Some Notes on Kansas Cowtown Police Officers and Gun Fighters—Continued

Nyle H. Miller and Joseph W. Snell.

JONES, DANIEL WILLIAM

(1846?—____)

Caldwell was incorporated on July 22, 1879, and the city government was formed following the election of August 7. One week later city ordinance No. 3, providing for a marshal and policeman, was passed. Appointed under this ordinance were George W. Flatt, marshal, and Dan W. Jones, deputy.

That Deputy Marshal Jones was a courageous man there can be little doubt, for he had exhibited considerable fortitude after being thrown from a horse, December 31, 1878. The Caldwell Post of January 2, 1879, described the misfortune:

PAINFUL ACCIDENT.

THROWN FROM HIS HORSE—OUT ON THE PRAIRIES
ALMOST THIRTY-SIX HOURS WITHOUT FOOD—
RESCUED AT LAST.

Dan Jones, who is well known to the people in these parts, met with a very painful accident last Tuesday, the particulars of which are as follows: In the morning of the day named, he started on horseback from the Red Fork ranch, I. T., intending to look at a herd of cattle some distance below. After part of the distance had been accomplished, and when Dan was little thinking of danger, his horse fell and threw him, breaking his leg. Unable to remount, and too far away from any human being to make himself heard by shouting, he began to think of some means whereby assistance might be obtained. Although suffering terribly with the broken limb, the brave man strapped it to the other and commenced crawling toward a high ridge overlooking Red Fork ranch. All Tuesday night the plucky fellow was out, without any covering save the clothing he wore. How many of our readers, under similar circumstances suffering to the intensest degree the agony of a broken leg, and almost freezing to death from the severity of the cold, would have displayed the grit that he did. Nor has all been told.

Daylight came at last, and with it the hopes of the brave man rose, for the worst, he thought, had been passed. Slowly creeping on his painful journey, Dan at length saw the much-wished-for ridge. At last it was reached, and taking his hat he waved it feebly—for his strength was fast leaving him. Geo. Haines, the keeper of the ranch, saw it, and thinking it was a hunter who had

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Note: These articles on Kansas cowtown officers and gun fighters, with additional information and an index, are expected to be reprinted and offered for sale under one cover, upon completion of the series in the Quarterly.
killed a deer, and that he was signaling for help, went to his assistance. Imagine his surprise when, instead of finding the hunter and the slain deer, he saw the man who had the day before started from his house, in such a pitiable condition. Mr. Jones was taken to the ranch, and word sent to Dr. Hodge, at Fort Reno, who came up and attended to the needs of the sufferer.

It was Tuesday morning when the accident happened, and three o'clock P.M., Wednesday, when the man was found. It shows the stuff of which the man is made, when he crawled three miles with a broken leg, while almost freezing, and being without food for nearly thirty-six hours. At last accounts the wounded man was improving, and we hope it may not be long before he will be able to "go it alone" again.

Caldwell's police court docket, the initial entry being dated September 6, 1879, recorded Jones' first arrest on September 22. On that same day this embarrassing incident occurred, and was recorded in the Post, September 25:

That "mistakes occur in the best of regulated families" was only verified by the singular and unexpected incarceration and disarming of Deputy City Marshal Dan Jones last Monday night, the circumstances of which are very difficult to detail so that a modest public might clearly and unmistakably comprehend the situation, but the trials and tribulations of the news-monger can only be surmised by those who were so unfortunate as to read of Mr. Beecher in his balmy days, however, we will proceed by saying that Dan is a very efficient officer, and where Dan can't be found, you can't find any one, as the sequel will show.

It happened at one of Caldwell's fashionable hotels, and, like all other fashionable hotels, has two small rooms—over each door is an inscription by which a person may know whether he is to be admitted or not, but it being dark, and Dan's "business" qualifications not allowing him to stop and read everything that is hung up entered. About this time a lady attempted to enter but was foiled by Dan turning an inside latch—the lady hastened away, but soon returned with the key—(this is not a romance)—locked, unlocked and relocked and finally left to return no more.

Now as Dan's occupation calls him on the street he concluded that he might depart with safety, but imagine his feelings when he discovered that he had been locked in, but, as will be seen, Dan is equal to all emergencies, and began trying to extricate himself from his odorous prison. There is a seat in the room just opposite the door upon which Dan sat himself down, put his feet against the door, and with Heenan like strength pushed the door asunder, and at the same instant back went Dan's revolver down, down to the bottomless—after which a light was brought into requisition—it was fished up, a tub of water, barrel of soft soap and scrubbing-brush were readily used up and the pistol looks as natural as ever, and if the street gossip don't mention this we will never a say a word about it to Dan.

On October 29, 1879, Marshal Flatt and Deputy Jones failed to catch John Dean who was firing his pistol within the city limits. The Post article describing this escape was included in the section on Flatt.
Under his first appointment, Jones’ final arrests, recorded in the police court docket, were made November 3, 1879, when he brought in four alleged violators of the law.

On April 12, 1880, Dan Jones was nominated assistant city marshal by the newly elected mayor of Caldwell, Mike Meagher. The city council confirmed his appointment as well as those of William Horseman, marshal, and James Johnson, policeman, reported the Post, April 15, 1880.

Jones’ first arrest under this new appointment was made April 19. The Caldwell police court docket stated:

One Jersey Defendant arrested on the complaint of D. W. Jones, Assist Marshall charging that on the 19 day of April A. D. 1880, at the said City of Caldwell the said Defendant Riding his horse at Full Speed Through the streets of Caldwell.
Deft Pleads Guilty.
Fine $3.00 + cost.

J. M. Thomas
Police Judge

Fine and cost paid.

J. M. Thomas
Acting Police Judge

Paid to treasure by J. M. Thomas

Jersey’s arrest was recorded in the Caldwell Post, April 22, 1880:

One day in the early part of the week one of our noble defenders, holding the exalted rank of corporal in Uncle Sam’s army, was vainly attempting to get up a race with some one. At last he made up his mind he would try to beat his own shadow, so putting spurs to his horse, he went down Main street like a thousand of brick. Dan Jones, our assistant marshal considered himself capable of being referee in the matter and declared “a foul.” The corporal goodnaturedly paid the city $7 for the use of the race course.

Jones and Policeman Johnson arrested another soldier on April 24. The article reporting this arrest was reprinted in the section on James Johnson.

Soldiers were also the cause of a fight which took place in the “Keno room” on May 11, 1880. This article was reprinted in the section on William Horseman.

There is some confusion on the terminal date of Jones’ second appointment. The Caldwell police court docket did not list him as a complaining officer after May 8, 1880, but the United States census, enumerated as of June 5, recorded him as assistant marshal. Apparently he was not on the city force when George Flatt was killed, June 19. He was at that time, however, a township constable and the first man to whom Flatt spoke after he had been shot.
Jones was among those arrested for suspected complicity in the crime. The Caldwell Commercial, July 1, 1880, labeled him "constable" in its report of the arrests while the Post of the same date merely identified him as "Mister" Jones. When the Flatt murder case was tried at the April, 1881, term of the district court, Jones was released because his name had been omitted from the information. The sections on Flatt, Horseman, Johnson, and Meagher contain more material on the arrest and trial of the city authorities.

Constable Jones arrested a horse thief on July 21, 1880. The Caldwell Commercial of July 22, reported:

There was quite a little flurry of excitement at the Eldorado stables yesterday morning, caused by the arrest of a horse thief. The thief's name is D. Waterman, and the horse was stolen on Monday night from a man named J. C. Brain, living between Winfield and Arkansas City. Brain discovered the loss of the animal some time during the night, and at once sent parties out to catch the thief and recover the property. Among those who started out were C. McKeelie and D. W. Ramage. They struck Waterman's trail at Arkansas City, followed him from there to Caldwell, reaching here about dark, some three or four hours after Waterman had arrived and put up his horse at the Eldorado stables. Finding the man and horse both here, and not likely to get away, they waited until yesterday morning before taking in the outfit.

At daylight Waterman concluded it was about time for him to start out, and mounting his horse, put out for the north. Ramage and McKeelie immediately went in search of a policeman, and finding Dan Jones, pursuit was given and the thief overhauled before he had time to get any distance from town. Waterman owns up to the theft and says he stole the horse because he was broke and wanted to raise a stake. And he succeeded beyond his most sanguine expectations. He will be staked to a few years grub and hard work under the fostering care of the State institution near Leavenworth.

Jones was reappointed several times for short periods of service as a special policeman. Arrests made by him were docketed on September 13 and October 14, 1880. On October 9 it was in that capacity that Jones aided Marshal Johnson in the fruitless pursuit of Frank Hunt's killer. The article reporting Hunt's death and the actions of the marshal and his special assistant has been printed in the section on Hunt.

Red Bill Jones, a name given Dan Jones by the Caldwell Post, October 30, 1879, reappeared in the Post and the Caldwell Commercial, October 27, 1881. Said the Commercial:

Bill Jones, better known as "Red Bill," turned himself loose for a little racket on Tuesday night. Bill was taken in and locked up in the cooler, but upon going to that institution yesterday morning, Marshal [John] Rowen found the
door broken open and the bird gone. A states warrant has been issued against William and the next time he puts in an appearance he will be arrested again and trottthed through on high pressure,

It seems unlikely that Dan “Red Bill” Jones and William “Red Bill” Jones were one and the same. Only a few days after the above event Dan Jones was offered the marshalship of Caldwell, a proposition hardly to be tendered an escappee with a state warrant on his head. Dan Jones, as well as Mike Meagher and George Brown, refused the position and with that Jones disappeared from the annals of the Caldwell police force.

