT CARR HEARD FROM.

DALLAS, TEXAS, Sept 7, 1883.

ED. JOURNAL:—I notice in the local columns of the JOURNAL of the 30th, ult., a paragraph setting forth that Bat Carr, former city marshal of Caldwell, had been killed in one of the border towns of Texas. This short message from Bat himself will suffice to deny the report; and through the columns of your valuable paper let me extend to the citizens of Caldwell my kindest regards and well wishes for their future prosperity; through life will I cherish in memory the fond recollections of my sojourn in your little city. When the JOURNAL is returned, marked by the P. M., "Not taken," then you may suspect the correctness of a like report.

Respectfully, BAT CARR.<sup>5</sup>

1. See the section on Henry Brown for reprints of these two articles. 2. See, also, the *Caldwell Commercial*, July 13, 1882. 3. See, also, *ibid.*, October 12, 1882. 4. *Caldwell Post*, *Caldwell Commercial*, December 23, 1882. 5. *Caldwell Journal*, September 13, 1883.

#### CARSON, THOMAS

(— — —)

Tom Carson was temporarily appointed to the police force of Abilene during that town's last trail-driving season. The marshal of Abilene then was Wild Bill Hickok. On June 14, 1871, the city clerk of Abilene recorded Carson's appointment in these words: "Thomas Carson appointed as policeman pro tem with the understanding that he should be appointed regularly his pay dating from the time he commenced work."<sup>1</sup>

Carson was appointed a regular member of the force on June 23, 1871.<sup>2</sup> In less than a week he was in trouble with the city authorities over a difficulty he had with fellow policeman J. H. McDonald. The official records of the city carry this entry dated June 28, 1871:

The Hon Mayor of the City of Abilene. You are hereby requested to call on the evening of the 28th day of June 1871. For the purpose of investigating a certain affray occurring between Thomas Carson and J. H. McDonald policeman of said City on the 28th day of June A. D. 1871. "Signed"

J. A. Gauthie

S. H. Burroughs

J. A. Smith

Dr Boudinot

Samuel Carpenter [members of the city council].

Whereupon it is hereby ordered by J. A. Gauthie acting president that a Meeting be held on said evening. On Motion the Council proceed to make an investigation as aforesaid. J H McDonald Thomas Carson Jesse Moon. Thomas & Craiman were duly sworn to make true statements in regard to said controversy. The Council after having heard the testimony moved that the said officers be sent forth again to their duty, after being first reprimanded by the President (Carried) J. A. Gauthie then proceeded to advise the officers & to admonish them that if brought up again they would be discharged. . . .<sup>3</sup>

While Abilene was having its last cattle driving season in 1871, Newton, a new town sired by the Santa Fe railroad in Harvey county, was having its first. And it was in Newton that Thomas Carson next showed up as a police officer.

Born in March, the town of Newton was a lusty, brawling adolescent in August. By then it was reported that ten "dance" houses were running full blast and three more were under construction. One writer said:

. . . I have been in a good many towns but Newton is the fastest one I have ever seen. Here you may see young girls not over sixteen drinking whisky, smoking cigars, cursing and swearing until one almost loses the respect they should have for the weaker sex, I heard one of their townsmen say that he didn't believe there were a dozen virtuous women in town. This speaks well for a town claiming 1,500 inhabitants. He further told me if I had any money that I would not be safe with it here. It is a common expression that they have a man every morning for breakfast.<sup>4</sup>

Early Sunday morning, August 20, 1871, Newton suffered a gun battle which left nine men dead or wounded. Referred to by many as "Newton's General Massacre," it was described in *The Kansas Daily Commonwealth* of Topeka, August 22, 1871:

#### NEWTON.

MORE WHOLESALE BUTCHERY.

THREE MEN KILLED.

SEVERAL WOUNDED.

While at Newton, a few days ago, we were informed that inasmuch as a man had been killed there on the morning of the day of our arrival, a week would probably elapse ere another killing scrape would occur; that usually after a killing in that town no events of any moment, saving an occasional head breaking or an unimportant stabbing affray, occurred for a week or so. That information was correct for just a week sped by before a season of bloodshed and slaughter was again inaugurated. On Sunday (which is the devil's favorite day for big operations in that town) last, the demon of discord was again let loose, and riot, blood and murder was rampart to an unusual degree. It seems as if the week of respite had sharpened the appetite of the devil and given him additional vigor and disposition to riot in a carnival of blood. The following particulars are furnished us by an eye witness:

Ever since the shooting affair between McCluskie and the Texas man,

Bailey, which resulted in the death of the latter, a great dissatisfaction has been not only felt but expressed on the part of Texas men and "war" was declared to the bitter end against McCluskie should he ever again venture to put in his appearance in the town. But as the natural result of all such broils, McCluskie was to come and McCluskie did come and McCluskie saw but did not conquer. The affair started at one of the dance houses about 2 o'clock A. M. on Sunday morning. McCluskie was warned that his life was in peril, but thinking himself proof against powder and ball, scorned the warning and went into the dance to come out a dead man. A great many shots were exchanged before any serious damage was done.

John Martin, a Texan, was the first man killed and the only one that was killed instantly, and he received an accidental shot as he was trying to effect a reconciliation between the parties. Martin was a general favorite among all the boys and was called "good natured Martin." McCluskie received three wounds, any one of which would probably have proved fatal. He only live[d] a few hours. Since he died, another wounded Texan has died whose name we did not learn. Two railroad men were hit by chance shots, who were not in the muss at all but were hit by shots intended for others. One was a foreman on the track named Hickey. He was shot through the calf of the leg making only a flesh wound; the other was a brakeman on the freight train named Pat Lee; who was wounded quite seriously through the abdomen. Three men are now dead. Six others were wounded, and some of them quite seriously. One Billy Garrett, a Texas man, was shot in the arm, and it is thought, was internally injured by some blow. He lies in a very critical state, and is not expected to live. Many are inclined to blame the Texas men for all the trouble, but it is the opinion of our informant that others are just as much to blame as they are, and that in very many instances more so. How all this will end is a problem that must yet be solved. It seems to be a great mistake that a town can only be incorporated and get an organization in the three first months of the year, as something seems to be quite necessary in Newton—a good efficient police force and a set of officers that mean business and will take some measures to make it safe for people to walk the streets. It is worse than "Tim Finnegan's wake."

