TOUGH TOWNS

True Tales from the Gritty Streets of the Old West

ROBERT BARR SMITH

TOUGH TOWNS

TOUGH TOWNS

True Tales from the Gritty Streets of the Old West

ROBERT BARR SMITH

TWODOT®
GUILFORD, CONNECTICUT
HELENA, MONTANA
AN IMPRINT OF THE GLOBE PEQUOT PRESS

A · TWODOT® · BOOK

Text design by Lisa Reneson
Map by Melissa Baker © Morris Book Publishing, LLC

Library of Congress Cataloging-in-Publication Data
Smith, Robert B. (Robert Barr), 1933-
Tough towns : true tales from the gritty streets of the Old West /
Robert Barr Smith. — 1st ed.
p. cm.
Includes bibliographical references and index.
ISBN-13: 978-0-7627-4004-8
ISBN-10: 0-7627-4004-3
1. West (U.S.)—History—1860-1890. 2. West (U.S.)—History, Local.
3. Vigilantes—West (U.S.)—History—19th century. 4. Outlaws—West
(U.S.)—History—19th century. 5. Law enforcement—West (U.S.)—
History—19th century. 6. Frontier and pioneer life—West (U.S.) I. Title.
F594.S655 2007
978.4'04—dc22
2006029789

Manufactured in the United States of America
First Edition/First Printing

CONTENTS

ACKNOWLEDGMENTS

Nobody writes alone. I owe thanks to a great many people, most especially including my patient wife; my excellent editor, Mr. Patrick Straub; Ms. Dawn Tomlins, The University of Oklahoma College of Law, Norman, Oklahoma; Dr. John Lovett, The Western History Library, The University of Oklahoma, Norman; Ms. Lisa Bowles, The University of Oklahoma College of Law Library, Norman; and Mr. Gregory Lalire, editor, *Wild West*.

I have listed below all of the other kind people who gave of their time and wisdom to help me—all those, at least, whom I can call to mind. If I have omitted anybody, the omission was inadvertent, and I much regret it.

Ms. Phyllis Adams, Oklahoma Historical Society Research Division, Newspapers, Oklahoma City, Oklahoma

Ms. Sharon Brock, Western Manuscript Collection, The University of Missouri-Columbia

Mr. Jim Chipman, Staff Archivist, Colorado State Archives, Denver

Ms. Letha M. Clark, The Johnston County Historical Society, Tishomingo, Oklahoma

Mr. Richard W. Crawford, Preservation Specialist, Special Collections, The San Diego Public Library

Ms. Barbara Dey, Reference Librarian, Stephen H. Hart Library of the Colorado Historical Society, Denver

Ms. Ardis Douglas, Curator, The Rio Blanco Historical Society, White River Museum, Meeker, Colorado

Mr. Dan Felsenthal, Education Coordinator, The Gregg County Historical Museum, Longview, Texas

The *Fort Worth Star-Telegram,* Fort Worth, Texas, especially Pat

Mr. Harold Dean Garrison, Mill Creek, Oklahoma

Mr. Steven B. Guy and Mr. Herman Thompson, the *Morris News,* Morris, Oklahoma

Ms. Jo-Ann Palmer, Secretary, Sutton County Historical Society, Sonora, Texas

Mr. Chuck Parsons, Luling, Texas

Mr. Jack Penner and Ms. Roberta Penner, Mill Creek, Oklahoma

Ms. Ramona Rand-Caplan, The University of New Mexico

Mr. John Russell, *Wisconsin Lore & Legends,* Menomonie, Wisconsin

Ms. Lois Schultz, Menomonie, Wisconsin

Ms. Judy Shofner, Librarian, The Texas Ranger Hall of Fame and Museum, Waco

Ms. Jeanie Streets, the *Rocky Mountain News* Library, Denver

Mr. Jim Wetzel, The Delta Museum, Delta Colorado

PREFACE

This is a book about good men and bad men, upright citizens and vicious outlaws in the American West. It's a collection of true tales about towns that fought back when criminals tried to push them around. Sometimes the fighting was done by lawmen, but frequently many or all of the defenders were ordinary people. This book is mostly about them, and how they stood up against the toughest outlaws in the West.