LOWE, JOSEPH
(1845?-1874?)

Joseph “Rowdy Joe” Lowe, and his wife Rowdy Kate, were two of the early characters in Wichita’s tough district, Delano. The team operated what was ostensibly a dance hall and saloon but which was actually a house of prostitution. Delano, or West Wichita as it was more often called, was not a part of the city of Wichita but was a separate community across the Arkansas river. City authority did not extend beyond the river and West Wichita had no law of its own. When things would get too “hot” for trouble makers in Wichita they merely had to cross the bridge at the foot of Douglas avenue to find refuge in West Wichita. From the earliest days there were some persons who felt that West Wichita should be annexed and law extended over its bounds but others saw the place as a safety valve, a necessary adjunct to house the lively element attendant to any cowtown.

In June, 1872, after a visit to Wichita, the editor of the Emporia Ledger had this to say about West Wichita:

THE IMMORALITY

of Wichita is not of such a terrible nature after all. The city is governed by an excellent body of officers, due strictness and enforcement being paid to law. We saw nothing while there to induce us to encourage the report for crime and wickedness which has already gone forth. “Over the river” may be called the red-hot place of Wichita, where everything originates and culminates to give a hard name to this youthful city. Some are agitating the addition of West Wichita to the city, but we believe that in doing so the city proper will be injured more than benefitted, because authority will be required to cover too much ground, and in leaving it out the city has now some point for a vent to everything bordering upon crime. If West Wichita should become a part of the city there would be just as much freedom to transcend the decencies of civilization in one portion of the city as any, but leaving it out, all such parties will go over the bridge to be buried. With the present condition of things we ask no better protection than Wichita now offers.
Rowdy Joe was his own policeman. When a customer became too rambunctious after a night of swill and gaiety, Joe would calm him down with a pistol whipping. Such an incident occurred on July 19, 1872, and was reported in the Wichita Eagle on July 26:

A fracas occurred at the dance house of Joseph Lowe, in West Wichita, on last Friday evening, in which a man by the name of Joseph Walters, who was at the time drunk, was badly bruised and cut about the face and head, by a revolver in the hands of the keeper of the house. Dr. [W. T.] Hendrickson dressed the man’s wounds. From what we can learn Walters invited the attack by very disorderly conduct. At this writing the wounded man lies in a very critical condition.

A correspondent (perhaps S. S. Prouty, general manager) of the Topeka Daily Kansas Commonwealth described Rowdy Joe’s on October 15, 1872:

A description of Wichita would be incomplete without a notice of the notorious dance house on the west side of the river, kept by that singular personage

 Rowe JOE,
 or Joseph Lowe, his real name. Joe has been a frontiersman for many years, and has experienced about as much roughness as any other man. His dance house is patronized mainly by cattle herders, though all classes visit it; the respectable mostly from curiosity. I understand that the receipts over his bar average over one hundred dollars per night for months. The receipts are for drinks. No tax is levied for dancing, but it is expected that the males will purchase drinks for themselves and female partners at the conclusion of each dance. Joe is his own policeman, and maintains the best of order. No one is disposed to pick a quarrel with him, or infringe upon the rules of his house. A dancing party at this place is unique, as well as interesting. The Texan, with mammoth spurs on his boots, which are all exposed, and a broad brimmed sombrero on his head, is seen dancing by the side of a well-dressed, gentlemanly-appearing stranger from some eastern city; both having painted and jeweled courtzans for partners. In the corner of the hall are seen gamblers playing at their favorite game of poker. Jests and conversation suitable to the place and occasion are heard. I would not recommend the establishment as one adapted for the schooling of the rising generation, but to those of mature years, who should become acquainted with all phases of society, Rowdy Joe’s is a good place to get familiarized with one peculiar phase. While I would not recommend Rowdy Joe as a model for Sunday school scholars, yet I am constrained to say that there are many men passing in society as gentlemen whose hearts are black in comparison with his.

Possibly the correspondent did not know that the person whose heart he so charitably described had been involved in several early day escapades which obviously had no connection with Sunday school. For instance, on July 16, 1869, Joe and a companion drugged and robbed a man in Ellsworth. The Junction City Weekly Union, July 24, 1869, reported the act:
Friday night of last week a man was found drugged and robbed in Ellsworth by fellows known as Jim Bush and Rowdy Joe, the people got after them and in a few days secured the robbers and about seven hundred and fifty dollars of the money. They turned the money over to a pal named Howe who was also secured. The parties were permitted to leave the country.

In November, 1870, Lowe was accused of stealing a mule. The case was recorded in the docket of the Wichita township justice of the peace:

**The State of Kansas against Joseph Low**

Criminal Action 35

Comes now T. I. McAdams this day of November 1870, and after being sworn according to Law deposes and Says that one Joseph Low on or about the 12th day of October A. D. 1870 at and in Said County of Sedgwick and State of Kansas, then and there being, did feloniously Steal take and carry away One Slate Colored Mule of the Value of One Hundred and Seventy five Dollars the personal property of Thos J. McAdams

November 1870 State Warrant issued returnable forthwith

Served this warrant by arresting Joseph Low alias Rody [sic] Joe at Ellsworth City Ellsworth County Kans and bringing him to Wichita Sedgwick County Kansas before Justice Van Trees Wichita J. P. Kans This 17th day of March 1871.

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W. N. Walker Sheriff
J. C. Seiber Deputy

And now to wit on this 17th day of March 1871 this Cause Comes on for hearing, the Prosecuting Witness not appearing, the County Atty Dismissed this action at the Costs of the Prosecuting Witness T. I. McAdams. Costs taxed at $49.40.

Van Trees J. P.

In Ellsworth, too, Rowdy Joe and Kate kept a saloon but the United States census enumerator for the county forever branded their real occupation on his tally sheet when in scarlet letters he wrote before their names—"house of ill fame." Kate, by the way, was only 19 years old when the census was taken on July 1, 1870, while Joe was 24. Both were born in Illinois.

In May, 1873, sportsman Lowe was injured in an accident on his way home from the races. The *Eagle*, May 22, 1873, said:

On returning from the races last Saturday, Joseph Lowe's—familiarly known as Rowdy Joe—horse fell, throwing Mr. L. under him. He was picked up insensible and carried into the house of Ida May and a doctor sent for. At
this writing (Monday) we have not heard further, but several who saw the accident thought him badly hurt.

Next door to Rowdy Joe's place in West Wichita a similar house was operated by E. T. "Red" Beard. On June 3 a shooting occurred there which eventually caused the destruction of Red's and threatened the existence of Rowdy Joe's. The Eagle, June 5, 1873, reported:

A shooting affray occurred on the west bank of the river, opposite Wichita, on Tuesday morning, between a party of rowdies and some soldiers, in which a "girl of the period" named Emma Stanley received a severe wound, two soldiers also being seriously injured. Doley, a private, was shot through the neck, the ball being extracted from the throat. Another soldier, named Boyle, had his right shin bone splintered by another ball. Neither of the parties were implicated in the origin of the affray. The balls were extracted by Dr. [C. C.] Furley, and the parties are all doing well.

The Topeka Commonwealth, June 4, 1873, went into more detail:

A TERRIBLE SHOOTING AFFRAY AT WICHITA.

ONE WOMAN AND TWO SOLDIERS BADLY WOUNDED.

THE SOLDIERS' COMRADES HIGHLY INDIGNANT.

LIVELY TIMES EXPECTED. . .

SPECIAL DISPATCH TO THE COMMONWEALTH.

Wichita, Kansas, June 3.—A shooting scrape occurred at Red's dance house in West Wichita, in which two soldiers of company A 6th cavalry, and Emma Stanley, an inmate of the house, were badly wounded. The shooting originated in a quarrel which one of the soldiers had with the woman. He claims that she was attempting to beat him out of five dollars, and that he threatened to shoot her unless she complied with his demands, which she treated with contempt. He then drew his revolver and shot her through the fleshy part of the thigh, six inches below the hip joint. As soon as the shot was fired Red instantly drew his self-cocking revolver and commenced an indiscriminate fusillade, shooting two soldiers. One soldier was shot an inch below the angle of the lower jaw, in the neck, the ball lodging in the throat at the base of the tongue, and nearly severing it in its passage. It was extracted by Dr. Finley [C. C. Furley], of this city. His comrade received a ball through the middle of the calf of the leg, severely splintering the shin bone. The soldiers who were shot were not engaged in the quarrel, and are spoken of by their comrades as being very quiet and gentlemanly. The soldier who commenced the affray escaped unhurt and deserted last night. The dance house was closed this morning when your reporter called, and no admittance could be obtained. Rumor has it that Red has disappeared and will not be seen until the soldiers leave, who are en route for Ft. Hays. They are terribly indignant and threaten to raze the house to the ground.

Lively times are expected to-night. . .