---

Since the foregoing was in type we received at 11 P. M. yesterday, by the night train on the A. T. & S. F. R. R., the following full and graphic account of the Newton tragedy, from the pen of a correspondent of the *N. Y. World*. We publish it to the exclusion of our usual variety of local matter, knowing that it will be read with interest by our readers:

NEWTON, Aug. 21, 1871.

TO THE EDITOR OF THE COMMONWEALTH.

The air of Newton is tainted with the hot steam of human blood. Murder, "most foul and unnatural," has again stained the pages of her short history, and the brand of Cain has stamped its crimson characters on the foreheads of men with horrible frequency.

The cessation of travel on the railroad and the want of telegraphic communication from this town on the Sabbath, have prevented the data contained in this letter from reaching you until the present date; but with the exception

of a single dispatch transmitted yesterday to the mother of McCluskie in St. Louis, announcing his death, no particulars have passed on the wires, and your readers will consequently have as prompt and complete a narrative of the tragedy of Sunday morning as is possible under the circumstances.

Your exhaustive and highly graphic article of a few days since, in which Newton, and particularly that part of it known as "Hide Park," appeared as the central figure, created a flutter of excitement in this community, and, notwithstanding the caustic, even stern criticisms on the general looseness of morals and disregard of both state and municipal laws, the almost unanimous verdict was that it was "true, temperate and unbiased." Nay, more than that: the wish has been loudly and earnestly expressed that the Editor of the COMMONWEALTH had been an eye witness of the tragedy in order that, with its horrible features ever fresh in his recollection, his indignant pen might be persuaded to cut still deeper into the rottenness which underlies and pervades the social and political system of Newton. I may be pardoned for the statement that the opportunity is yet a golden one, and for the hope that it will not be thrown away.

It will be remembered that about ten days since a Texas desperado by the name of Baylor, a man who is reputed to have killed at least two men in drunken brawls, met his death while murderously assaulting one McCluskie, lately in the employ of the Atchison, Topeka & Santa Fe railroad. The common belief is, and the probabilities are, that McCluskie fired the fatal shot; whether true or not, however, such was the impression that obtained among the Texas men, nearly all of whom in this vicinity, are cattle owners or drivers. These latter are a large and distinctive element of the population, and though generally of a rough and forbidding exterior, still show some sterling qualities of character; standing by one another with a dogged obstinacy that might be called chivalrous, were it not so often exercised in a bad cause. The deceased was popular among his fellows. Good natured, generous, dangerous only when maddened by liquor, his bad qualities were forgotten and Texas sympathy was oblivious to ought but what endeared him to them. Sympathy, strengthened by bad counsels, intensified itself into rage; rage feeding on itself, verged into revenge; revenge, muttered and whispered and finally outspoken, culminated in murder. Of murder we have now to deal. It was past midnight. The moon had sought her couch, and the stars alone were nature's watchers. Away out on the prairie from among a cluster of low-roofed houses, twinkled lights and issued sounds of revelry and mirth. The town was buried in repose and naught animate was visible save an occasional pedestrian, hurrying home or the ghostly outline of a distant horseman returning to his camp.

To the casual looker-on, the scene was bewitching; bewitching through its quietness and natural beauty; bewitching through its *promise* of quiet and rest. Of a sudden, however, the scene changes. Groups of men walking hastily and conversing in low, hurried tones, are seen approaching the town along the road leading to the place where the lights still twinkle and the sound of mirth flows on unbroken.

Of what are they talking?

"There will be a fracas to-night, boys, and Mac is a dead man," says one, a heavily bearded man, around whom his companions cluster in respectful attention. "Texas is on the rampage to-night in dead earnest, and before

morning there will be lively music over yonder," pointing with his thumb to the place they had just left. "We haven't more than quit in time. I would have told Mac, but they were watching me, and I didn't get a chance."

Another group crosses the railroad track and pauses to look back. "I shouldn't wonder but what there will be shooting at Perry's before long," remarks one. "I know it," says another; "and I," "and I," so echo the rest. "The boys have sworn to kill McCluskie, and they are going to do it to-night; You see, if they don't," says a bushy-haired man, with two revolvers in his belt, and a huge bowie knife protruding from his shirt front. These were Texans, who knew what was on foot, but who by their criminal silence, have made themselves "accessories before the fact."

Still groups and stragglers came along the road, the majority talking in the same vein, and nearly all actuated by the one motive of self preservation. They wanted to take no risk of chance bullets, and they hurried away. But did any one try to avert the impending danger? No, not one. "It's no business of mine," was the common sentiment. "Every one for himself, and the devil for the hindmost." "I'm sorry, but it can't be helped."

A walk of a few moments brings us to the dance houses, one kept by Perry Tuttle, and another, the Alamo, by E. P. Crum. They are but thirty yards apart, and around them are the other houses, built and used for purposes which the reader can divine without unnecessary explanation. Women are the attraction and—The grass is stubbed and yellow hereabouts, and dim lanes, worn by the feet of customers, radiate in every direction. Men are continually crossing from one house to the other to seek occasionally a change of music, but oftener a fresh partner. The proprietors of these houses are all men who have many friends, and who by their personal qualities are universally popular. Quiet, never intoxicated, and generous to a fault, their constant aim has been to keep quiet and orderly establishments; and they or their employees have always suppressed any signs of tumult or disorder immediately on their inception. It must be said, to their credit, that no disturbance would ever occur could their efforts quell it. One of the houses, the Alamo, had closed shortly after midnight. The music had been discharged, and business for the night was over. In the other house the dance was prolonged until after 1 o'clock, when, the crowd thinning out, the proprietor gave the signal for closing.

