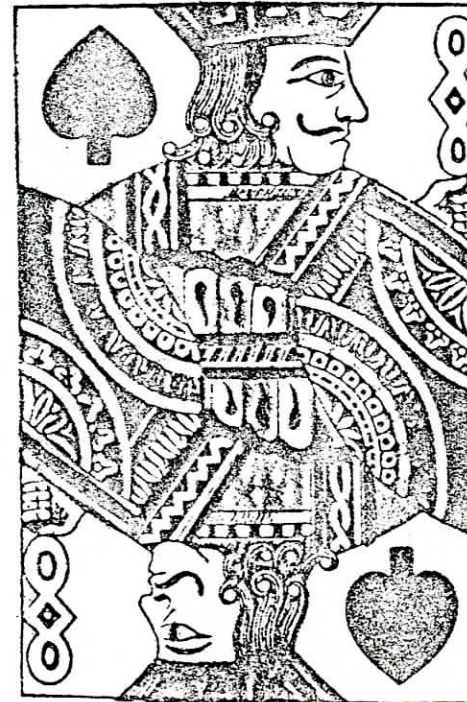


ALIAS



The
Jack
of
Spades

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ALIAS

The Jack of Spades

*An anonymous pamphlet issued in 1886
about Major Frank Wolcott's treatment
of those who settled near his VR Ranch*

Printed in a limited edition
of 300 copies of which this
is copy No.

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INTRODUCTION

The original of this pamphlet has never been found. It exists only as a microfilm copy in the records of the Wyoming State Archives and Historical Department and is reprinted by their permission. This facsimile reprint can be no better than the microfilm copy. Some pages reproduce well, others do not, but all are readable.

Who was the author of this pamphlet and who the printer are two questions which cannot be answered accurately. A comparison of typefaces, however, gives evidence that the pamphlet might have been printed by E. H. Kimball, editor and publisher of "The Rowdy West," a tabloid-size newspaper established at Fort Fetterman, Wyoming Territory, in 1886.

"The Rowdy West" was first issued on June 20, almost five months after Sumner Beach killed Bill Locker, but only one month after Beach had been indicted by a Grand Jury.

If Kimball was the printer — and even the author — of this attack on Major Frank Wolcott, it was his first attempt at muckraking, but certainly not his last. In later years, after he had moved successively to Glenrock and to Douglas, he would be a constant gadfly to the big cattle companies, a constant champion of the small ranchers and settlers.

However biased this attack on Wolcott may be — however unproven by other evidence the allegations made therein — it is nonetheless an important piece of early Wyomingiana.

In answer to critics who may believe that this is unfair to Wolcott's memory, I can only state the Wolcott's involvement in this case seems to be early evidence of his attitude toward settlers — an attitude that later manifested itself in Wolcott's conception of "an invasion of the north" and his leadership of that infamous event.

Major Frank Wolcott was perhaps Wyoming's most controversial figure. Even his friends, in praising him, had to qualify that praise.

John Clay, a good friend of Wolcott, called him "a fire-eater, honest, clean (but) with a complete absence of tact."¹ Another man who actually worked for Wolcott at the VR Ranch of the Tolland Cattle Company, Otho Dunham, had this to say about his employer: "I found the Major was a hardboiled rascal who would cheat his men out of their wages. He was not a coward by any means, but he usually got his way."²

Getting his way, no matter what the cost to others, gave Wolcott an uncanny reputation with his neighbors. After the Johnson County Cattle War, a Denver newspaper sent a reporter to Douglas and Glenrock to find out what Major Wolcott was really like.

The reporter asked a Glenrock resident named M. McGrath what he thought of Wolcott:

"I never knew a man more universally detested," answered McGrath.

Though someone must have gotten their suits mixed — McGrath was quoted by the reporter as calling Wolcott "The Jack of Clubs" — the rest of the story bears out some of the allegation in this pamphlet. A brief history of Wolcott's earlier land grab was given, citing the case of the Hilton Brothers who were run off their claim by Wolcott, and the incident at The Willows, where Wolcott's men tore down the settler's cabin and threw the logs into Deer Creek.

McGrath also charged that Wolcott "was no slouch as a rustler himself." According to this irate Glenrock citizen, Wolcott, the resident manager of the Tolland Cattle Company, had been branding Tolland calves for years with a brand registered in his wife's name and had a herd of over 1,000 head. It was also charged that Wolcott had rustled some cattle belonging to Willie Guthrie, another of the Invaders.

McGrath also claimed that the government post office at Tolland, located on Major's Wolcott's ranch, "rejoices in the unique if not flattering distinction of having a Chinese postmaster — Man Foo, Major Wolcott's slant-eyed, pig-tailed body servant . . ."

The case alluded to in this pamphlet was Wyoming v. Sumner Beach, Criminal Appearance Docket #265, Carbon County District Court, Wyoming Territory.

While much of the original trial records still remain — subpoenas, request for continuance, judge's instructions to the jury — there is no transcript of the testimony.

Thus, we can only speculate about what evidence was given for or against Beach. Whatever evidence was presented, it took the jury only minutes to arrive at a verdict of "Not Guilty" and set Sumner Beach free.

The charge against Beach stemmed from a shooting on January 26, 1886, when a man named Bill Locker (often referred to as "Lucker" in the trial records) was killed. Beach claimed that Locker threatened him and went for his gun first. Beach said he only shot in self-defense to save his own life — that Locker had been sent by Frank Wolcott to kill him.

There is no record of the first coroner's jury which is mentioned in the text of the pamphlet. But a grand jury was convened to hear evidence in the case and they returned a true bill of indictment against Sumner Beach on May 10, 1886. (This may have been the "second coroner's jury" mentioned by the author of the pamphlet.)