Not long after, the indignant soldiers returned. The Eagle, June 5, 1873, reported:

The soldiers have carried out their threat. This morning about 2 o'clock
we were aroused from sleep by the rapid discharge of firearms across the river. Hurrying on our clothes we ran down to the bridge, by which time the lurid flames were bursting forth from “Red’s” dance house, accompanied by a yell from a squad of some thirty soldiers, whom we met on the bridge, marching by fours. They appeared to be perfectly possessed, and after the order to “shoulder arms,” asked us “how is that for high?” pointing to the burning building. Being the first upon the ground, we found a man lying some fifty yards in front of the burning building, who gave his name as Chas. Leshhart, wounded through the body. We saw no one else that was hurt, but we heard that one of the girls was wounded, and that the girl wounded in the melee on Monday night had received a fresh shot. In a few minutes hundreds of citizens were upon the ground, and by prompt action and considerable exertion the house of Joseph Lowe was saved. The soldiers went off up Water street. We have no room for comments, but upon the whole the affairs of Monday and last night are no credit to our neighbor town.

The avenging troopers had been well organized. The Eagle, June 12, 1873, mentioned their precautions: “Before the soldiers made their raid upon Red’s dance house, on last Wednesday night, they stationed a guard around the sheriff’s [John Meagher’s] house, another at the end of the bridge, and another with the horses on a back street.”

Rowdy Joe and his neighbor, Red, were fighting again the night of October 27, 1873, but this time they chose each other. The aftermath of the combat included Red’s death and Rowdy Joe’s hasty departure from Sedgwick county. The Eagle, October 30, 1873, reported:

The dance houses on the west side of the river were again the scene of a terrible and fearful onset, on Monday night last. We have heard the versions of the principal actors, as also that of outsiders and the officers, with little satisfaction. Suffice it to say that the proprietors of the two dance houses in West Wichita, which stand in close proximity, “Rowdy Joe” and “Red,” both being mad from the effects of distilled poison, and armed with revolvers and shot guns, waltzed into a deadly melee. Rowdy Joe was shot in the back of the neck with a pistol ball. The wound is not dangerous. Red was wounded in the arm and hip by buck shot from a shot gun. The chances are that he will lose the lower part of his arm. A poor dance girl, Annie Franklin, sick at the time, received a shot in the abdomen, which the doctors think must prove fatal. Bill Anderson, who through mistake killed a man last spring, was shot in the head, the ball passing just back of the eyes. Was alive at last accounts. Rowdy Joe gave himself up, and is now out on $2,000 bail. No other arrests have been made, we believe. Comment is unnecessary, and a further dilation worse than foolish.

Red died on November 11. The Wichita Eagle, November 13, 1873, said:

E. T. Beard, better known as “Red,” the proprietor of one of the dance houses across the river, paid the penalty of his misdeeds with his life, on Tues-
day morning at 3 o'clock a.m. It will be remembered that he was shot in a row at his dance house some two weeks since. A post mortem examination was made upon the body day before yesterday by Dr. [H.] Owens, the coroner. In company with Mr. [Fred A.] Sowers, of the *Beacon*, we proceeded to the Eagle Hotel, where we found seven doctors and a coroner's jury. The examination disclosed that his right arm at the elbow had been shattered fearfully and was in a state of decay. The wound in the hip was also in the same state. In the latter wound a bullet was found imbedded in the bone. Traces of pus were discovered, we believe, about the wound and in the lungs. The examination was very thorough, but we withdrew before the entire process was gone through with. At the hotel were several frail women, who had been inmates of his house, who seemed much affected. We noticed also Rowdy Joe, who is charged with shooting Red, who wore a solemn countenance.

The post mortem examination, technically and properly stated, revealed the fact of death by infiltration of pus in the blood, the result of gun shot wounds.

E. T. Beard was formerly from Beardstown, Ill., which place was laid out and named after his father, who was wealthy. He was well educated, and had Christian training. He has three children, two daughters and a son, nearly grown, who are now attending school somewhere in the east, and know nothing of their father's wild life in the west. He was about forty-five years of age, straight as an arrow, red hair, which fell in a profusion of curls upon his shoulders, and from which he took his name of "Red," an enormous moustache and large nose. He knew no such thing as fear and was counted one of the best shots on the border. At the time of the burning of his house last summer by U.S. soldiers, and at which time, in a desperate encounter against great odds, he shot and wounded several, he remarked to some of our citizens that he would not live the summer through. He told Dr. Furley last week that he followed the disreputable business only in the hopes of getting a start in the world again, but if he got over his wounds he would never go inside of a dance house again.

"Oh, what a sign it is of evil life
When death's approach is seen so terrible."

Beard left some property and money in the hands of parties here for the use and benefit of his children, in the shape of a regular bequest.

A Winfield editor, who had known Red in days before, gave some additional information:

"Red."—James Kelley, the editor of the Windfield *Courier*, who was in Wichita the day "Red" was buried, was acquainted with the desperado in his early life, and in his paper makes the following interesting note:

"Red was none other than Ed. Beard, whose father gave to Beardstown, Cass county, Illinois, his name. We remember Ed. Beard as a jolly, rollicking young man, without a single bad trait in his make up. He married an estimable young lady near Virginia, Cass county. The writer of this article met "Red" last July, at Wichita, for the first time since he left Illinois, ten or twelve years ago. He then gave us his solemn promise that so soon as the Texas "season" was over he would abandon forever his wild, infamous life. The next time we saw him was in his coffin, and while we stood and gazed on that lifeless clay, going back in thought to his wild reckless life for the last twelve years, in California, Ore-
gon and Arizona, where his name was a terror to everybody, we could hardly convince ourselves that this was the handsome, jovial gifted Ed. Beard. Verily, the way of the transgressor is hard. "Peace to his ashes." 2

On November 20, 1873, the Eagle reported:

Joseph Lowe, charged with killing Beard, had his examination before Esquire [E. B.] Jewett this week, [H. C.] Sluss upon the part of the state, [S. M.] Tucker for the defendant, the result of which was, bound over in the sum of $2,000 for his appearance at the December term of court. The evidence is very voluminous, and, although we procured much of it, we cannot spare the space for its insertion.

Rowdy Joe's case came up before the Sedgwick county district court on December 9, 1873. The Eagle, December 11, reported:

The district court opened Monday noon, with Judge W. P. Campbell on the bench. . . .

Tuesday morning the case, state of Kansas vs. Joseph Lowe, alias, Rowdy Joe, was called. The court room filled with curious and interested people. In securing a jury the usual number of preemptory challenges were exhausted by the defense, but an unobjectionable jury was empanelled within an hour or two. H. C. Sluss for the state, [B. H.] Fisher, Tucker and [J. Smith] Deveny for the defense. Much interest has been evinced by court, bar and jury in the evidence given by the witnesses for the state, who, at this writing, Wednesday morning, we give in their testimony, and the prosecuting attorney will, in a few moments, rest his case. We understand that a large number of witnesses will be examined for the defense, and when the case will be given to the jury it is impossible to say, although a verdict may be reached before tomorrow morning. To give an opinion, or even to hazard a guess, as to what the verdict will be, would be impossible, of course, in this connection, but should one be rendered before going to press to-night we shall append it to this article.

The trial went to the jury on December 10 and the next morning Rowdy Joe was pronounced not guilty. New warrants were then issued against him for wounding Anderson and for destruction of property, but Lowe had skipped out. The Wichita Eagle, December 18, 1873, said:

In the culmination of the trial of Rowdy Joe on last Wednesday evening, for the killing of Red, more than ordinary interest was evinced by the people of the city. The court room was crowded, the stage in the rear of the hall even being filled. The judge charged the jury at great length on what constituted murder in the second degree, including five lesser crimes, either of which the prisoner might be found guilty under the charge. There were four speeches made by counsel, of the average duration of an hour each. H. C. Sluss, for the state, opened with a review of the entire testimony, giving his constructions and conclusions. After supper he was followed by S. M. Tucker for the defense, who not only in a clever but able manner reviewed the case in all its legal bearings. He in turn was followed by Smith Deveny, of Olathe, in an appeal to the jury, in which was recited the redeeming traits of Rowdy Joe, and in which was pictured in not very enviable colors the vagabond and desperado,
Red. By this time the interest of the spectators was visible to court and jury.

Mr. Sluss rose to close. His earnest manner told that he appreciated his surroundings. Embarrassed by his own witnesses, who were composed of men and women in full sympathy with the accused, whose sense of modesty and appreciation of right had long since been sacrificed with their virtue, and who cared little for the obligations of an oath, and less for the penalty that is attached to its violation, he had been conducting the case through almost hopeless surroundings. But unwaved by menaces and undismayed in the absence of sympathy, with all the earnestness of his nature, he stood up to defend the sacred right to life, and the majesty of the law.

Despite the fact of being in a court of justice, upon closing his speech the spectators gave way to an uproarious applauding. It was a spontaneous acknowledgment by the better class of citizens of the able and conscientious manner in which the attorney for the people had discharged his duty. The jury retired at about 10 o'clock. A verdict of "not guilty" was rendered next morning.

Immediately another writ was issued for his arrest for shooting Anderson, also an action was commenced against him for damages. The pressure was too great, and Rowdy Joe came up missing last Sunday morning. He had eluded the vigilance of the officer, Mr. [John] Nugent, who had him in charge, and at this writing nothing has been heard of him. Sheriff [William] Smith with a posse followed all Saturday night, but returned disappointed. On Monday Smith had several parties arrested for participating or criminality in his escape, among them Rowdie Kate, the result of which we will inform our readers all in good season.