Now begins the tragedy. The victim was ready and the sacrificial priests stood waiting to receive him. The victim was Mike McCluskie, or, as he afterwards on his deathbed stated his name to be, Arthur Delaney. The priests were all Texans, Hugh Anderson, Solado, Belle county, Texas; Jim Martin, Refugio, Texas; Wm. Garrett, Solado, Texas; Henry Kearnes, Texas, Jim Wilkerson, Kentucky, and J. C. U., Solado, Texas. One of the priests sat talking to the victim with the evident intention of distracting his attention in order to allow one of the order to give the death blow. The order stood back watching, and waiting for the entrance of the high priest, their eyes roving alternately from the victim to the door. The high priest enters, and striding along the room, confronts his victims and begins the death song. His weapon is in his hand, with death looking grimly from its muzzle. His words come hot and hissing, beginning low and rising with his passion until they are shrieked out with demoniacal force. "You are a cowardly s-n of a b—h! I will blow the top of your head off", are the words that fall from his lips, at the same time the hammer falls, and a ball goes crashing through the neck of the victim.

The latter rises partially to his feet and presenting his weapon full at the breast of his adversary, presses the trigger. Malediction! The cap hangs fire, and the victim, bathed in his own blood, but still discharging his weapon, falls to the floor. The high priest now gives the death stroke and reaching over, again taps the fountain of life by sending another bullet through the back of the prostrate man. The work is done, that is partially.

As the leader rises to his feet, the attendant priests discharge their weapons. Whether they found another victim, no one can say. Murder has already accomplished its mission, and the days of McCluskie are numbered. But there is an avenging Nemesis on the track. A stalwart figure suddenly appears on the scene. For an instant he remains motionless, as if studying the situation. Then a sheet of flame vomits forth, apparently from his hand, and a Texan staggers from the room across the area and falls dead at the door of the "Alamo." Another and another shot follows, until six men, all priests, have bowed to his prowess.<sup>5</sup>

There were others injured, one, Patrick Lee, a brakeman on the railroad, who was a quiet and inoffensive looking man, shot through the bowels, and another, Hickey, a shoveler on the same road, wounded in the leg.

There was work enough for the doctors. The only two in town were immediately summoned. They were Drs. Gaston and Boyd, and they were untiring in their professional efforts.

By the time they arrived, the dead man, Martin, had been taken into the Alamo, where he lay saturated with his own blood. McCluskie had been taken upstairs as soon as he was shot. Both dance houses were turned into hospitals. The dying and wounded have received every care and attention. The women nursed them with touching assiduity and tenderness. The floors and sides of both halls were everywhere sprinkled with blood, and the gory stains yet remain. The magistrate of Newton declares his intention to suppress all dance houses in the future. Many question his authority to do so, but the citizens will nearly all support him in case a demonstration is made to that effect. Coroner C. S. Bowman held an inquest over the remains of Martin and McCluskie yesterday morning, and a verdict was returned that Martin came to his death at the hands of some person unknown, and that McCluskie came to his death at 8 o'clock a. m., this 20th day of August, by a shot from a pistol in the hands of Hugh Anderson, and that the said shooting was done feloniously and with intent to kill McCluskie. A warrant was accordingly issued and served by Marshal Harry Nevill upon Anderson. It is ascertained what will be the fate of some of the wounded men. Two at least, it is thought, will die. The following is a list of the names of the sufferers in the fracas: Arthur Delaney, St. Louis, neck, back and leg, dead. Jim Martin, neck, dead. Hugh Anderson, high priest, thigh and leg, doing fairly. Patrick Lee, bowels, critical. Jim Willkerson, nose, slight. — leg, slight. — Hickey, leg, slight. Henry Kearnes, right breast, fatal. William Garrett, shoulder and breast, fatal.

Last evening, some of the Texans having made threats that they would kill Tom Carson, a nephew of the late Kit Carson, if he were appointed on the police, a large number of the citizens went about thoroughly armed to preserve the peace. No disturbance arose, however, and never is likely to arise, as the number of law abiding citizens is fully equal to that of the desperadoes,

and the latter unless they think they have an overwhelming majority, will never initiate a disturbance.

By to-morrow's mail I hope to be able to send you further particulars.

ALLEGRO.

In the Abilene *Chronicle's* report of the affair, August 24, 1871, it was stated that Mike McCluskie had been appointed to the Newton police force after the shooting of Bailey. The *Chronicle* also included this paragraph on Carson's appointment:

On Monday evening last threats were made, by many desperadoes, that in case Tom Carson, late a policeman in Abilene, was placed upon the police force, that they would kill him. He was, however, appointed a police officer, and that evening patrolled his allotted beat as unmolested as if he were in Abilene, no disturbance whatever occurring.

Further news appeared in the *Commonwealth* on August 23, 1871:

#### THE NEWTON TRAGEDY.

DEATH OF THREE MORE VICTIMS.

SIX DEATHS IN ALL.

From passengers on the night train of the Santa Fe railroad, who arrived at Topeka last evening, we learn that three more persons who were wounded during the murderous affray at Newton on Sunday morning last, died yesterday. Lee, the brakeman on the Santa Fe railroad, was one of the unfortunate victims. His body arrived on the train last night and will be buried in Topeka to-day.

This is the most terrible tragedy that has ever occurred in Kansas during civil times. It is a burning shame and disgrace to Kansas, and measures should at once be adopted to prevent a repetition. It will be remembered that Newton has no municipal government, and then it is dependent upon its township authorities for protection. As they are inadequate to govern such a lawless and reckless class as predominates in that town, we believe it would be an act of humanity for the military branch of the government to take possession of it and control it until a civil organization can be formed, and in which there is strength enough to offer protection to its people. Let us have no more of such sickening and shocking tragedies.

On August 27, 1871, the *Commonwealth* reported some progress toward the enforcement of law in Newton:

#### NEWTON

"AFTER THE BATTLE"—A DODGE TO SECURE

ANDERSON'S ESCAPE—CONDITION OF THE

WOUNDED. . . . "QUIET REIGNS IN WARSAW"

—THE HATCHET BURIED BETWEEN THE "LONG HORNS"

AND "SHORT HORNS"—THE DESPERADOES

"VAMOOSSED"—SAFETY OF LIFE IN NEWTON

—NO SOLDIERS WANTED—A CALABOOSE

ERECTED—ORGANIZATION OF A CITY GOVERN-

MENT—A TOWN HOUSE. CHURCH AND

SCHOOL HOUSE TO BE ERRECTED.