This indictment, charging "Murder in the First Degree," was handed down in Rawlins. Samuel Slaymaker and Richard Skeels are listed as the complaining witnesses. A warrant was issued for the arrest of one Samuel (sic) Beach and Carbon County Sheriff Jim Rankin noted that Beach was under arrest and in jail on May 14th.

It is interesting to note that the foreman of the grand jury who signed the indictment against Beach was Robert M. Craith. Those familiar with Wyoming history will recognize Craith as the same man who, three years later, would be one of a gang of six who would lynch Jim Averell and a woman variously

3. "Rocky Mountain News," May 14, 1892 issue.

1. Clay, John. "My Life on the Range." Privately printed, Chicago, 1924.
2. "The Autobiography of Otho Henry Dunham." This is a portion of an anthology called "Tales of the Seeds-Ke-Dee." Sublette County Artist's Guild, Big Mountain Press, Denver, 1963.

known as Ella Watson, Kate Maxwell or "Cattle Kate" on the Sweetwater River.

After his arrest, Beach called as witnesses John Brennan and Henry W. Devoe. Since Devoe lived at Riverside Post Office, Johnson County, Beach requested a continuance of his case to the October term of court in order that Devoe might have opportunity to appear in Beach's behalf.

In his request for continuance, Beach, though attorneys David H. Craig and M. C. Brown, stated some salient points which must have come up during testimony given in the trial.

Beach said that both he and Locker had at one time worked for the Peters & Alston Cattle Company (the Bar C as stated in the pamphlet), whose foreman was Henry W. Devoe. Beach claimed Devoe's testimony would prove his contention that he, Beach, was a hard-working cowboy who caused Devoe no trouble; that Bill Locker was just the opposite, "a very bad man" who had given Devoe many problems.

Also, according to the request for continuance, Beach was worried about Sheriff Jim Rankin's inability to locate his other witness, John Brennan.

Beach contended that Brennan could swear that Locker had asked him "for his old knife" on the morning of the shooting. When Brennan asked why he needed it, Locker had replied, "I'll have good cause to use it before the day is out."

This would help to prove, Beach claimed, that Locker had planned to assault and kill him and was also meant as a subtle threat toward Brennan himself.

That threat, if such it was, evidently had its desired effect. Sheriff Rankin noted on the subpoena that Brennan "could not be found in the territory."

Others called as witnesses and their addresses were: "Near Fort Fetterman," John Totty, Samuel Slaymaker, Frank Wolcott and O. P. Yelton. "On the Muddy," R. A. Skeene and B. B. Brooks; "At Hat 6 Ranch," Eddy Beach, James McNeily, Charles Hilton and Thomas Brennan; "At Laramie City," M. N. Grant, and, "At Riverside Post Office," James Westfall.

Of the above, Sheriff Rankin or his deputy, A. McKinsey, noted that only Totty and Yelton "could not be found."

It is perhaps significant that O. P. Yelton "could not be found." On the subpoena Yelton is identified as the "deputy district clerk" and he was instructed to appear in court "and bring with him the inquest records in the Locker case."

Yelton, evidently an elected sub-official of Carbon County, had also mysteriously disappeared, taking the inquest records with him.

It seemed that important witnesses and records were rapidly vanishing as the trial date neared. The same thing would happen three years later in the case against the six men who had lynched Jim Averell and "Cattle Kate." Again, in 1892, two men who had witnessed the murders of Nate Champion and Nick Rae at the KC Ranch would be virtually kidnapped by the cattlemen and held incommunicado until after court action against the Invaders of Johnson County was over.

The failure of Brennan, Totty and Yelton to appear in court

didn't seem to hurt Beach's defense. On October 19th, the case was given to the jury and "it didn't take them long" to hand down a verdict of "Not Guilty" signed by jury foreman S. A. Connel.

It is impossible to prove or disprove, at this late date, the charges made in this pamphlet against Frank Wolcott. We know that Wolcott was subpoenaed and that the subpoena was served. We assume that Wolcott testified. The only clue we have concerning what testimony was given is contained in the judge's instructions to the jury. This particular instruction had to do with "perjured testimony."

There is no specifications as to who might have given this perjured testimony, but the judge admonished the jurors that "any testimony you might consider as perjured, you have the right to reject the testimony." Considering that the jury took so little time to arrive at a "Not Guilty" verdict, they evidently accepted Beach's version of the shooting, i.e., that Locker had been sent to kill him and drew first.

Though the allegations in this pamphlet are not proven, they reflect the temper of the time. The repetition of charges about Wolcott being "Anglo-maniac — a lickspittle to the lordly English" is backed up by evidence of other, later writers on the subject. Even as early as 1886, Wyoming settlers and cowboys were already fed up with the absentee landlordism of the big cattle companies, particularly when the absentee landlord happened to be as far removed as England or Scotland. Other writers also corroborate the charge that Wolcott mistreated his employees and hired cheap Chinese labor.

All in all, it would not be out of hand to accept the substance of the charges made by this anonymous writer. Based on Wolcott's later behavior, it wasn't out of character for him to have done the things he was charged with here.

It was, after all, Frank Wolcott who originated the idea for the Invasion of Johnson County. It was he who told John Clay on July 4, 1891, that "there was urgent necessity for a lynching here, especially in the northern portion of the state."⁶

And it was Frank Wolcott, along with C. A. Campbell and George Baxter, who ironed out the incredible logistics of the invasion.

Later, it would be Wolcott's dubious honor to lead the expedition that precipitated the Johnson County Cattle War.

Pat Hall
Powder River Press
Cheyenne, Wyoming

4. "Carbon County Journal," October 22, 1886 issue.