Sedgwick County Sheriff William Smith offered $100 for Rowdy Joe's return. The *Eagle*, December 18, 1873, published a description of the wanted man:

I will give $100.00 reward for the apprehension of one Joseph Lowe, alias Rowdy Joe, a fugitive from justice from Sedgwick county, Kansas. He is about 28 years old, 5 feet 9 inches tall, heavy set, dark complexion, black hair, and heavy black moustache, gruff manners,—formerly proprietor of a dance house. Had a scar on right side of neck from a pistol ball. Had on, when last seen, black pants, brown frock coat, and a brown overcoat, trimmed with fur; rode a bay horse with California saddle.—The foregoing is the matter of a notice sent to all sheriffs in the western states by Wm. Smith.

A few days after the trial, Rowdy Joe showed up in Osage Mission, a Neosho county town now known as St. Paul. William D. Walker, editor of the Osage Mission Transcript, did not know another warrant was hanging over Joe's head when, on December 19, 1873, he wrote: "Rowdy Joe, the famous Wichitan is in town, and not much rowdy about him after all."

The same day, however, Editor Walker learned of the second charge against Lowe, but the culprit had flown—"GTT" (gone to Texas) as the frontiersmen called it. The editor immediately notified the Wichita Eagle, which reported:
Rowdy Joe, it seems from the following card, went direct east instead of south or southwest, as nearly every one supposed he had. Mr. Walker, who writes us, is the editor of the Transcript and knows Rowdy Joe, so there is no mistake:

Osage Mission, Dec. 19th, 1873.

Bros Murdock:—Had your Eagle reached here one day sooner, Rowdy Joe would have been taken. He has been here for several days, but left here yester-
day morning for Texas. The horse is still in a stable. He watched the papers regularly in my office.

Yours, Walker.3

In spite of the fact that Lowe could not be caught, the Wichita Eagle seemed satisfied with the results of the trial:

Wichita is fast getting rid of that element which has proved such a curse to her prosperity, thanks to the county attorney and the improved sentiment of the place which is backing him up. Rowdy Joe made a telling shot that night. It shot "Red" into eternity; himself out of the country; Anderson through the head; [Walter] Beebe, Red's bar tender, into the penitentiary [for assisting Joe to escape]; Joe De Merritt, Red’s mistress, into the penitentiary; Rowdy Kate to parts unknown; and Smith, Omet and another into jail for perjury. "The mills of the gods grind slowly but they grind exceedingly small." Patten was sentenced for a year, Beebe for three years, and Josephine De Merritt for ten years.4

Rowdy Joe was finally arrested in St. Louis, Mo., on January 3, 1874. A dispatch from St. Louis, reprinted in the Wichita Eagle, January 8, notified the town of his capture and subsequent release:

Rowdy Joe.

St. Louis, Mo., Jan. 5.—Joseph Lowe, alias A. A. Becker, was arrested here on Saturday by orders received from Kansas, and was released to-day on a writ of habeas corpus, and after it was known that Sheriff Smith, of Sedgwick county, would arrive here on the first train to take him back to Kansas. Over $8,000 were found on Lowe.

Ex-Sheriff Smith arrived home yesterday. The facts above given, he says, are correct. After he was notified that Joe was under arrest he telegraphed to the officers of St. Louis three times to hold him, as he would procure a requisition and be down on the next train. Just as he got ready to start he was notified by telegraph that Joe had escaped upon a writ of habeas corpus. It is evident that somebody in St. Louis was bought up.

The St. Louis Democrat evidently felt the same way but in addition to the charge of bribery the Democrat included internal bickering within the St. Louis police department as a factor in Lowe's release:

Release of Rowdy Joe.

A Noted Character Allowed to Evade a Kansas Sheriff,
A Rather Strange Proceeding.

For some time past the chief of police and the detectives have not been on the most friendly terms. There were various causes for this, but the matter was kept very quiet, and few knew of it, save those whose daily duty brings them
in contact with the police department. Yesterday this trouble rose to the surface, and there is a prospect that in a few days it will result in something serious. The cause of yesterday's rupture is as follows:

On Saturday last a noted character from Nevada named Joseph Low, familiarly known by the elegant cognomen of "Rowdy Joe," was arrested at the Laclede hotel by Detective Duckworth, one of the shrewdest men on the force. Low had been in the city some time and was under the surveillance of the detectives, who knew his reputation and suspected that his visit was not for any good. They were not aware that he was needed anywhere else until the receipt of the following telegram:

LEAVENWORTH, January 2nd.

Arrest and hold A. A. Becker for breaking jail; about five feet ten inches; thirty years old; square shoulders; heavy built; very full face; black moustache, eyes and hair; fresh scar across the back of his neck. He is to meet Kate Low to-morrow morning on arrival of one of the trains from Kansas City. Kate left here at 3 p.m. Kate is slender built; light brown hair; waterproof suit lined with red; has with her one large bull-dog in express car; also one small yellow lap dog; she will probably arrive by Missouri Pacific. A. A. Becker is an assumed name; is stopping at the Laclede hotel.

C. H. HALLETT,
Deputy United States Marshal.

Two days afterward another dispatch was received from Wm. Smith, sheriff of Sedgwick county, Kansas [Smith had been defeated for sheriff on November 4, 1874, and on January 1, 1874, turned the office over to the successful candidate, Pleasant H. Massey], asking if Low had been arrested, and on January 5th, still another came, as follows:

LEAVENWORTH, January 5th.

Is Low still in your custody? Answer quick. If so, I will be down on the next train.

WM. SMITH, Sheriff.

And yesterday morning, in answer to the telegram announcing the arrest of Lowe, a dispatch was received from Smith, stating that he would be down on the next train, and asking the Chief to hold the prisoner until his arrival.

When Low was arrested, the snug sum of $8,295 was found on him. He passed under the assumed name of A. A. Becker, and was having a gay time with the boys.

Yesterday morning Mr. R. S. MacDonald and Kate Low, the prisoner's wife, called on Chief McDonough and had a conference, which resulted in the chief sending a note to Mr. A. W. Mead, the attorney of the board, asking whether the money found in Low's possession could be turned over to his wife. Mr. Mead answered that if he was not arrested on a charge which involved the money, such as larceny, it could be turned over on an order from Low. The money was accordingly given to Mrs. Low. The next step was to secure Low's release before the arrival of the sheriff, and MacDonald proceeded at once to the court of criminal correction and took advantage of the "great writ of habeas corpus."

In the petition it was claimed that Low "is now unlawfully and illegally restrained of his liberty by one Capt. James McDonough, chief of police; that no warrant or criminal process has been issued against him; that he is not guilty of the violation of any law of the state; that he was arrested by order of said McDonough, illegally, and is in the custody and control of said McDonough, and is held by said McDonough in confinement against his will and
consent; that there are no papers or process against him, and that his imprisonment was unlawful and unjust.

Judge Colvin ordered the writ issued, and it was immediately delivered to the Chief, who made the following return thereon:

"Executed the within writ, by delivering the within mentioned Joseph Low to the St. Louis court of criminal correction, this 5th day of January, 1874.

JAMES McDONOUGH,
"Chief of Police."

Low was then taken before Judge Colvin by Detective Duckworth and Tracy. The Judge asked Duckworth if that was all the return there was to be made, and was answered that there were some telegrams. The Chief however, was willing to have the man released, but the detectives wanted him held until the sheriff arrived. Judge Colvin said he would recognize only the Chief, and told Duckworth to go and ascertain if that was all the returns to be made. "Duck" soon returned with a note to the judge, saying that the only authority he had for holding the man was the above telegrams, which he forwarded for the judge's inspection and enlightenment. Judge Colvin was in a quandary after reading them, and in a very hasty manner told the detective that he might have kept the writ back twenty-four hours if he wanted to, and knew the sheriff was coming for his prisoner. "Duck" replied that he did not answer the writ.

Mr. McDonald moved that the prisoner be discharged, which was accordingly done, and Low, with several friends, rapidly disappeared from the court, entered a carriage and drove swiftly away.

There were many comments on the case made, and several parties were so rash as to hint that some one in authority received a portion of the small change that Mrs. Low received—a most preposterous ideal.

Low is said to have escaped from jail, where he was confined on a charge of murder.5

Later in the year Rowdy Joe was one of the early gold hunters in the Black Hills region of Dakota territory, and it was reported that he had been killed by Indians. The Eagle published the story October 29, 1874:

ROWDY JOE MURDERED.

Mayor [James G.] Hope received a letter from J. W. Brockett, now at Yankton, containing the information that Rowdy Joe, alias Joseph Lowe, so well known at Wichita, was with the party which was enroute for the Black Hills, and which was attacked by Indians and a portion of its number killed. The notorious Rowdy Joe fell first mortally wounded. We last week published an account of the attack, but the dispatches had his name John Lowe, instead of Joe. Thus this violent man met a violent death. Several of his victims are taking their last long sleep beneath the prairie sod of this border. Anderson, another, is here in Wichita, totally blind; Walter Beebe, who helped Lowe to escape the officers of the law at this place, is in the penitentiary, and Josephine Dementit keeps Beebe company. What a list of crimes Joe has gone to answer for.