## CORRESPONDENCE OF THE COMMONWEALTH.

The wave of agitation set in motion by the late terrible tragedy at "Hide Park" has not yet spent its force, although the oil of peace has been freely poured forth, and the clouds of danger have dissipated and scattered, and left the horizon once more clear and bright. The "seven day's excitement," which the popular saying attaches to everything which runs out of the ordinary groove of every day experience, and which partakes of a morbidly interesting nature, has yet to run its course, and the dead and the wounded, and the incidents which led to their condition, are as freely, though more calmly discussed, as they were on the morning of the day of the tragedy.

In my first letter I stated that a warrant had been served on Hugh Anderson for the murder of Delaney. This turns out to be partially incorrect. A warrant was filled out and handed to the marshal, but in the condition in which the wounded man then was it was not deemed advisable to serve it, as any unusual excitement (it was going out) would prove fatal. This proved to be simply a dodge to get Anderson out of the way, for three nights since he was secretly removed from town, and it has been impossible to ascertain his whereabouts. Some say he has been taken to Kansas City or St. Louis, while others are positive that he is now in the Indian territory. If the latter surmise be correct, he is far from being safe from arrest, as a United States marshal can serve the warrant at any moment, and cause him to be brought back to trial. There have but four men died of those who were wounded. Lee and Garrett were buried on successive days. Anderson's wounds will no doubt prove fatal, and Kearnes is in a very critical situation. The others are doing well, and will shortly be about. . . .

All parties, and particularly the Texans, who own at least a third of the town, are keen and unyielding in the determination to preserve peace and the majesty of the law. A meeting was held a few days since, at which it was resolved to bury all past difficulties, and to appoint a police force composed of Texas men and Newtonians. It departed amid a burst of enthusiasm and good feeling, which showed how sincere was the common wish for, and the determination to, maintain a peaceable, law-abiding town. The few desperadoes who have been in the habit of making their neighbors uncomfortable by a bravo display of pistols and knives, have wisely taken to the prairie, and an ordinance is published and rigidly carried out which disarms any and all persons who may be found carrying dangerous weapons within the township of Newton. There has been considerable talk about the propriety of applying for a company of soldiers with which to keep order. The suggestion is by no means a necessary one. Ten days ago it might have been well timed, but with the increase of the police force by the appointment of five deputies, the town may be considered as able to protect itself. By to-morrow evening a calaboose will have been erected, capable of containing any reasonable number of prisoners. There has been nothing of the kind heretofore. Judge Muse, who seems to be the head and front of the peace movement, declares that the history of Newton is now to begin afresh. Who will not rejoice to hear of it?

Last evening a mass meeting of the citizens was held to take steps to form a city government. Another meeting will be held to-night to nominate candidates. The offices to be filled are those of mayor, police judge, marshal and



five councilmen. All persons now living here, who intend to locate or remain for a reasonable length of time, will be permitted to vote. The election takes place to-morrow, when, undoubtedly, a heavy vote will be polled. Steps are also being taken to raise the necessary funds to build a town house, church and school house.

ALLEGRO.

Since writing the above, at an informal meeting of some of the principal citizens, the following ticket was put in nomination: For mayor, Mr. Spivey; for councilmen, Messrs. Steele, Cunningham, Gregory, Dow, Hurd; for police judge, J. J. Baker, the present justice of the peace; for sheriffs, Tom Carson and C. B. King.

NEWTON, August 25.

Both Carson and King were hired, but in exactly what category is not certain. The following article in *The Kansas Daily Commonwealth*, September 28, 1871, reported King a "deputy sheriff" and Carson as "acting constable":

NEWTON.

THE CARNIVAL OF BLOOD—THE ASSASSIN  
STILL AT WORK—MURDER OF OFFICER  
C. B. KING.

NEWTON, Sept. 27, 1871.

TO THE EDITOR OF THE COMMONWEALTH.

A several day's absence on a buffalo hunt, from which I have but just returned, has prevented me from mailing you the details of the murder of Deputy Sheriff King on Saturday last. Your readers are already acquainted with the fact of his death. A few particulars may, perhaps, be found sufficiently interesting to warrant a perusal, and I give them, apologizing in the outset for the *bous trophedon* style of description.

The coroner's jury rendered this verdict: That C. B. King came to his death by a pistol wound inflicted by one Thomas Edwards, and that the shooting was done feloniously and with intent to kill.

On Saturday evening last, about ten o'clock, Officer King, in accordance with the requirements of the law, discovered Edwards while the latter was in one of the dance houses. As he met with some resistance, Tom Carson, an acting constable, stepped to King's assistance, and leveling his revolver ordered him with an oath to "throw up his hands." The pistol was then given up and Edwards was released. Carson returned to Newton while King remained on the premises. Some two hours later, as King was standing outside of the door, in the same fated area which drank the blood of Martin and others of the victims of the Sunday morning horror of a month ago, Edwards approached him and placing a Derringer close to his breast, fired, the ball lodging near the heart. King staggered into the house, exclaiming "Who shot me?" and immediately fell over on his arm. His friends caught him and the blood gushed from his mouth in a thick, black stream, and a moment later he was dead. Edwards fled and has not since been seen.

Thus perished Officer King, than whom there was no better gentleman nor truer friend, and no more respected man in Newton. Thus does the red hand of the assassin continue to do its bloody work, for the taking of King's life is

known to have been a premeditated act,—plotted by others and accomplished by Edwards.

Newton is tremendous with excitement and indignation over it. The officers of the law say they are on the lookout for the murderer and his accomplices, but no one as yet has been arrested, and, if the chances be properly weighed, no one in all probability will be arrested. Cannot Topeka send us a couple of detectives who will do their duty fearlessly and vigilantly? Brute force without sagacity is plenty enough here, but we want men who possess both.

The funeral of King took place on Monday, and was largely attended. Business houses generally closed during the funeral ceremonies.

The man who was accidentally shot by Edwards during his scuffle with King, is doing well, the ball having entered the fleshy part of the thigh.

ALLEGRO.

By November, 1871, Carson was back in Abilene and on the police force again. "On motion Tom Carson and 'Brocky Jack' [John Norton?] were allowed fifty dollars each for police duty, and the same ordered paid," wrote the city clerk in the minute book of Abilene's city council, November 4, 1871 (p. 99).