5. Clay, John, "My Life on the Range," page 276.

In January, 1886, Sumner Beach killed Bill Locker, a worthless desperado, in self-defense, on the Muddy, CARBON County. Locker was armed, and had come to murder Beach. At the time of the killing, Beach was successfully holding a piece of valuable ground (complying with the law) which Major Frank Wolcott claimed, but to which he (Wolcott) had no legal right. Wolcott, a Justice of the Peace for CARBON County, bound Beach over in \$1,500 bonds, to await the action of the Grand Jury, notwithstanding the first Coroner's Jury (there appears to have been a SECOND CORONER'S JURY impeached) before whom Beach had been brought acquitted the prisoner. Wolcott is strongly suspected of having bribed two members of the SECOND CORONER'S JURY, and also the prosecuting witnesses, through whose false testimony Wolcott made it appear that there was sufficient cause to hold Beach. In May, 1886, Beach was indicted for murder in the first degree! The Grand Jury was evidently misled by perjured testimony. Beach is now (September) about to be tried for his life. Subjoined are a few chapters from Wolcott's history.

Maj. FRANK WOLCOTT,

ALIAS

THE JACK OF SPADES.

This old warrior and retired prize-fighter is the agent in America for the V. R. Land & Cattle Co. They are an English company; the owners are aliens, the company being run under the firm name of Frank Wolcott Cattle Company. The ranch is located on the Deer Creek Government Hay Reserve. The Government has several times ordered him off the reserve; but what does Wolcott care? He is backed by plenty of British gold, and can and does defy the National Government. They are not satisfied with having had the use of this reserve for their cattle, thereby enriching themselves on free America, simply by giving their Anglomaniac agent a large salary. But how they must try to steal this whole reserve and more land adjacent. This reserve is famous for its natural hay meadows, from which the Government hay contractors cut their hay for the use of Ft. Fetterman, which is only twenty-five miles away. The methods by which this English company is enabled to attempt the larceny of this land are these: Major Wolcott and his Rhode-

Island dudes and non-resident relatives each enter a desert claim apiece along Deer Creek so as to take in all water; and, as they can take a section under the Desert Act, this gang, who are non-residents (whereas the law says that only residents can take Desert claims), are mere tools for this English Co. They, through their agent, Wolcott, pay for entering this land and irrigating it, and at the end of three years they have these tools prove up on this land for them and deed it over to them for a nominal sum. Of course they will have to bribe witnesses to swear to lies to prove up on this land; but that is done every day in this Territory. After these tools deed this land over to these British capitalists, we need not be surprised if in the course of a few years the English Landlord system is inaugurated on Deer Creek. In fact, we see some signs of Landlordism on the V. R. Ranch now. Major Wolcott works Chinamen and imported Scotchmen, furnishing them feed and pay that many a white man would not take. That an American citizen should so far forget his love of country as to help the English Company steal this land is only explained in this way: Major Wolcott is an Anglomaniac—a lick-spittle to the lordly English; a man who wears knee-breeches, parts his hair in the middle, and uses a cane, and apes the manners of the English aristocracy. He refers to his being "English, you know," by virtue of his parents having been English. Although he claims to be English, he was born in Kentucky. His conversation with a visitor shows his conceited snobbishness plainly.

While Warden of the United States Penitentiary at Laramie City, Wyoming Territory, he was cruel to prisoners, several men having been beaten to death under his administration.

Wolcott is very proud of his United States Army record. He refers to the fact that "he was in several very hot engagements in the late War." He is very proud of being called Major, and insists on being called Major by his workmen. He wants it remembered that he was a Major. The fact is, his army record is not very savory—not savory, surely, for a Christian man to be proud of. While in the United States Army he got to be such an old whisky bloat that they were about to court-martial him for cowardice, when he quickly resigned. Through his acquaintance with General Crook, he was appointed United States Marshal, and it is related of him by old settlers that while Marshal he used to watch Government thieves, whisky traders, and such people; and when he would catch them in crookedness, instead of arresting them, he would compel them to pay him dearly for letting them off. Unfortunately for him, he did not treat his Deputy Marshals right, and of course they would talk about him. He used to draw \$5 a day from the Government to pay his Deputy Marshals, and would pay them only \$2.50 a day, putting the rest in his own pocket. But such was his natural fear, that he would not go any place without a large posse. Such instances show his United States Marshal record.

After this he becomes agent for this English company. He commences operations on the Deer Creek Government Hay Reserve by locating a ranch there. He was ordered off from it repeatedly; but he stayed there, ignoring the United States Government, until now he is trying to steal this land from the Government.

In the Platte River country, seven or eight miles from Wolcott's, it would naturally seem that Wolcott could have no objections to a poor and inoffensive man settling. But no; he wanted no settlers to be coming into the country at all. If one comes, he reasoned, more will follow. He wanted an unobstructed range for these Englishmen's cattle. So he watched his chance. There was a certain poor man that had fenced his hay bottom in the bend by putting a wire fence from bank to bank, to keep cattle off his meadow (for this bend was a natural hay meadow), he raised a crop of hay and cut it and stacked it near his cabin, stored his machine and things in his cabin, and went to work for wages. When he left his cabin to go to work, Major Wolcott saw his chance. He then did, or caused to be done, one of those acts that stamps a man as infamous and brutal. In this poor settler's absence, his fence was cut all to pieces; his cabin and hay and wagon and machine were burned up. When the honest settler returned, he found only the ashes of his home. He was disheartened. No wonder he left, never to return. This incident shows the methods that this Old Land Robber employs when a settler locates in his neighborhood. This man claims to be the autocrat of all the Deer Creek country, notwithstanding he has been ordered by the Land Department at Washington to take down his fences on Deer Creek. After he had been notified twice, he was finally told that, if he did not take down his fences within a given time, they would send a squad of soldiers to take them down. But through his Jesuitical cunning and the influence of powerful friends, he was allowed to leave his fences stand. So this autocrat, that claims all the land from Deer Creek Canyon to near the mouth of the creek and east as far as Dry Creek, notwithstanding he had orders repeatedly to take down his fences and give the settler free access to Deer Creek; notwithstanding he had orders several times to do so, he finally beat the Government and the settler by the free use of British gold. The idea that an English cattle company could beat this proud Government and the honest settler must be a very humiliating thing of which to think, surely, in this land of boasted liberty. We must regret that there is too much liberty for alien capitalists to gobble up the free land reserved for the honest settler. Truly, that Desert Act is one of the most gigantic swindles that has ever been perpetrated on a confiding Nation. By it aliens are every year acquiring large tracts of land in our theoretically free America.