Mayor Hope handed us an account of the attack clipped from a Yankton paper, from which we make the following extract:
"Of the Yankton company, Lowe was instantly killed three bullets piercing his body from a volley fired at the tent; Chas. Allen was wounded in the leg by an arrow; Baden was shot through the chest, probably fatally, while Orton received a flesh wound in the arm. The Indians then retreated from the field, when the Yanktonians put the body of Lowe, together with wounded man, Baden, into their wagon, and turning their faces homeward, traveled all night, leaving Mr. Baden at the Bohemian settlement and burying Mr. Lowe a few miles further east near a soldier camp, occupied by a detachment sent out from Randall to guard the settlers. The survivors arrived at Yankton on Thursday night. Their wagon bears unmistakable evidences of the bloody fight the party had with the Indians, being completely riddled with bullets and covered with the gore of their wounded and dead comrades, for it acted the part of a fortification behind which the boys concealed themselves as best they could during the time they were besieged. The survivors of this expedition will most likely give up opening a stock farm in that portion of Nebraska lately visited by them."

In 1899 the Wichita Eagle again reported that Rowdy Joe Lowe had been killed, this time in a Denver saloon. Lowe, then 72 according to the paper, insulted the Denver police department and was shot by a former policeman.8

Thus the reader has a choice of endings for the character known as Rowdy Joe.

1. Wichita City Eagle, June 28, 1872. 2. Ibid., November 27, 1873. 3. Ibid., December 25, 1873. 4. Ibid., January 8, 1874. 5. Ibid., January 15, 1874. 6. February 15, 1899.

McCARTY, HARRY T.

(1839–1878)

Harry T. McCarty, surveyor and draftsman, was appointed deputy United States marshal for Ford county (Dodge City) in April, 1878. The Ford County Globe, April 30, reported his commission:

DEPUTY U. S. MARSHALSHIP.

Our active, energetic fellow-citizen, H. T. McCarty, who is known to every man, woman and child in Ford County, has received his commission as Deputy U. S. Marshal, under U. S. Marshal [Benjamin F.] Simpson.

When we say that the appointment gives good satisfaction to our farmers and a large majority of our business men, we simply tell the truth. There are, of course, some who may not like his appointment, but by inquiry they will be found to be, either violaters of the U. S. laws themselves, or personal enemies of Mr. McCarty.

We know that no other man in the County is so well fitted and qualified for the position as he is; because of his unlimited information concerning the violations of laws which take place in this county, and his desire to stop them.

We are greatly pleased that such a judicious choice has been made by Mr. Simpson, and predict a faithful performance of duty, "according to Hoyle," by Deputy Marshal McCarty.
Harry McCarty served less than three months. On July 13, 1878, he was shot and killed. His tragic murder was first described in the Dodge City Times, July 18:

ANOTHER MURDER.
H. T. McCARTY COWARDLY ASSASSINATED.

THE MURDERED MAN'S OWN PISTOL THE DEADLY WEAPON.

H. T. McCarty, a well-known citizen of Dodge City, was shot this morning about 4 o'clock, at the Long Branch saloon. The shot took effect in the right groin, severing the femoral artery; and the unfortunate man, after profusely bleeding for about an hour, expired.

The circumstances of the shooting are about as follows: A party of men were ridiculing one of their number, one Thomas Roach, a half-witted, rattle-brained and quarrelsome wretch, who, becoming incensed at the jibes and jeers of the crowd, rushed to where McCarty stood at the bar, and drawing McCarty's pistol from the latter's side, flourished it once or twice and fired one shot, which took effect as we have stated. McCarty was quietly standing at the bar drinking, and was in no manner connected with the hilarious crowd. A pistol shot was fired at the murderer, Tom Roach, which grazed him, though he fell to the floor, pretending to be dead, which prevented a bystander from repeating the shot upon being informed that the murderer of McCarty was already dead.

McCarty was removed to the house of Chas. Ronan, where in about an hour he died, having bled to death. The murderer was arrested and placed in jail.

A coroner's inquest was held this morning and the facts were elicited about as we have stated.

There is a good deal of indignation manifested over this brutal, unwarranted murder; and while it may appear in the present temper of a large class of people that law's delays and uncertainties are dangerous to the peace, life and protection of the community, we hope the sober, second thought will prevail and justice take its course.

Limping Tom, the prisoner, as he is familiarly known, was a cook in the camp of Shiner Bros. He was once led out of town last night and bid his way to camp, the party knowing Tom's querulous nature when under the influence of liquor. He has been living in this section of Kansas since last fall, and is generally unknown.

The deceased, H. T. McCarty, was an old resident of the border and for several years a resident of Dodge City. He was well-known in this section of Kansas.

He held the office of Surveyor of Ford county for two years, and followed the occupation of surveying and painting. The deceased was a man of warm, genial nature, and though he made strong friends he had bitter enemies. He was a man of excellent attainments, though of rude culture; a forcible writer, and an artist and painter of no mean merit. While possessing virtues he had faults; but the kindlier nature takes hold of these people as the soul of the deceased is wafted to another sphere. His faults are buried with the body, and the virtues only hold in the affections and sympathy of the kind and generous people of Dodge City.

The funeral of the deceased McCarty takes place this afternoon at 4 o'clock under the auspices of the Dodge City Fire Company, of which company the deceased was a member.
The *Ford County Globe* reported the shooting in its issue of July 16:

ASSASSINATION.
A DEPUTY U. S. MARSHAL FOULLY MURDERED.
THE ASSASSIN UNDER ARREST.

Saturday at 3:30 A.M., two pistol shots fired in quick succession were heard issuing from the "Long Branch" saloon, the first of which it was soon found had summoned the genial, warm-hearted Harry T. McCarty, ex-county surveyor and Deputy U.S. Marshal for Ford county, from this world to another. The circumstances seem as follows: "Mack" had just came up the street and stepped into the "Long Branch," while leaning on the counter talking to Mr. Jackson, a half drunken desperado named Thomas Roach snatched "Mack's" pistol (a .45 caliber Colt) from the scabbard, and as "Mack" turned to see who had so nimbly disarmed him, the assassin, giving the weapon a flourish or two, fired the fatal shot. The ball penetrated the right groin severing the femoral artery, thence passing through the thigh lodged in the floor. The deceased staggered toward the door where he fell—another shot was almost instantaneously fired at Roach by a bystander, the ball grazing his right side. Roach falling called out "I am shot," and dropped to the floor, thus saving himself from the immediate penalty of his crime from the leveled revolvers about him. In the meantime medical assistance had been promptly summoned to the aid of his unfortunate victim, but it was soon found that he had passed that point when human aid however skilled could be of assistance. He was removed to the rooms of Charles Ronan to breath his last in a few minutes, recovering consciousness but for a brief period of time.

Even a stranger, unfamiliar with the circumstances, would have known as he passed up the streets an hour later that some sad tragedy had been enacted, by the air of gloom that pervaded every countenance, and the groups gathered upon the corners, some with minds too much occupied with the calamity to indulge in conversation, others in whispers that portended mischief, discussing the propriety of obviating the delays attendant upon legal process, and giving immediate illustration to the saying of our Savior, "Whoever sheds man's blood by man shall his blood be shed." But to the credit of Dodge City be it spoken, that the better counsel prevailed and even in the moment of excitement she determined to put herself on record as willing to submit to the law.

An inquest was held in the forenoon and a verdict rendered in accordance with the facts, and in the afternoon as quietly as possible (it being the desire of the officers to prevent anything that could tend to excite the already agitated crowd) an examination was held before R.C. Cook, Esq., at which time the prisoner was charged with murder in the first degree. Upon being brought up the charge was read to him, and he was fully instructed as to his rights, etc., by M.W. Sutton, County Attorney, and upon expressing it as his wish to waive an examination, he was recommitted to await trial at the next term of court.

Early in the forenoon the Dodge City fire company, of which deceased had been an active member since its organization, began to take the necessary steps to show their respect for the deceased. The hall was tastefully draped in mourning and the flag hung suspended at half mast. After services by Rev. O.W. Wright, at 4 P.M., the procession left the hall headed by the band, with Judge H.E. Gryden, M.W. Sutton, Dr. S. Galland, J.J. Webb, G.F. Jones and Marshal C.E. Bassett as pall bearers, followed by the entire company in
uniform and a large concourse of citizens in carriages. The procession moved through the principal streets, the pavements being thronged with spectators gazing at the solemn cortege.

At the grave a short address was delivered by the Rev. Mr. Wright, and all that was mortal of Harry T. McCarty was mingled with the dust.

Immediately on the return of the fire company they assembled at their hall when a short address was delivered by Marshal [P. L.] Beatty followed by Judge H. E. Gryden who spoke in eulogistic terms of the deceased and offered the following resolutions which were passed and ordered to be printed in the "Globe" and "Times" and the secretary ordered to furnish copies of proceedings to relatives of deceased.

WHEREAS, In His mercy it has pleased the Father of all to, by the hands of an assassin, take from us our fellow citizen and brother fireman, HARRY T. McCARTY,

Resolved, That we deeply feel the loss, not only of an efficient fireman and true brother, but of one whose superior qualities of head and heart have ever commanded our love and esteem.