The Junction City *Union*, November 25, 1871, reported that "A shooting affair occurred at Abilene, during the fore part of the week, which resulted in the wounding of John Man, a bar tender, at the hands of Tom. Carson, who was acting as policeman at the time. It is said the shot was fired without provocation. Man was struck somewhere about the hip, and is slowly recovering."

On November 27, 1871, the city clerk made this entry in the minute book (p. 105): "On Motion City Marshall be instructed to discharge Thomas Carson & Brocky Jack from off Police force from & after this 27th day of Nov 1871 (Carried)."

1. "City Council Minute Book," Records of the City of Abilene, p. 70. 2. *Ibid.*, p. 69. 3. *Ibid.*, p. 74. 4. *Wichita Tribune*, August 24, 1871. 5. The identity of the Commonwealth's "avenging Nemesis" remains unknown to the compilers of this sketch. Though most latter-day authors call him Jim Riley, a youthful and "consumptive" friend of McCluskie's, no contemporary source has been found which identified him further than did the Commonwealth. Thus one of the West's better marksmen—who moved in and mowed 'em down—goes unnamed, and the questions "where did he come from?", "who was he?", and "where did he go?", apparently went unanswered in the contemporary records.

### CHIPMAN, CLARK E.

(1856?—)

On June 10, 1882, the mayor and council of Dodge City appointed an entirely new police force. Peter W. Beamer was named marshal, C. E. Chipman, assistant, and Lee Harlan, policeman. "The appointment of the new police force will give general satisfaction. They are sober and honest men, and will no doubt discharge their duties faithfully and satisfactorily," wrote the editor of the Dodge City *Times*, June 15, 1882.<sup>1</sup>

The same day he was appointed assistant marshal, the 26-year-old Chipman, in his concurrent role as township constable, captured a wanted man after a grueling chase. The *Times*, June 15, 1882, reported:

C. E. Chipman, Constable, had quite an adventure after a prisoner on Saturday last. The man was charged with a State offense, but eluded the vigilance of the officers. Constable Chipman pursued his man over the prairie, never relaxing his speed until opposite Ryan's ranch, 18 miles down the river, having in the meantime changed horses. At this point the Constable "rounded up" the man in short order. The prisoner was brought to this city, and after paying a fine was released. On the route Constable Chipman lost some money and valuables from his pockets, together with the "using up," of the horses, did not compensate him; but he has the proud satisfaction of having done his duty, well and faithfully, but at the sacrifice of some loss and a few injured limbs of his own body, caused by the excessive ride. The distance traveled was about 55 miles. This should be a warning to evil doers in Dodge township. Constable Chipman is an officer who will follow his man until the last horse is run down.

In July, 1882, Jack Bridges replaced Beamer as city marshal but Chipman remained in the number two position. Harlan was relieved in September, leaving only the marshal and assistant on the force.

The Dodge City police did not make the local press again until the outbreak of the "Dodge City War" in the spring of 1883. Chipman was involved since he was on the police force, but the Luke Short faction considered him one of the chief instigators of the plot to oust the little gambler. At least one source believed the refusal of Mayor L. E. Deger to dismiss him, as W. H. Harris (Luke Short's partner in the Long Branch saloon) had requested, was a prime cause of the trouble.<sup>2</sup> The Dodge City war and the part played by Clark Chipman may be found in the section on Luke Short.

About the first of June, 1883, Chipman was replaced by Mysterious Dave Mather and reduced to the rank of policeman. His subsequent dismissal provoked an indignant letter published in the *Ford County Globe*, July 17, 1883:

DODGE CITY, KAS., July 12, 1813 [1883].

EDITOR GLOBE.—Why was C. E. Chipman put off of the police force. A man that was as good an officer as ever was on the force, and the only man that had any interest in the city, the only officer that pays a cent of taxes. Why is it that the Mayor and Council puts on Tom Dick and Harry, men that are imported in here from other countries. There are citizens here that would like to have it and would give just as good satisfaction as men from Colorado and New Mexico. There are men here that are citizens, have families and are property owners that would like to have it at a reasonable salary per month. It is a shame and a disgrace on the citizens at Ford County and at Dodge City

to pay men one hundred and fifty dollars per month, when our own men would do it for the same. Now let their be a warning to tax payers at this city and at the next city election elect a man that is a property owner and a citizen, and a man that will work to the interest of our community. Look at the condition of our town. Has there been any reform about which Deger puffed and blowed so much? An ignorant man is not competent to tell what to do. That is what is the matter with our mayor.

As we stated above the only tax payer on the force was put off and what was he put off for? No one knows. There is not any one that can say a harmful word of him and he is a man that has always done his duty, always could be found at any time and as good a lawabiding citizen as there is in our city.

He is the only officer that got out and worked for the Deger ticket, and the way he has been treated is a shame. If he has done anything to be discharged for, why don't the Mayor and Council investigate it.

CITIZEN AND TAXPAYER,

As well as a former Deger supporter.

The exact end date of Chipman's police services has not been determined. He was paid \$40.00 for June service and \$50.00 for "special services in July."<sup>8</sup> His name does not appear on subsequent salary lists.

On July 31, 1883, the *Globe* published this letter in answer to the questions put by the "citizen and tax payer":

DODGE CITY, July 26, 1883.

EDITOR GLOBE:

The "former Deger supporter's" able letter and pertinent questions as to the why's and wherefores of Clark Chipman's removal as assistant marshal are to the initiated easily understood. Here it is. In 1876, Deger being marshal, arrested a man named Blake and placed him in the same cell of the calaboose with Ferguson, Henderson and Boyle, three horse thieves since hung. This against the remonstrance of Blake, who begged him to place him somewhere else, telling him they (F., H. and B.) would surely kill him. The autocratic Deger "didn't care a d—," and in fifteen minutes Blake's yells brought aid, when Blake was found with one eye cut out by the use of a jack knife, and nearly dead from kicks and stabs. Blake sued the city, who employed four attorneys to aid Mr. Colburn, city attorney, whereupon Judge Peters held that the city was not liable, but that the marshal was the wrong doer. The great Deger being at that time totally worthless (financially) no suit was brought.