Beach and Brannan, two young men who used to work for Major Wolcott, and ate his salt bacon and blue bull elk meat, were both on the lookout for some land to take up, and while working for him they saw a

place known as the Willows, about four and a half miles from Wolcott's. The place comprised about a section of fine land. Three creeks rise there, their source being about a dozen springs of pure, clear cold water, with adjacent shady trees, which were fine timber. What was not thickly timbered land was natural hay (or meadow) land. In fact, Mr. George Powell and other Government hay contractors obtained their hay there. Well, these two young men determined to select their claims there. When Wolcott heard that they intended to take the claims he told them that he owned that land, and all the land from Deer Creek Canyon clear to Dry Creek, and the Government Hay Reserve "he was going to buy from the Government." The young men laughed in his face when he told them he had bought it all from the Government. They knew that the Government had never been in the habit of selling such large tracts of land to one man; but Wolcott said he could show them the receipt from the Government for money paid for it. The young men knew he was trying to scare them out, and as they could see no improvements on the land, they knew it was not entered. Beach quit Wolcott's employ before he took up the land, but Brannan was not so fortunate in quitting and getting an honorable settlement from W. When W. found out that the young men were really going to take their claims, he began to persecute them all he could. Brannan had no team; Beach had a team, and bought a wagon, and they went to building their cabins. Wolcott said about Beach: "He has got lots of cheek to go off and get an old team and then come and steal my land. I will fix him. I'll make it cost him all he is worth, and more, too." Beach kept at the preliminary work of cutting house-logs. One evening, while Beach was alone at the Willows, Tom King, a man who is known as a trusted tool of Wolcott's, came to his (Beach's) camp and stopped over night. That he had been sent by Major Wolcott, no one could doubt. He tried to frighten Beach from taking the land by this kind of talk: "Why," he said, "this place ain't worth anything. Why don't you come down to the mouth of Deer Creek and take a claim? This claim ain't worth bothering with. Major Wolcott will make it cost you more than it is worth, and finally beat you out of it," and all such like talk designed to discourage Beach. But Beach told him he was going to stay with it. So King changed his tactics a little. He said to Beach: "There is no use of you trying to hold this place. There are more ways than one to get a man off a place. I was working for a cattleman once in Kansas, and he had a horse camp seven miles from his home ranch. It was a fine place. He had no papers for it. So one day there was a settler came along and squatted and commenced to build him a cabin. He built a cabin and fenced a field and plowed it up. He was told to leave, but he would not. So we determined to put up a job and scare him out of the country. A few days after it happened, as we were riding up the creek near his house, that we found a beef-head and the entrails of a fresh-killed beef. Then we began

to look around for the hide. We looked on the plowed ground and found a place where the subsoil had been thrown up. So we dug there, and found a hide with a brand of the man for whom we were working on it. That was what we wanted. We accused him of killing a beef of ours, and we had him scared up, you bet. He begged to be let off, saying that he did not do it. But we told him we would give him twenty-four hours to get out of the country. You bet he got. That is the way we got rid of that — — —. If you stay on this place Wolcott will make it hot for you." Beach now says this was told to him by King, and will swear to it. Beach says, furthermore, that, as he was determined to stay with the place, he would tell all his friends about the hint King had made to him, and that he did so, fearing that some such plot would be put up on him and Brannan. As Beach and Brannan's minds were set on securing those claims, Major Wolcott again changed his tactics. He came up to the Willows with his gang and a compass with which to survey those claims that Beach and Brannan had taken. Right here let us call the attention of the reader to this fact: Had Wolcott, as he at first claimed, bought this land or entered it—even as desert land—would he not have had the *numbers* of the tract on his plots, and receipts for entry fees from the Government? That he had a *plot* of all that Deer Creek country prior to this, is well known. Why did he spend three days with a compass in surveying this land? The facts are plain: Neither he nor any of his gang of dudes had yet bought or entered this land, as he said had been done. But what did he do after he found out the *numbers* of this land? He sent Tom King on horseback immediately to Cheyenne, with secret dispatches to the Register and Receiver. Wolcott bribed them to enter this land for his company, and to date his entry way ahead of Beach and Brannan's settlement. This method has been worked before in this Territory by these Cattle Barons.

We will now notice the case of the Swan Land and Cattle Company, an alien company (Scotch) who are trying to steal all the land in the Little Medicine Bow country and in Bates Hole, clear to the Platte river. Their methods are the same as Wolcott's. There was a man by the name of Reid who came in on some fine, watered land within fifteen miles of one of Swan's ranches. He went to work and built a fine hewed log house and barn. While he was building them he went to Cheyenne to enter the land; but Swan's company had spies out, and got ahead of him and entered it. The consequence was that Mr. Reid had to leave his fine improvements, not even daring to remove his buildings, at the behest of this foreign corporation. This method has been pursued by this company in other cases, viz., by setting spies on a settler's movements, and if they can't get ahead of him that way they can bribe the Register and Receiver to date their entry ahead of the settler's. Money will do anything. This Desert Land law has ruined this Territory already. It is the biggest robbing scheme that was ever launched.