Resolved, That we tender our heartfelt sympathies to the relatives of the deceased, and especially to his aged mother, assuring her and them that the sudden and unjustifiable assassination of the deceased has cast a shadow and gloom over our entire community, and that, though many winters' snow may spread its cold covering over the place where his ashes lie mingled with the dust, and though the green grass of his prairie grave be as often sereed by the frosts of autumn, while life lasts the memory of HARRY T. McCARTY will be ever fresh and green in our hearts of affection.

Resolved, That in honor of our dead brother the members of the Dodge City Fire Company will wear the usual badge of mourning for thirty days.

Thus all that was mortal of the third of the gallant little band of Dodge City Firemen, killed by the hand of the assassin, was consigned to Mother Earth. Let us hope that it will be the last. In the years to come when the silvery hairs of the few remaining charter members will be warning them of the grave, they will ever remember with love and respect their early companions, Masterson [City Marshal Edward J. Masterson, killed by drunken cowboys on April 9, 1879] and McCarty, and as the blossoms of spring peep from the prairies they will, we doubt not, long to strew garlands, bedecked with tears, upon their untimely graves.

Thomas O'Haran, alias Thomas Roach, was tried at the January, 1879, term of the Ford county district court, Judge S. R. Peters presiding. O'Haran plead guilty to manslaughter in the first degree and was sentenced to 12 years and three months in the state penitentiary, the Dodge City Times reported, February 1, 1879.

MASON, JOSEPH W.

(1842?—_____)

Joe Mason, a former scout and one of the "old timers" of Dodge City, was appointed policeman on the Dodge force May 9, 1877. Lawrence E. Deger was marshal and in June Ed Masterson became assistant. All three officers earned $75 a month salary.¹
The Dodge City Times, May 12, 1877, said of the new officer: “Joe Mason was appointed policeman by Mayor [James H.] Kelley and confirmed by the Council this week. Joe is a quiet young man who attends strictly to his own business, but will not fail to ‘go to the joint’ in case of a row. He will make a good officer.”

Two days after he was appointed Joe Mason stopped a cruel and bloody game of “lap jacket.” The Times, May 12, 1877, reported:

We yesterday witnessed an exhibition of the African national game of “lap jacket,” in front of Shulz’ harness shop. The game is played by two colored men, who each toe a mark and whip each other with bullwhips. In the contest yesterday Henry Rodgers, called Eph for short, contended with another darkey for the championship and fifty cents prize money. They took heavy new whips from the harness shop and poured in the strokes pretty lively. Blood flowed and dust flew and the crowd cheered until Policeman Joe Mason came along and suspended the cheerful exercise.

In Africa, where this pleasant pastime is indulged in to perfection, the contestants strip to the skin, and frequently cut each other’s flesh open to the bone.

On June 6, 1877, Policeman Mason helped subdue Bat Masterson who had “wound his arm affectionately around the Marshal’s [Deger’s] neck and let . . . [his] prisoner escape.” Bat had objected to Deger’s manner of taking Bobby Gill to jail. The article reporting this will appear in the section on Masterson.

“The new policemen, Ed Masterson and Joe Mason, are covering themselves with glory, and their prompt and efficient action cannot be too highly commended,” said the Dodge City Times, June 16, 1877.

Joe Mason stopped another fight a few days later, this time between “ladies,” according to the Times of June 23, 1877:

THE JOINT.

A BATTLE OF THE BEAUTIES.

Presto Change! Josie Armstrong wears the belt. Now you wouldn’t think to look at Miss Josie—a very pink of feminine symmetry and grace—that she would buckle on her armor and go into the shoulder hitting business. But there are times when occasion demands great effort, and such a time always arrives with a woman when she falls in with the evidences of an intruding rival.

Last Monday Josie happened upon evidence of this kind. She didn’t seize the weapon of her sex—broomstick—but she rolled up her delicate sleeves, and hand in hand with the green eyed monster, marched on to victory. (Here, were it not for the clamours of a curious public, we would gladly drop the curtain, for there is something about human carnage and the flow of human blood that harrows up our soul.)

In the fight that ensued there was a display of the most remarkable activity. The combatants unanimously waived the established rules of the London P. R.

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and fell to pulling hair and kicking shins in a way that will live in the minds of the bystanders long after the noble piles of architecture that surrounded the battle field have fallen into decay.

Just as the combat deepened and the prospect for two bald-headed maidens was bright, the irrepressible Joe Mason, regardless of the fact that "Those who in quarrels interpose
Must often wipe a bloody nose," sallied in and restored the peace and dignity of the city. A similar display of muscular activity has never before been known in this community.

Such is the brief story of the combat, and thus is added to immortality two more Maids of Orleans.

On September 8, 1877, the Times stated that "Policeman Mason made six arrests this week." And on September 15: "Policeman Mason was this week presented with a magnificent air gun which opens with a padlock. Mr. Mix has it on exhibition at the Long Branch."

Policeman Mason tried to arrest the sheriff of Edwards county, not recognizing that gentleman when he arrived in Dodge on September 17 and unwittingly thinking him to be a member of a gang of swindlers who had been operating in Dodge. The Times article reporting this will be presented in the section on W. B. Masterson.

The city council of Dodge City discharged Mason from the police force on October 2, by reason "that his services would no longer be required." 2 By October 13 Joe had become bartender of the Long Branch saloon. He left the Long Branch before November 24 and started working for one Russell; by December 1 he was again a police officer, this time a deputy sheriff under Charles E. Basset. A week later, however, Mason was on his way to Sweetwater, Tex., with several other Dodgeites intending to open a saloon there. 3

It was in Sweetwater that Mason shot and killed Ed Ryan. The Dodge City Times, January 12, 1878, reported:

A FATAL SHOT.

AN EX-DODGE CITY POLICEMAN KILLS HIS MAN.

ED. RYAN, A WELL KNOWN SPORTING MAN, THE VICTIM.

Last evening about dusk the overland stage from the south brought a letter from Sweetwater, Texas, in which the following paragraph appeared:

"Jo. Mason shot Ed. Ryan yesterday. He will be buried to-day. Jo. is willing to give himself up. Ed. was here three days before he was killed."

Mr. Reynolds, the mail contractor, confirms the news.

Jo. Mason is well known here, having served on the police force nearly all last summer. He never bore the reputation of being a "killer," and we believe this is the first time the click of his revolver has been the signal for a fatal shot. Ed. Ryan was in Dodge City nearly all last Summer, and like many others in
the wild frontier, followed that artistic and exciting profession, of which four aces is the highest accomplishment. Ed. Ryan was a very large, stout man, not over thirty years of age, and seemed to be of a good natured disposition when sober.

At one time last summer, while Mason was on the police force, the two men had a very bitter quarrel, which would have probably resulted seriously had not third parties interfered.

In the next edition, January 19, the Times gave some additional information:

CAMP SUPPLY.

Camp Supply, I. T., Jan. 13, 1878.

To the Editors of the Times.

. . . News reached us this evening from Fort Elliott that Joe Mason formerly of Dodge City shot and killed a man at that post a week ago. Joe it seems is connected with a free-and-easy kind of a house at Sweetwater City, and at the time one of his old friends, a hunter, who it seems Joe had arrested while an official at Dodge, came up to him and commenced abusing him, and threatened that he would some day square accounts with him. Joe stood it for awhile and then gave the fellow the alternative of lighting out or a ball through his skull. It seems the fellow chose the latter for Joe fired and the bold hunter fell. Joe went out dug a hole six by two and placed his victim therein. Joe with his girl is on his way to Dodge City.

THE MASON-RYAN SHOOTING.

Joe Mason arrived in Dodge City yesterday. The following is a copy of the proceedings of a court of inquiry, which exonerates Mason, held at Sweetwater:

Proceedings of a Board of Officers convened at Fort Elliott, Texas, by virtue of the following order.

Headquarters Fort Elliott, Texas,
January 5, 1878.

Special Orders, No. 4.

A Board of Officers to consist of Capt C Mauck 4th Cav, Capt E H Liscum, 19th Inf, and 2d Lt G K Hunter, 4th Cav, will convene at once to inquire into and report upon the killing of one Ed Ryan by Jos Mason, in the town of Sweetwater, last evening the 4th inst. The Board will make a report in writing on the merits of the case.

By order of Lt Col J P Hatch.

(Signed) Theo H Eckerson
2d Lt 19th Inf, Post Adjutant.
Fort Elliott, Texas, Jan 5, 1878.

The Board met pursuant to the foregoing order at 2.30 o'clock P M. Present, Capt C Mauck, 4th Cav, Capt E H Liscum, 19th Inf, and 2d Lt G K Hunter, 4th Cav.

The Board then proceeded to the examination of the following named witnesses. Tim Leavy, Harry Fleming, Granger Dyer, W H Weed, David Remington, Arrington, Norton and Dr. LaGarde. The Board after mature deliberation arrived at the following conclusion. That Ed Ryan came to his death
from a gun shot wound at the hands of Jos Mason, and that the said Jos Mason was justifiable in the premises. There being no further business before it the board then adjourned sine die.

C Mauck, Capt 4th Cav,
E H Liscum, Capt 19th Inf.
Geo K Huntley, 2d Lt 4th Cav, Recorder.
Hq Qrs, Fort Elliott, Jan 10, 1878.