All this was known to Clark Chipman, and right here comes the gist of Clark's removal. A few days after the scepter of absolute power as Mayor had been clutched by his Greatness, and while he was preparing to remove to his castle OUTSIDE OF THE CITY OF DODGE CITY, (see Dass. Stat., chapter 19, article 1, Sec. 12, page 188,) and where he now resides contrary to said Statute, meeting Clark upon the street, Deger in manner and voice imitating our idea of the Czar of Russia, ordered Clark to "immediately throw that d—— [D. M.] Frost [editor of the *Ford County Globe*] into the calaboose." Chipman knew he must either be cognizant of an offense having been committed or have a warrant, and he so told his royal highness,—it was

enough. Clark was dismissed and taught "not to contend with the Spirits of Heaven," and learned that this was an absolute majority, whose gratitude for favors closed with the closing of the polls, and whose election meant "pap for my supporters and persecution for those who differed with me and my clam."

JUSTICE.

On August 30, 1883, Chipman was listed by the Dodge City *Times* as being a member of the Glick Guards, a militia unit of Dodge City. Many of the Luke Short faction in the recent troubles were also listed as members.

Chipman, as a special deputy sheriff, aided Sheriff Pat Sughrue in taking a prisoner to court in Larned in January, 1884. (See the section on Sughrue.) This was the last mention found of C. E. Chipman as a police officer.

1. See, also, the *Ford County Globe*, June 13, 1882. 2. *Daily Kansas State Journal*, May 17, 1883. 3. *Ford County Globe*, July 17, August 14, 1883.

### CODY, WILLIAM FREDERICK

(1846-1917)

William F. Cody received only occasional mention in the pages of Kansas newspapers in the 1860's. One of the earliest notices found, provided the "Buffalo Bill" mentioned was Buffalo Bill Cody—and not William M. "Buffalo Bill" Mathewson, who is reputed to be the original "Buffalo Bill"—appeared in the Leavenworth *Daily Conservative*, November 26, 1867. A hunting excursion had taken several Ohio and eastern Kansas gentlemen to Fort Hays where on Friday, November 22, they embarked on a buffalo chase. "Much anxiety was created on Saturday night by the non-arrival of Judge Corwin, who had strayed from the party on Friday. On Sunday, Lieut. Kennedy, of Co. G, 5th cavalry, with a party of his men, and Buffalo Bill, with fifteen or twenty citizens volunteered to go out and look for him," reported the *Conservative*. "After a long ride the latter named party, found the lost man about five miles from the fort, nearly starved and almost exhausted."

On January 11, 1868, the *Conservative* printed this item from the Hays City *Advance*:

Buffalo and elk meat is as plenty as cranberries in Michigan or shad in Connecticut, and as cheap.

Bill Cody and "Brigham" [his horse] started on a hunt Saturday afternoon, and came in Tuesday. The result was nineteen buffalo. Bill brought in over four thousand pounds of meat, which he sold for seven cents per pound, making about \$100 per day for his time out.

The Lawrence *Kansas Weekly Tribune*, February 20, 1868, reported:

At Hays City considerable anxiety exists in regard to the safety of a party of the citizens who were out buffalo hunting. There were ten in all in the company, among whom were George and Henry Field, brothers of Mr. Samuel Field, of this city, and Mr. Parks, the traveling correspondent of the Journal, all under the direction of Cody, the noted guide and hunter. They left Hays ten days since, and were to return on Friday last, but have not been heard of since. Fears are expressed that they have been captured or killed by the Indians, who have shown decided symptoms of hostility of late. Some efforts are being made toward organizing a party to go in search of them.

The Leavenworth *Daily Conservative*, March 5, 1868, again borrowed from the *Advance*: "Bill Cody has made a match to run the Brigham pony ninety miles in twelve hours. Brigham is to 'tote' 175 pounds, and the race is to come off next month."

Cody and Wild Bill Hickok visited Topeka on official business in March, according to the *Topeka Weekly Leader*, April 2, 1868:

BAND OF ROAD MEN CAPTURED—W. F. Cody, government detective, and Wm. Haycock—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, 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 March, and sent to Denver, Colorado Territory, for trial.

One other newspaper item has been found concerning a long disputed phase in the career of Buffalo Bill Cody and though far removed from Kansas it is worthy of being reprinted here. The *Ellis County Star*, Hays, August 3, 1876, carried the story in the form of a correspondent's letter:

#### THE BLACK HILLS.

##### NOTES FROM THE FIELD OF OPERATIONS.

Ft. LARAMIE, July 22d, 1876.

##### EDITOR STAR:

Again I find time to send you a few lines regarding our trip. Since my last our time has been occupied by scouting over the country lying between this point and the Black Hills. . . . On the morning of the 17th two men of "C" company overtook us, bearing dispatches to Col. Merritt, who was down the creek about five miles. They pushed on, but had not gone more than a mile when we saw a large body of mounted men on a ridge east of us. At first we took them to be a portion of our command, but soon discovered that they were Indians. The two companies of Infantry that were

with us tumbled out of the wagons remarkably lively and took their places beside them.

Three or four Indians started out on a run to cut off the dispatch bearers. They had not seen the command, and were not aware that we were in that vicinity; but Bill Cody and his scouts were watching them, and when he saw what they [were] up to, he thought that several more might play at the same game. He then got around the Indians and when they felt sure of the couriers Cody raised up from behind a little hill and shot the pony of one of the redskins. Then starting after his victim he soon had him killed and his scalp off. As soon as he fired the command charged and after a run of three miles killed three more and wounded five. Taking two days rations we pushed on after the Indians and run them right into Red Cloud Agency. Private Seffers of "D" company was hurt by the falling of his horse down an embankment, being the only person injured during the entire trip.

The Indian killed by Buffalo Bill proved to be Yellow Hand, a sub-war chief of the Southern Cheyennes. He was leading a band of 75 warriors to Sitting Bull's army. . . .

### COUNCELL, J. L.

(— — —)

The Ellsworth *Reporter*, in its directory of city officers, listed J. L. Councell as city marshal from its first appearance on June 6, 1872, through August 15. Issues of the *Reporter* for May 30 and August 22 are missing from the files of the State Historical Society.