When Beach and Brannan went to Cheyenne, three weeks after settling, they found Wolcott's gang's entry way ahead of their settlement; but they still expressed themselves as determined to stay on the land, Wolcott in the mean time making threats against them. He said: "I'll take my shotgun to those fellows;" "I'll fence them in so they can't get out." "The low-down outfit, they will starve to death." "I'll fix them: I'll starve them to death; I'll fix it in this country so they can't get any work." Meaning to have them blackballed by the Stock Association, which is supreme in this territory over Territorial and National law. He would not permit those two young men to have their mail until they went with their rifles to get it or fight. Notwithstanding Wolcott was Postmaster, and Deer Creek was a public post-office, he ordered them not to come down the Government hay road through the reserve or through his fences. He also ordered them not to come over the Deer Creek bridges. He entered suit against Beach and Brannan and each separate and combined for \$500 apiece damages. He stopped men in the road near his ranch and told them not to have anything to do with Beach and Brannan, as "they were a low-down set." Their only crime was their poverty, made so by Major Wolcott's persecution. Major Wolcott kept up this persecution, trying to get trouble out of them, until he beat Brannan on his contest trial by bribing more witnesses than Brannan could muster. So then, Brannan went down on Little Deer Creek and entered a quarter section. He got his papers on it from the Land Office at Cheyenne, and then went to cutting house-logs to build his cabin on it. After he got his logs cut, he hired Jim Hilton to haul them to his claim for him. Mind you, now, Major Wolcott did not get ahead and get papers on THIS place, but when Hilton and Brannan went to hauling the house timbers on to it, old Wolcott came charging upon them, and said to Brannan: "I'll kill you if you don't leave this place," and repeated it twice in the presence of Jim Hilton. Tom Brannan started immediately to Slaymaker's, the nearest Justice to Wolcott's. He saw Slaymaker, but as Slaymaker was a lickspittle to Wolcott, he would do nothing. In Brannan's absence Wolcott marshalled his coolies and hauled Brannan's house-logs off and threw them into Deer Creek. And still cattlemen say they hinder no settler from taking land near them. About this time Wolcott conceived of a scheme whereby he would have the law on the Beach and Brannan boys. In the Fall he held an election on his ranch; no living soul outside of his own gang knew a thing of the election at the time, nor did they know it until the next Spring. He held an election at his ranch, and had his men vote for him for Justice of the Peace and Tom King for Constable. Let us see how large his precinct was. That he got to be Justice just so he could have the law on the Beach and Brannan boys, is patent. There is no ranch in his precinct besides the S. O. ranch except the Beach and Brannan ranches at the Willows. The settlements on the Muddy are in Carbon county. Slaymaker is Justice

of the Peace in the Fetterman precinct. Wolcott wished to get the boys in some difficulty and get them bound over or immediately shot. That is shown on the face of the facts. After he became Justice of the Peace he ordered them not to cross his bridges nor to come through his fences; nor would he let them have their daily mail, to pick a fuss out of them. The S. O. Ranch then ran only about five men. This was in the Fall of 1884. In the Summer of 1885 he threatened Tom Brannan (Beach's partner).

Such wholesale bribery on the land cases of which Wolcott was guilty was never before seen. George Powell and other old-timers swore to the fact that they had seen hay crops grown repeatedly on the main Willows claim.

Beach's claim is not yet decided at the Land Office; but in the interval let us see what kind of a game Wolcott played on Beach to beat him. Beach had in the Summer of 1885 been away from his place, working. Residence is not required on claims while being contested. What does Wolcott do but find out how many witnesses Beach had on his contest, and run in more (bribed) witnesses than Beach had, or tried to have, as no one can foresee the result of moneyed influence on such trials. The case has not been decided as yet. Beach came back in the neighborhood of his claim in the Fall, thereby showing that he was not scared out of the country. But we are anticipating a little. The C outfit that Beach was working for was at Rock Creek in Oct., 1885, shipping beef. Beach wanted to quit cooking; so the wagon boss went to Laramie and hired a cook. Who was this cook? He was Bill Locker, or Bill Smith, or Utah Bill. Bill Locker, or Utah Bill, was an outlaw, having been run out of Utah for his connection with the Porter gang. The Porter gang was a band of robbers and murderers. Utah Bill was known by parties in Wyoming as having been in that gang. He cooked two months, and got in with Beach, and made a good talk to come down near his place and live with him and his brother in the Winter of 1885-6. By his talk, he was acquainted with Wolcott; knew all the circumstances of Beach's land contest; had heard that Wolcott had threatened to shoot Beach and Brannan if they did not leave the land, and said to other men in the C outfit that he would go down and live with Beach this Winter, and he would go and see Wolcott, and that if he could make a bargain with Wolcott he would run Beach out of the country or he would kill him. At the time Beach and Locker left C ranch, Beach had not known that Locker had made this talk to the C boys, as circumstances were such that he did not get to see the C boys before he left, as he was away from the ranch for a day or so. Locker came down with Beach and was stopping with him. Beach went to Fetterman after provisions. Shortly after, they arrived at John Brannan's cabin. While in Fetterman he received a letter from one of the C boys telling him what Locker had said, and warning him against Locker. This put him down on Locker as being an unprincipled man. Other talk that Locker had made con-