The foregoing proceedings are approved.

Jno P Hatch,
Lt Col 4th Cav, Commanding.

Apparently feeling that his Dodge City friends would not think well of him, Mason wrote this note to the Times which was published on January 26:

TO THE EDITORS OF THE TIMES.

In your issue of January 19th I find among the items from your correspondent at Camp Supply, a description of the unfortunate shooting at Ft. Elliott some days ago. I only wish to say that your correspondent has misrepresented me. I was in no way connected with a "free-and-easy" at Sweetwater, nor did I "dig a hole and place the victim therein."

J. W. Mason.

The Ford County Globe, January 22, 1878, merely stated: "Joe Mason has returned from Elliott, he looks well and says he intends remaining in the city."

This epilogue appeared in the Globe, February 12, 1878: "Joe Mason received a letter yesterday morning, from Sioux city, Nebraska, containing a photograph of Ed Ryan, telling him that if the photo represented the man he killed he is entitled to the thanks of Sioux city."

Mason was temporarily reappointed to the Dodge City police force in April, 1878, but no record was found of the length or effectiveness of his service.

In June he assisted Sheriff Bat Masterson in guarding some prisoners and on July 1 the board of county commissioners allowed him $15 for his services.

The last mention found of Joe Mason in the Dodge City papers appeared in the Ford County Globe, May 17, 1881: "Joseph Mason, an old frontiersman and former police officer of Dodge City, after an absence from this place for over a year returned to the city Saturday last with a view of making this his permanent home."

1. "Kansas State Census," 1875, Ford county, p. 11; Dodge City Times, May 12, June 9, July 7, August 11, September 8, October 6, 1877. 2. Dodge City Times, October 6, 1877. 3. Ibid., October 13, November 24, December 1, 8, 1877. 4. Ibid., April 13, 1878. 5. Ibid., June 15, July 6, 1878.
MASSEY, PLEASANT H.

(1823—

The Republicans of Sedgwick county, at a convention held in Wichita October 4, 1873, nominated P. H. Massey for sheriff. Massey, then a 50-year-old farmer, received the support of the Wichita Eagle editor Marsh Murdock who said of him:

PLEASANT H. MASSEY,
the nominee for sheriff, is an old resident of South Bend, Indiana, a Colfax Republican of many years standing. He has never voted any other ticket since the organization of the party. He served three years as deputy sheriff in that populous county. He is a farmer living in Ninesha township was brought up a Whig. Mr. Massey is a pleasant gentleman, full of earnestness and life. From letters that we have been permitted to read we know that he must have stood well at his old home. He has been a resident of this county for three years and commands the respect of all who know him—and will be elected without a doubt.1

Massey's chief opponent was incumbent William Smith, a former Wichita city marshal and deputy sheriff who had been appointed in September, 1873, to fill the vacancy created by the resignation of Sheriff John Meagher.2

At the November 4 election Massey won handily over Smith and one D. L. Green, a third candidate. The sheriff-elect received 665 votes, Smith 599, and Green 167.3

When the district court was scheduled to open in December, 1873, Massey, being the sheriff-elect, felt it was his duty rather than the duty of appointee Smith to announce the opening of the session. The Eagle, December 11, 1873, reported this interesting controversy:

The district court opened Monday noon, with Judge W. P. Campbell on the bench. Preceding the formal command for the sheriff to announce the opening, Mr. Stanley submitted the matter of difference between Sheriff Smith, the appointee, and Sheriff Massey, elect. Mr. Balderston appeared on behalf of Sheriff Smith. It appeared that Mr. Massey had duly qualified, and his bonds having been approved by the commissioners, he claimed that under the law he was entitled to and that it became incumbent upon to assume the active duties of the office. The judge said that in chambers he had no power to adjudicate any such matter; that he should recognize as the officer of his court the individual who had the possession of the books and papers pertaining to said office of sheriff, and that after the court had regularly opened he would be ready to hear any matter brought before him in proper form in the regular practice. Mr. Smith opened the court, and so the matter stands at present.

The office was officially turned over to Massey on January 1, 1874. Said the Eagle, January 8: "Sheriff Smith delivered, on New Year's day, to Sheriff P. H. Massey the books and papers pertaining to the
office of sheriff, and now friend Pleasant may be heard crying from an upper window, 'hear ye! hear ye!' etc."

Shortly before Massey was sworn into office, Wichita was shocked by an incendiary murder which the *Eagle* termed the “Christmas Cremation.” Since Massey, as sheriff, was only indirectly involved in capturing and trying the perpetrators will be presented in the section on Mike Meagher who was city marshal at the time.

Massey’s primary concern with the case was in holding the prisoners before the trial and in acting as an officer of the court during the hearing. On March 5, 1874, the *Eagle* had reported that “Sheriff Massey took McNutt and his wife [two of the accused murderers] to Topeka for safe keeping.” Arthur Winner, the third accused killer, was being kept in Cottonwood Falls.

By May 17, 1874, the McNutts and Winner were brought back to Wichita for their trial. The two male defendants were placed in the sheriff’s office, next door to the *Eagle* printing plant, and were not only chained to each other but also at night were chained to iron rings bolted to the sheriff’s floor. In spite of this security, Winner was able to give the sheriff some anxious moments. The Wichita *Eagle*, May 21, 1874, reported one incident:

Winner, who is chained to McNutt, both of whom have been for some days confined in the sheriff’s office, adjoining that of our own, is as nochalant, gay and independent as he was during the preliminary examination last Christmas. Nothing appears to depress his spirits. On Sunday he constructed a key out of a pen point with which he unlocked his shackles, and laughingly exhibited the result of his feat to the sheriff, which officer then riveted his shackles.

On Monday one of the guards discovered him trying to part the rivets with a pocket knife. The fact being reported to Sheriff Massey, that officer attempted to search him and take away the knife, whereupon the wiry little fellow took it into his head to kick up a resistance. The noise and confusion made by the sheriff in taking the young man down startled us, and we rushed around to the door to find it locked. Treasurer Johnson came rushing up the hall with a cocked revolver in his hand, and Kellogg, Little and Phillips came puffing out of their offices, and for a moment the tableau was at least interesting, if not exciting.

A call from us, asking if help was desired, elicited no answer, but Nessley opened the door, when we found the sheriff holding in his iron grip the prostrate prisoner; who was wagging his tongue at a lively rate, declaring that it would take three such men to handle him if he had a show. He was mancled still more closely, when he cooled down and all was again serene. The rest of the prisoners sat around, appearing to enjoy the excitement. Winner asked us before we left to give the facts, and we guess we have. He is rather an odd boy, aggressive and fearless, and withal of a light and cheerful disposition.

Sheriff Massey opened the district court, May 18, and the trial of
the murderers commenced May 21.⁵ Apparently such a crowd was expected that certain alterations had to be made in the court room. The Eagle, May 21, 1874, reported: "Sheriff Massey has had a temporary railing put up in the court room, the court, its officers, jury-men and witnesses occupying one side and the spectators the other. Good idea."

Finding unprejudiced jurors was a task for the sheriff. Editor Murdock felt it was the result of the Eagle's popularity in Sedgwick county:

Sheriff Massey and deputies, are out hunting fifty more men, qualified to sit on the trial of McNutt. The sheriff says when he finds a man in a lonely out of the way place, he asks the question, "do you read the Eagle?" when if the answer is in the negative, he draws his papers on him, in the full assurance that another juryman has been found. He says he found one such man within four miles of the city—the fellow couldn't read at all.⁶

While the Christmas cremation trial was in progress, a Texas cowboy named Ramsey shot and killed a Negro hod carrier, Charley Sanders. The article reporting this, May 28, 1874, will be included in the section on William Smith. Ramsey had not been captured by July 23, 1874, when the Eagle reported a false lead:

Sheriff Massey is bound to catch the desperado that shot the colored man last spring. He heard that the outlaw was at Coffeyville last week and the next train of cars found him en route to trap the bird, which he successfully did, and in spite of a partial issued habeas corpus, brought him in irons to Wichita, but it proved to be a different rooster and he was released. We hope our officers will leave no stone unturned to bring the murderer to trial.

In August a man by the name of James Long stole a horse from a Wichita stable and headed east. Massey, learning that he had been in Fort Scott, left for that place. The Eagle, August 13, 1874, said: "Sheriff Massey has gone to Ft. Scott to accompany a man by the name of Long back to this place, Long having borrowed a horse at the diamond front stable which he forgot to return."

Long hoodwinked the citizens of Fort Scott and journeyed on into Missouri where he was finally caught. The Fort Scott Daily Monitor, August 18, 1874, reported Long's abilities as a confidence man:

HORSE THIEF CAUGHT.

About three weeks ago a man giving his name as Long, from Sumner county, arrived in our city and asked Mr. Tannehill to lend him some money, stating that he was after a horse thief, had run out of money and wished to proceed. Mr. T., having heard of the horses being stolen, took it for granted that it was all right and advanced the amount desired. It turned out, however, that Long was the horse thief and took this method of avoiding suspicion. Mr. Tannehill and Constable Avery started in pursuit and overtook him at Springfield, Mo.,
with three horses, and they are now awaiting a requisition from the Governor to bring him here.

Horse stealing is getting to be a dangerous business. In most every instance the thief is caught, and in many cases the punishment is swift and terrible.