Councell may have been marshal of Ellsworth when this article appeared in the *Reporter*, May 16, 1872:

**FEMALE POLITICIAN.**—The other morning we witnessed the Marshall and assistant arguing a point with a woman. The point in dispute seemed to be the proper way to go to the cooler. The Marshall insisted on her walking and she insisted on being carried. As is always the way the women came out victorious. Drunk was no name for it.

Ellsworth's first shooting of the 1872 cattle season occurred while Councell was marshal of the town. The *Reporter*, August 1, 1872, published the story:

#### THE FIRST SHOT!

##### TWO MEN WOUNDED, NO ONE KILLED.

Ellsworth, which has been remarkably quiet this season, had its first shooting affair this season last Saturday at about six o'clock, at the Ellsworth Billiard saloon. The room was full of "money changers" at the time, busily at work, and lookers on intently watching the games. Among others I. P. Olive was seated at a table playing cards. All of a sudden a shot was heard and sooner than we can write it, four more shots were fired. Kennedy came into the room, went behind the bar and taking a revolver walked up in front of Olive and fired at him—telling him "to pass in his checks." Olive threw up his hands exclaiming "don't shoot."—The second, third and fourth shot took effect,

one entering the groin and making a bad wound, one in the thigh and the other in the hand.

Olive could not fire, though he was armed; but some one, it seems a little uncertain who, fired at Kennedy, hitting him in the hip, making only a flesh wound. The difficulty arose from a game of cards in the forenoon, Kennedy accusing Olive of unfair dealing. Olive replying in language that professionals cannot bear. The affair made considerable excitement. The wounded were taken in custody and cared for. Drs. Duck & Fox extracted the bullet from Olive and a piece of his gold chain which was shot into the wound. It was feared that Olive would not survive, but the skill of the doctors save[d] him. Kennedy was removed to South Main street and put under the charge of three policemen, but by the aid of friends he escaped during the night from the window and has not since been heard of.

All has been quiet since the affair and is likely to remain so.

In the same issue the *Reporter* said: "Eight policemen are taking care of this city."

On August 8, 1872, the *Reporter* told of a disagreement within the city administration: "Our city officers can't agree on a marshal. The Mayor appointed Mr. Council but the councilmen will not confirm him. Meanwhile we have peace and order."

By September 19, 1872, the *Reporter* was carrying the name of Edward Hogue as city marshal.

### CRAWFORD, ED

(—1873)

The murder of Sheriff Chauncey B. Whitney, August 15, 1873, inaugurated a series of shootings and killings in Ellsworth which did not end until nearly three months had passed.

The first of these affairs occurred on August 20 and was recorded in the *Ellsworth Reporter*, August 21, 1873:

#### ANOTHER TRAGEDY.

##### CAD PIERCE KILLED BY A POLICEMAN.

Yesterday about four o'clock the citizens of Ellsworth were startled at the report of two pistol shots. In a moment there was a large crowd in front of J. Beebe's store, and it was ascertained that Cad Pierce was shot. The report was true. The excitement of course, was great. Pierce was a leader of the Thompson element and upheld and defended them in all the disturbances they have made. While the police were out searching for the murderer of Whitney, it was Cad Pierce who offered \$1,000 reward for the capture [murder] of the whole police force. We have interviewed the city marshal, Mr. Hogue, who gives the following particulars:

"John Good, Neil Kane and Cad Pierce came up to me and said they heard by certain parties that I had given Happy Jack [Morco] papers, ordering them to leave the town. I told Cad Pierce that it was no such a thing, that he ought to



know better. He then told me to come with him, that he wanted to give Happy Jack a talking to and he wanted me to go with him. I told him that I would not do it, for there had been too much talk already. Ed. Crawford was standing in the crowd; he said yes, a d-m sight too much talk; and he said, bad talk on your side. Crawford asked what did you say yesterday when you had that shot gun in your hands? You said this gun had killed one short horn son of a bitch, and that it cost \$100 and you would not take \$200 better for it. I then spoke to Crawford, don't multiply words! Come away! Cad Pierce then made a reply, but I could not hear what it was; but I heard Crawford say, what is that you say?—If you want to fight here is the place for it—as good as any! He then stepped back, laid his hand on a six shooter, but did not draw it until Cad Pierce put his hand behind his back—apparently to draw his six shooter; when Crawford drew his and fired twice. At the first shot, Cad Pierce ran into Beebe's store, the second was fired just as he ran into the door."

Policeman Crawford says that Pierce wanted a fight and he reached for his revolver but "I was too quick for him."

Pierce lived but a few minutes. Neil Kane had a narrow escape. Happy Jack presented two revolvers at him.—Kane begged for mercy and at the intervention of the city Marshal he was saved. He took his horse and fled.

We cannot but deprecate such scenes of violence as were enacted yesterday—but the battle had to come off. Whitney has been partly avenged. There are threats of burning the town and policemen are also threatened—but it will be hardly safe to do either. If it is done, or the attempt made the crime will be fastened upon some of the leaders and they will have to suffer for it.

The police showed the greatest bravery yesterday, appearing separately among the excited crowd. They are resolved to stand by the city at the sacrifice of their lives, if necessary. Let the brave boys be upheld. Perfect quiet reigns now and it is to be hoped that our city has had its last shooting affair.

Policeman Crawford, along with the rest of the Ellsworth force, was relieved on August 27, 1873.<sup>1</sup>

The death of Ed Crawford, on November 7, 1873, ended the long period of violence Ellsworth had suffered that year. *The Reporter*, November 13, 1873, carried the story:

#### ED. CRAWFORD SHOT.

Last Sunday Ed. Crawford came to Ellsworth. His presence here was a surprise, as it was understood that his life would not be safe here, on account of his shooting Cad Pierce. He was warned that his life was in danger, but he "was not afraid." Thursday he was pretty full of whiskey, and Friday evening we noticed he was considerably under the influence of liquor. With some friends, or possibly decoying enemies, he went down to Nauch-ville and visited two houses; he was pretty drunk and rough; at the second house he visited there was a crowd of men, mostly Texans, and he had been there but a few moments, before, having stepped into the hall, he was shot twice, the first ball passing through his head, the second into his body. It is not known for certain who fired the fatal shot, but it is supposed to have been one, Putman,

and that he did it to avenge the murder of Cad Pierce. It was reported that Crawford fired, but it was probably incorrect. He was shot down by some person secreted in the hall and he made no fight or scarcely a struggle. With this last murder we hope the chapter of crime in this city is complete for 1873, and for many years to come.