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firmed his belief that Locker was an unprincipled man. Beach and his brother, Eddy Beach, soon got tired of Locker's officiousness. They told him to leave. Ed. Beach and John Brannan, while at the former's cabin, and before they went over to the latter's cabin to work a while, told S. Beach that Locker had been making threats to beat him to death. The former then left, leaving S. Beach and Locker alone together. That morning S. Beach told Locker, in a kindly way, to leave. He left, but afterward returned and stayed for about ten days. S. Beach told him to leave again. Locker flew into a passion, and threatened to beat his brains out if he said a word about him. Beach had to take it, as Locker was armed and ready for him, and would have killed him if he resented the insults Locker heaped upon him. Locker then left, threatening that he would get even with the outfit. The next morning, as Beach was grubbing sage-brush, he looked up and saw Locker coming from the direction of Wolcott's. Beach went to the cabin, as he was unarmed, fearing an attack from Locker in an open field. Locker came directly toward the cabin. Beach thought and knew that Locker was coming to attack him. So he left the cabin, to get rid of having any trouble with him, thinking it was sufficient that he walked around Locker, believing that Locker would not make any break on him with a rifle in his hands. The moment Beach was opposite him, he called to Beach, saying: "Here, I've got something to settle with you!" at the same time putting his hand on his pistol in front of him. Beach shot him before he went further with his break, then went and gave himself up to the Deputy Sheriff at Ft. Fetterman. Then Wolcott turned his dogs of wrath loose. He demanded the prisoner to be brought before him, notwithstanding he was then in Fetterman precinct, and the killing was done in Carbon County, Wolcott being in Albany County (which he knew), but he wanted a whack at Beach. What else did he get elected Justice of the Peace for? Beach was brought before him after all the witnesses had been examined. He and Slaymaker were officiating. Beach told his story, which coincided with what the witnesses said; but in the interval between Beach's arrival and the commencing of his testimony, what does Wolcott do but send for a sneaking neighbor of Beach's, who had already given in his testimony, which was favorable to Beach; and, having sent a trusted man after him, could he not, and did he not, have him posted to throw some doubt on the case? For which, Wolcott claimed, he had Beach bound over. Who was this trusted man that he sent after this sneaking witness? It was Bill Wilson, one of the Coroner's Jury. What about him was needful except to throw doubt on the case (being bribed, of course), that he, Wolcott, should send one of the Coroner's Jury after him, thereby delaying the proceedings of the case until 1 o'clock in the night? But let us see if this Bill Wilson was bribed to work against Beach. When the Jury was paneled Bill Wilson told one of the Jury, Lew Stober, that the best thing they could do with Beach was to bind

hin. over. Mind you, before a word of evidence was heard on the case. Does this not show there was bribery going on? But in the Coroner's proceedings there were six jurymen on the Jury; four of them were for a justifiable verdict. The Jury was composed of three of Wolcott's men and three outsiders. The two McIntosh boys and Bill Wilson were on Wolcott's side, and in the deliberations the three outsiders would not give in to have Beach bound over, so one of the McIntosh boys got disgusted, and said: "I will come over on the side that finds Beach justified; there are other places in this county to work at besides Major Wolcott's." He signed the justification side, and quit work for Wolcott next morning. But while they were deliberating, Major Wolcott was listening on the outside of the jury-room, he fearing that they would all come over to acquit Beach. He rushes up to the door and opens it, and says: "I'll give you five minutes to come to a decision, or get off from my ranch!" That scared them off; they came to a sealed division, that is, four for acquittal and two for holding over to the Grand Jury. Wolcott was running the whole proceedings; bull-headed tyrant as he is, he excluded Beach from the room while taking Skene's second statement—which he had no right to do. The whole proceedings showed a persecuting spirit. Wolcott, before he had heard Beach's statement, said: "I will send him before the District Court. Beach told him the shooting did not occur in his precinct, nor in Albany County; but Wolcott ignored that, saying: "This happened in my precinct." (The shooting took place at Ed. Beach's cabin, on the Muddy, Carbon County). Beach was sent to Laramie, but was turned over to the Carbon County authorities. Wolcott sent the proceedings of the Coroner's Jury to the officials in Rawlins. Wolcott was the one that put down the proceedings of the Coroner's Jury, and he showed a murderous spirit by not putting it down correctly, by leaving sentences unfinished, and putting in a few words more in some sentences. That he could do that is in keeping with the persecuting spirit with which he treated Beach. There were men at the Coroner's inquest who heard every word, and who have seen a copy of the proceedings, and say there are additions and incompleteness to the testimony of the witnesses and also of the defendant. Beach had a hearing before a Justice of the Peace having the Coroner's Jury proceedings before him, the Prosecuting Attorney appearing for the prosecution. The Justice said: "We can't hold Mr. Beach on the charge of murder. The County Attorney then charged him with manslaughter, remarking: "We have nothing to hold Mr. Beach on except letters from private parties up in his neighborhood." Of course the letters were from Major Wolcott and his hirelings. Beach was bound over in the sum of \$1,500. He could not give bail, so he lay in jail. This gave Major Wolcott plenty of time to work his scheme to get Beach indicted for murder in the first degree! Now, what evidence did he run in on the Grand Jury to get such an indictment? It is patent that he had the prosecuting witnesses swear to

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lies before the Grand Jury. Beach is now lying in jail waiting for his trial, while Wolcott is making his brags that he is going to have him hanged. It is patent to every one that knows Wolcott's methods that he had this Locker try to scare Beach out of the country. Locker, while stopping with the Beaches, was seen several times toward Wolcott's ranch. That he was away from the cabin several days all day, is well known by the Beach boys and by J. Brannan; that he claimed to know Wolcott; that he claimed Wolcott would run Beach and Brannan out of the country; finally, as is well known, Locker, while staying at Beach's, talked so much about being a bad man that Beach became disgusted with him. He was lazy, lousy, trifling, quarrelsome, mean and unprincipled. He also one day claimed he would go to work for Wolcott in the Spring. As Locker did not succeed, and as Beach killed him when he made a break at him, Major Wolcott, to cover up his villiany, is now trying to get Beach hanged. Such are the methods of those Land Grabbing Cattle Barons. It makes a free citizen of America's blood boil to see such things carried on in the interest of a foreign corporation and against a free-born American; and in no place so well as in Wyoming Territory could such diabolical plotting succeed, because all the cattlemen belong to the Stock Association. Their tool is money; money is all-powerful. They all work against the settler; if not openly, they do it secretly by bribing lawyers and witnesses. The country is already ruined; for a small settler dare not brand his own calf until the Stock Association gives him permission.