While Massey chased Long over two states, his son acted as sheriff in his father's absence: "Sheriff Massey is still absent, and Tence, his son and deputy sheriff, has his hands full. He was detained in Jefferson City by a telegram from the Governor." 7

On August 27, 1874, the Eagle reported that Sheriff Massey had returned with a prisoner. It is apparent that the captive was not the horse thief so eagerly sought but was rather someone who unfortunately remains unknown: "Sheriff Massey returned Saturday night with one prisoner, but he took the next eastern bound train for Springfield, Missouri, after Long, the man who hired a horse at the livery stable and forgot to come back."

The Fort Scott Monitor, August 28, 1874, reported that "Constable Avery has returned from Springfield, Mo., bringing with him the horse thieves which he arrested at that place a week or more ago. They are in durance vile to await their trial at the next term of court."

Perhaps the Sedgwick county charge of horse stealing carried more weight than the Bourbon county charge of monetary theft for the sheriff soon showed up in Wichita with the two horse thieves: "Sheriff Massey came home from Springfield, Mo., last week with two prisoners charged with horse stealing," said the Wichita Weekly Beacon, September 2, 1874. The identity of the second thief is not definitely known but he may have been young Bill Wright who was convicted for pony stealing in October, 1874.

The next day, September 3, 1874, the Eagle complimented the sheriff and his son:

Sheriff Massey seldom if ever fails to get his man when he goes for him. He returned a few days since with Long, who will have justice meted out to him we trust.

Sheriff Massey, who for the past three weeks has been continuously on the track of criminals in this and other states is again at home. Our boy, Tence, as deputy makes a splendid officer. He is prompt, affectionate and makes no mistakes.

The travels of Pleasant H. Massey were not yet over. On September 4, 1874, the sheriff headed back for Missouri:

Sheriff Massey, George Fessenden, D. M. V. Stewart and Jackson Bolend, will start to Jefferson City, Mo., on Friday to testify in the case of Dr. W. F.
Bowie, before the United States District Court. Bowie was merchandising at Sedalia, Mo., went into bankruptcy, forfeited a bond of $15,000, and is now charged with perjury. His trial is set for the 7th of this month.  

Later in the month he visited the state penitentiary:

Sheriff Massey returned yesterday from the state penitentiary, where he had delivered three prisoners convicted at the last term of court, viz: J. H. Hill, for two years for shooting Stewart, on the Ninnescah, last spring; James Long, for three years, for stealing a horse; Wm. Wright, a boy, for one year, for stealing a pony. The criminal docket was not entirely cleared up for want of time. Two prisoners yet remain in the sheriff's custody.  

About the beginning of Massey's second year as sheriff, the new Sedgwick county jail was finished. The jail was designed to house not only county prisoners but also the sheriff. The living section of the building was one of the most modern in town for it boasted a furnace and running water. Massey moved into his new quarters about the end of January, 1875. The Eagle, January 28, reported:

Sheriff Massey has moved his family into the city. His new home, the resident portion of the new jail, is one of the most complete and comfortable establishments, heated, as it is, by a furnace and supplied with soft water from an up-stairs tank.

A month later the sheriff celebrated his 52d birthday in his new home. The Eagle, February 25, 1875, reported the success of the surprise party:

Sheriff Massey's fifty-second birthday, the 22d, was the occasion of a feast and old fashioned frolic tendered him by his good wife, who made all the arrangements and done the inviting. In the evening the house of sheriff Massey was invaded by a hilarious surprise party consisting of young folks, who kept things lively until well nigh unto morning, with feasting dancing and merry-making. By a coincidence, Geo. Washington, the father of his country, was born on the same day that sheriff Massey was. But the sheriff gets away with George in the item of birthday celebrations.

Things were pretty quiet in the sheriff's office the first few months of 1875. On March 31 the Beacon reported: "Sheriff Massey returned from Leavenworth last week having delivered his 'fresh fish' Becker and Hoss, sent up for horse-stealing, at the penitentiary. He says that McNutt is cutting leather in the shoe shop, while Winner works in the paint shop." On June 16 the paper stated: "Al Thomas was put in jail Sunday, by Sheriff Massey, but was allowed to go out on parole after a short imprisonment," and on June 23 it mentioned another trip east:

Sheriff Massey left yesterday morning for Topeka in charge of county commissioners York, Carpenter and Hobbs, who will invoke the aid of the supreme court through the instrumentality of a writ of habeas corpus to wrest them...
from the clutches of Judge Campbell who now holds them in contempt, with a fine of $100 each and "conditional" imprisonment in the county jail staring them in the face.

Sheriff Massey lost three prisoners from his jail on July 10. The Beacon, July 14, 1875, reported the escape:

THREE PRISONERS BREAK JAIL.

On Saturday afternoon the prisoners were allowed to promenade along the corridor of the jail which incloses the narrow space in front of the cells. This was only being partly restored to liberty, and the three prisoners took advantage of their position by cutting through an eighteen-inch thick brick wall with a knife and hatchet, while Sheriff Massey and family were at supper. How they obtained their instruments to work with, is not known. The work was done in a short time, and as the brick were taken out, they were placed in a blanket and carried to a cell, by which means a hole eighteen inches in diameter was soon made under one of the outer windows, through which the three men escaped.

When Mr. Massey returned from supper and called the prisoners to their cells no response was made and their absence was soon made conspicuous. Now in the first place these men were allowed too wide latitude, and in the second place it is a piece of stupidity to construct the outer walls of a jail with strong wrought-iron windows (through which it would be extremely difficult to effect an escape with a crow bar) in walls of brick, which can be dug through with a jack knife in twenty minutes. The heat in the cells is terribly oppressive, and, under the circumstances, Mr. Massey can hardly be censured for permitting the prisoners to breathe half-pure air for so short a time.

Wallace Bennett, the notorious thief and desperado who was recently captured in the territory, was one of the party. The other two, Geo. Houston and W. W. Chamberlain, were awaiting trial for stealing in this city. No clue has yet been heard of them.

The Eagle, July 15, 1875, suggested that outside aid had been given:

"Last Saturday evening, just before being locked up for the night, three prisoners dug their way out of the jail. They had been assisted by outside confederates. Sheriff Massey has taken steps for their recovery."

The Beacon, July 28, 1875, published a description of two of the escapees and reported a $50 reward offered for their return:

Sheriff Massey has offered a reward of fifty dollars for Geo. Houston and W. W. Chamberlain who escaped from the jail on the 10th of July. They are described as follows:

Houston is about twenty-eight or thirty years old, dark complexion, dark hair, dark chin whiskers and moustaches; height, about five feet eight inches; weighs about 145 pounds; had coarse shoes on, nearly new, and dark colored pants. Chamberlain is about twenty-seven years old, light complexion, light
hair, short chin whiskers and moustaches; had on light colored pants, badly worn.

In July Massey failed to flush a horse thief from a corn field but a private citizen, coming upon the man later, put the outlaw permanently out of business. The Eagle, August 5, 1875, reported the incidents:

A week or two ago a telegram was received from Garnett giving the description of a man named Waterman who had stolen a horse. Sheriff Massey found the horse in the course of a few days near Eldorado. The thief was afterwards discovered near the depot where he ran into a corn field. The field was surrounded by the Sheriff, police and a posse but the bird had flown. The same night of his escape he stole a horse from a Mr. Allen, living between here and Douglas. Mr. Allen gave pursuit, and some time during the day came upon both man and horse, the former lying on the bank of a creek asleep, with a revolver in each hand. Mr. Allen aroused him up and told him to surrender or he would kill him. The thief said he would never surrender when Mr. Allen carried out his threat leaving the miscreant lying upon the prairie and he returning with his property home. This is as we got it and comment is unnecessary.

Pleasant H. Massey did not run for re-election in November, 1875. His successor was H. W. Dunning, who had been elected over two other candidates. In December Dunning was deputized by Sheriff Massey in order that he might become acquainted with the duties and routine of the office. The Wichita Eagle, December 9, 1875, reported:

Maj. Dunning becomes Sheriff sooner than the law or the people contemplated. Sheriff Massey was compelled to leave on Monday for Topeka, where he had been summoned as a witness before the United States District Court, so to get the Major well started in, he just deputized the newly elected Sheriff. Yank Owens and Major Dunning appear to hold everything level, even the heels and heads of the lawyers, which are generally on a level with the tables.

The last official act performed by Sheriff Massey which was mentioned in the Wichita press was reported in the Eagle, December 23, 1875: “Sheriff Massey left yesterday morning for the State Penitentiary in charge of Henry Lee, whom Judge Campbell had sentenced to two years for pleading guilty to a charge of stealing a horse from a colored man by the name of Stevens.”

From that point Pleasant H. Massey returned to the obscurity of private life.

1. Wichita City Eagle, October 9, 1873. 2. Ibid., September 18, 1873. 3. Ibid., November 6, 1873. 4. Ibid., May 14, 1874. 5. Ibid., May 21, 1874. 6. Ibid., June 18, 1874. 7. Ibid., August 20, 1874. 8. Wichita Weekly Beacon, September 2, 1874. 9. Wichita City Eagle, October 1, 1874. 10. Ibid., November 4, 1875.

(To Be Continued in the Summer, 1961, Issue.)