1. *Ellsworth Reporter*, August 28, 1873.

## D'AMOUR, GEORGE

(——-1875)

George D'Amour was appointed second assistant marshal of Wichita on October 4, 1871. His salary was \$60.00 a month.<sup>1</sup>

In April, 1872, he was elected constable of Wichita township.<sup>2</sup>

D'Amour was made first assistant marshal on the city police force when first assistant Thomas Parks was relieved, June 5, 1872. The same day D'Amour was paid \$416.00 for services as "asst Marshal and Special Policeman."<sup>3</sup>

It may have been that D'Amour's service on the force was not continuous from his appointment as second assistant marshal to the appointment as first assistant, for the *Wichita City Eagle*, June 7, 1872, reported that the "city council at their meeting on Wednesday night appointed two additional men on the police force of the city, viz: Geo. D'Amour and D. F. Parks. . . ."

In August, 1872, D'Amour assisted Marshal Mike Meagher in arresting one Teets. The article reporting the arrest may be found in the section on Meagher.

On December 4, 1872, the city council authorized the mayor "to order Geo D'Amour to settle Judgment against the City of Wichita as garnishee." On March 5, 1873, it resolved "that the salaries of all City officers be allowed for the month of February A D 1873 with the exception of Geo D'Amour," and that "the matter in regard to Geo D'Amour . . . [be] referred to Committee on Jail & Police."<sup>4</sup>

The *Wichita City Eagle*, March 27, 1873, reported: "Our city marshal, Mike Meagher, returned last week from a fruitless pursuit of the absconding and multifarious officer, George D'Amour." Unfortunately no information has been found which would indicate the cause of George D'Amour's leaving Wichita.

Two years later the *Eagle*, February 25, 1875, reported the end of the one-time Wichita peace officer:

Geo. DeAmour, sometimes called George Moore, here, formerly deputy marshal under Mike Meagher, and deputy sheriff under Johnny Meagher, was shot and killed in a saloon at Oro City, Colorado territory, on the 7th inst., by one John Murphy. It seems Murphy charged George with having

stolen three hundred dollars from him while they were drunk together. After getting duly sober, Murphy walked into a saloon where DeAmour was engaged at a game of cards, drew a revolver and shot a ball through his right temple, which from the proximity and force of the discharge, went clear through, and out at the back of his head. DeAmour only lived a few moments. Murphy slid away on snow shoes.

Geo. DeAmour was a member of the masonic lodge of this city, to whom the following letter in confirmation of the killing has been sent, and which the secretary has permitted us to copy:

ORO CITY, COL., Feb. 14th, 1875.

SECRETARY, Masonic Lodge, Wichita, Kan.

DEAR SIR:—Mr. Geo. DeAmour, a member of your lodge, was shot and killed here on the 7th inst. Please inform me of his place of birth, as I want to inform his friends. If you wish I will send you particulars of his death.

Yours Fraternally,

C. H. STONE.

1. "Proceedings of the Governing Body," Records of the City of Wichita, Journal A, p. 115. 2. *Wichita City Eagle*, April 12, 1872. 3. "Proceedings of the Governing Body," Records of the City of Wichita, Journal A, p. 182. 4. *Ibid.*, pp. 245, 272, 273.

## DANIELS, BEN

(———)

Ben Daniels was appointed assistant marshal of Dodge City on April 8, 1885, to serve under Marshal William M. Tilghman.<sup>1</sup> Daniels' salary was \$100 per month while that of the marshal was \$125.<sup>2</sup> Assistant Marshal Daniels served until April 10, 1886.<sup>3</sup>

Five days after a change in the city administration had relieved Daniels from the force he shot and killed Ed Julian. *The Globe Live Stock Journal*, April 20, 1886, carried the story:

### ANOTHER KILLING FOR DODGE.

On last Thursday evening at about six o'clock, a shooting scrape took place on the south side of the railroad on the sidewalk in front of Utterback's hardware store, two doors west of Ed. Julian's restaurant, the latter gentleman being the victim in the affray; and his antagonist, ex-assistant city marshal Ben Daniels. Four shots were fired, all by Daniels, all of which took effect on Julian. While Julian was found to be armed, he however, did not get to fire a shot; there is much diversity of opinion in the matter, some claiming it to have been a deliberate murder, while others assert it to have been justifiable. The evidence taken at the preliminary trial does not fully sustain either. It was a well known fact that these parties had been bitter enemies to each other for a long time, and both had made threats against each other, which fact was not only elicited at the preliminary, but was known to many of our people long before the shooting took place. Ben Daniels, at the preliminary before Justice Harvey McGarry, was placed under a \$10,000 bond for his appearance at the next term of court.

The remains of Ed. Julian were taken in charge by the members of Lewis Post, G. A. R., of this place, who gave them a very respectable burial with appropriate ceremonies. This was a very unfortunate occurrence for this place, and that too at a time when everything appeared to be moving along so harmoniously and quietly. But it appears that no one could have prevented this tragedy, not even our officers, no matter how vigilant they might have been; the bitterness which existed between them was almost certain to bring them together sooner or later, and as many predicted, that one or the other, or perhaps both would be mortally wounded, if not killed outright.

In January, 1889, Daniels, Tilghman, Fred Singer, Neil Brown, James Masterson, and others were involved in the Gray county seat war. On January 12, while attempting to take the county records from Cimarron to Ingalls, they were fired upon by local citizens. In the resulting battle one man was killed and several wounded. For a full account see the section on Tilghman.

1. *The Globe Live Stock Journal*, April 14, 1885. 2. *Ibid.*, June 9, July 21, August 11, September 15, October 13, November 10, December 15, 1885, January 12, February 9, March 9, April 13, 1886. 3. *Ibid.*, April 13, 1886.

*(To Be Continued in the Autumn, 1960, Issue.)*