NOTES.

NOTE 1.—Wolcott is called the Jack of Spades. He was a prize-fighter at first, and later was a small-caliber politician; pretended to be a great ladies' man, to get the women's vote. This was eight or nine years ago.

This Desert Land Act is the biggest robbing scheme that any set of men ever lobbied through Congress, enabling as it does the members of the Stock Association to legally (?) steal large tracts of land on all the creeks in this Territory, because they take only the best land first; but they will take the rest as soon as they secure all the watered land. The plans of the Stock Association involve a gigantic conspiracy to steal the whole Territory. One of its members, like Wolcott, not only has plenty of foreign gold to back him, but he has the Stock Association at his back. Such barefaced lies as were sworn to on the Beach-V. R. Co.'s contest case were marvelous in the extreme. It is a well-known fact by all the men that ever saw the land at the Willows that it is the

antipodes of *Desert Land*. If there ever was a plain case of subornation of witnesses, it is in this case, where Wolcott had *seven or eight* persons swear to lies concerning this land; and, as no one loves Wolcott, it may be depended on that they were well paid for doing the lying.

NOTE 2.—In the face of the fact that Wolcott was ordered off that Reservation by the Land Department, he has had the audacity to claim that he was an agent appointed by the Government to take care of the Reserve, thereby scaring settlers off the Reserve. The fact is, that there is a lot of very smart lawyers and wire-pullers in this Territory that are ever ready to hire to those big cattlemen to help them prove up on their land, and ever ready to terrorize, or even kill, an obnoxious settler. They make big money by it.

NOTE 3.—If any more proof is needed that Slaymaker is a tool of Wolcott's, this instance will convince any of the skeptical: When Beach and Brannan hired Stanton as their lawyer to see their land cases through, Wolcott told Slaymaker that the best means by which he could beat these boys on their land cases would be to hire Stanton to betray their interests, but that he did not want Stanton to make anything out of him. This shows beyond a doubt that Slaymaker and Wolcott are birds of a feather. A nice, honest Land Commissioner is Slaymaker! This also shows that Wolcott's great *forte* is bribery.

NOTE 4.—A. Curtis Tingly is the dude's name that Wolcott had Beach's claim entered under as a Desert claim.

NOTE 5.—Wolcott pretends that he has only taken an interest in this case because he wants to stop this shooting at Fort Fetterman. This case has nothing to do with the town of Fetterman, where he says no one but thieves and murderers live. This affair has the merit of not having been a drunken row, as it occurred 35 miles from Fetterman, on a ranch. The shooting was done by a peaceable man, who never had a bit of trouble in this Territory before. It is a pity that the Prosecuting Attorney and the tax-payers of Carbon County should be made the tools of Wolcott in this affair—when everything goes to show that the shooting was justifiable. The Prosecuting Attorney has no doubt been misled by some false representations from Wolcott and from his tools, and is not greatly to blame. But, as the Prosecuting Attorney is not acquainted with the Wolcott gang, he accepts their story no doubt in good faith. Whereas, we feel that if he knew Wolcott's real character, he would not be made such a tool of.

NOTE 6.—The use to which Wolcott puts Slaymaker, in having him appointed Land Commissioner, shows that Slaymaker is a tool of his. He has "seen" Slaymaker, and S. would not decide any land business against Wolcott.

NOTE 7.—There was a suit brought against Wolcott by Thomas Alsop, administrator of the estate of one Eastman. Eastman was a cattleman that died, and Alsop was appointed administrator of the estate. This was at Laramie City. Wolcott had charge of the cattle, and when Alsop came to settle up the estate, the cattle could not be found. Alsop sued Wolcott for appropriating the property, and it was proved on the trial that Wolcott and his gang had run the cattle to Colorado and sold them. The jury awarded Alsop \$25,000 judgment against Wolcott, at Laramie City. Wolcott was not satisfied; so he took a change of venue to Rawlins, and on the trial there the jury awarded Alsop \$27,000, more by \$2,000 than in the Laramie court. It remains to be seen if the people will again give him the same kind of a reception in his schemes. Wolcott is a thief. We might cite a thousand instances in which he had beat his workmen out of part of their pay, to prove it. Wolcott had to pay the \$27,000.

NOTE 8.—It was while Wolcott was United States Marshal that he embezzled money—something under \$100,000. The Government was at law with him for three or four years about it. Of course his Government service terminated then; but now he has turned traitor, and is in the English service.

NOTE 9.—Slaymaker, true to My Lord, is trying to explain away Wolcott's tyranny with his suave smile and honeyed accent, saying it is a pity that any blame should be laid on Major Wolcott for his treatment of Beach. It is true that some honest people may think that, from his talk, Wolcott only acted in a magisterial capacity, without any undue mixture of a feeling of revenge. But the facts in the case show otherwise.

NOTE 10.—Having bribed witnesses to swear to lies to beat Tom Brannan on his contest; jumped John Brannan's claim, and swore to more lies to do it; having threatened to kill Brannan if he did not get off *another* place; having torn Brannan's cabin down and hauled his logs off and thrown them into Deer Creek—is it not very probable to an unprejudiced man that he did hire this man Locker to try to run Beach out of the country, as we claim everything goes to show?

NOTE 11.—His contempt for local laws. He has been repeatedly fined for assault in Laramie City, but he always appealed it to the Supreme Court, and beat the city. So mean a master is he, that he won't retain a man in his service that is not afraid of him. He has the old military discipline about him, and he will thump or kick a man if he doesn't like him. His own wife is afraid of him. He had at one time a man and wife working on his ranch for him, and he did not like the man because he was not afraid of him. About that time, when they were at outs, the poor man's child was sick at Wolcott's, and finally died. The

man wanted a team to bury his child. Wolcott would not let him have one, and abused him and drove him and his wife off the ranch. This man, Hellringer by name, afterward met Wolcott in Laramie City and gave him a terrible beating, kicking his neck and pulling his eye out of his head for him, and would have killed him if it had not been for the bystanders. Wolcott wanted him arrested for attempt to murder, although it was a fair fight; but he got away. After his fight with Hellringer. Wolcott said he would never fight a fist-fight with any one again; and since that occurrence has most of the time carried two bulldog revolvers, notwithstanding he is always shooting his mouth off about men that carry revolvers. This is the man of whom we write; and we are not compelled to sign our name to this history, as we are not the author of any of the inserted incidents which refer to him. We are just simply representing what is said of him by his neighbors and acquaintances, in the camps and on the ranches all over Wyoming. He is known as the meanest man alive in this world.

NOTE 12.—In their methods of obstructing settlers the cattlemen have the aid of the surveyors. A surveyor is bribed to give a settler the wrong description of his claim. Several settlers near the Deer Creek country have been located by the surveyor on some rocky mountain five miles from the place which they wanted. This Territory is honeycombed by the corruption and bribery of the leading cattlemen. It is a notorious fact that every Special Agent of the Land Department that is sent here to investigate frauds is wined and dined, and finally bribed not to unearth the big steals.

NOTE 13.—Wolcott is without real friends in his own neighborhood. In the Spring of 1885 he had some fine, blooded cattle that were dying for lack of hay to eat. The S. O. ranch had seventy-five tons of hay, twelve miles from Wolcott's. He went there to buy some. They hated him. They said: "\$50 a ton." W. was angry. He said: "They will be out of hay themselves some time, and then they will want some hay from me, and it will be \$150 a ton." He wanted some fresh meat one time; so he sent a man to George Powell's to buy a mutton. Powell said: "\$8." Wolcott was angry. The standard price for mutton in this part of the country is \$4. Wolcott and his wife got stuck in a snow-drift on the Rock Creek road. He went to a ranch to get a team to pull him out. The ranchman said: "\$5 in advance." The man said he would not pull him out at all if it were not for his wife. Almost every ranchman on the Rock Creek road says Wolcott owes for feed and goods, and that he won't pay. The ranchmen will not trust him for a nickle's worth of anything.

NOTE 14.—Notice the jumping of John Brannan's claim by the Wolcott gang. John Brannan took a claim near the Willows in the Autumn of 1884. He received his papers from the Land Office all right. It transpired that Wolcott did not know that John Brannan had taken a

claim at the time at which he (Wolcott) came to the Willows to survey the claims. The consequence was that Wolcott did not get ahead of John Brannan in securing the proper papers. John Brannan had obtained his papers that Fall, and lived on his place every day that Autumn and Winter; but Wolcott, true to his obstruction policy in regard to settlers, jumped John Brannan's claim, after he had built a cabin on it and fenced half of it. Of course Wolcott had to have witnesses at the Land Office to swear to the Desert character of the land, and also that there was no one living on the place at the time. This is no difficult thing for a moneyed man to accomplish. But to civilized people it smacks of bribery and the most rotten kind of corruption. This claim of 80 acres was half pure meadow-land, with springs, streams of water, and some timber on it. Subornation of witnesses is little better than perjury, and hardly in accord with the strict religious professions of Wolcott, who is so hypocritical as to ask blessings at his meals.

NOTE 15.—Wolcott has a great antipathy to Fort Fetterman. What is the reason? Wolcott had been so mean to his men for such a long time that every one got "down on" him. But one day he visited Fort Fetterman, and there was a mob organized to summarily dispose of him. They went over to the store yelling for him. When he saw and heard them, he ran and jumped into his buggy and drove for dear life. He now tells his cronies to keep away from Fort Fetterman, as they will murder them in that town.

NOTE 16.—The scheme which this English Cattle Company has adopted to effect the larceny of this land is as follows: Major Wolcott and another Anglomaniac have a Desert claim apiece, and the rest of the land from Deer Creek Canyon nearly to the mouth, embracing a tract of land ten miles square, is entered for this English Company by a lot of Wolcott's Rhode Island dudes and relatives, including his wife's uncles, nephews and cousins. The gang that have illegally seized all this fine land for the English Company are simply stools, the Company merely paying the fees for the entry of the land, and proposes to pay the remaining-principal. Then the gang, after they have "proved up" on the claims by bribing witnesses with British gold to swear to lies before the officials of the Land Office, will sign this same land over to those British capitalists. Wolcott does not want any immigrants to come in there. He is afraid that they will discover his big steals.

NOTE 17.—Toward the close of his Wardenship of the Government Penitentiary at Laramie City, Major Wolcott was discovered to be a defaulter. In keeping with his reputation as a cheat, he failed in business once, and took advantage of the Bankrupt law to save what he had. The herein related facts with reference to Wolcott indicate that he would shoot, or hire some one to shoot, a man to get him off a place he wanted.

His past record as an arrant knave and a tyrant shows that he would form any possible plot to further his aims.

"Wherefore, putting away lying, speak every man truth with his neighbor; for we are members one of another."—*St. Paul, in Ephesians, chapter iv, vers 25.*

For little souls on little shifts rely,
And coward arts of mean expedients try;
The noble mind will dare do anything but lie.

—*Dryden.*

WYOMING, September, 1886.

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