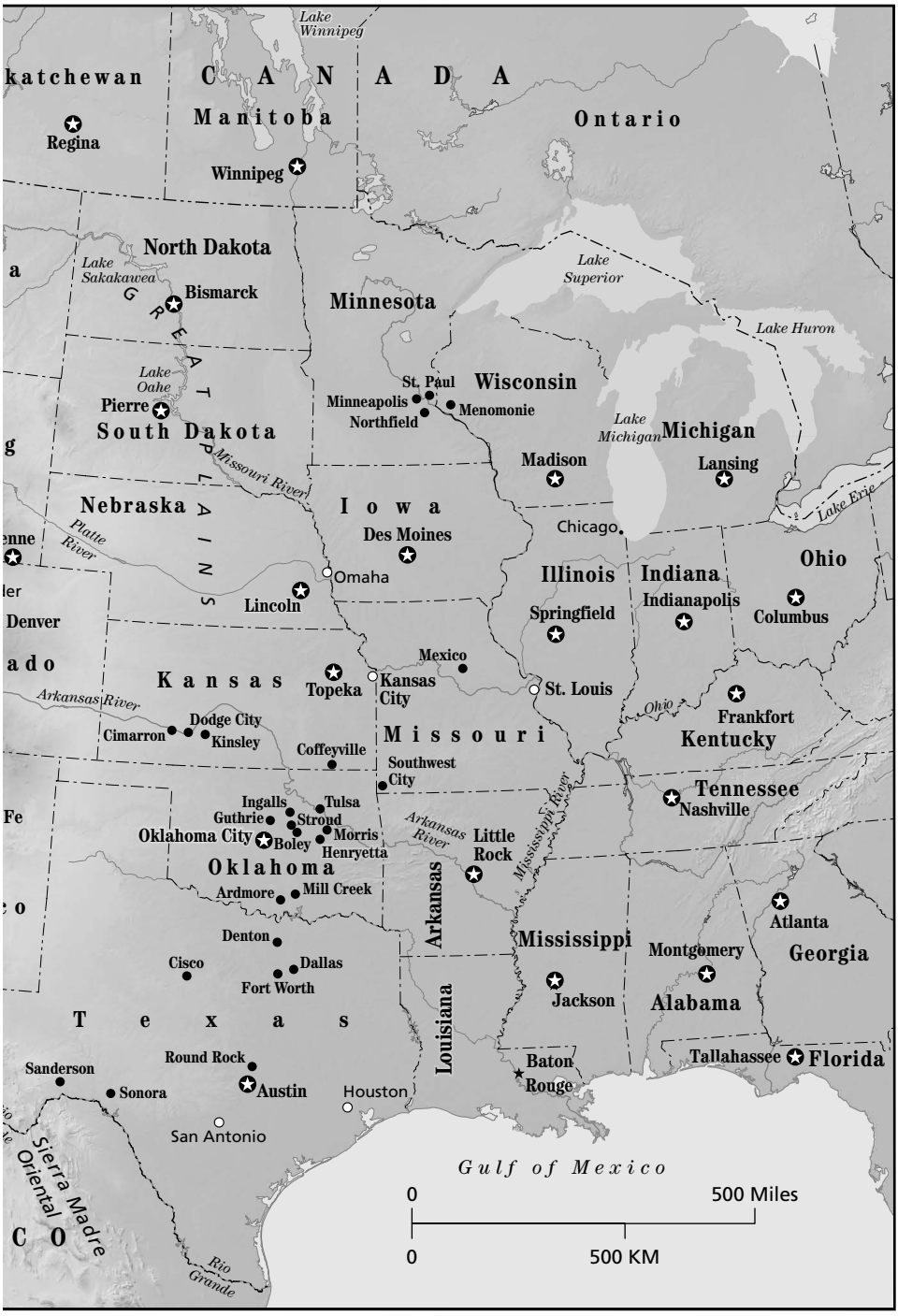
Most Hollywood movies about the West are moonshine, fun, and good entertainment, but historical nonsense. Occasionally somebody makes a good western: Clint Eastwood's *Unforgiven* is such a film. But generally, although Hollywood may prate about historical accuracy, moviemakers pay no attention to it.

The Great Northfield Minnesota Raid, for example, is an exciting tale about the James–Younger Gang's last great raid. It's fine entertainment, but it ignores readily available historical fact. Instead of portraying the citizens of Northfield for what they were—tough, brave, and enduring—Hollywood chose to cast them as venal and cowardly. Nothing much has changed in Hollywood since the first movie about the James boys, which starred Tyrone Power and Henry Fonda and made the brothers out to be good boys driven to outlawry, instead of the hoodlums they were.

One of the worst films in terms of accuracy is the much praised, well-acted *High Noon,* in which the citizens of a little western town abandon their lawman, turning their backs on him in his hour of need and forcing him to face a band of killers alone. In fact, western men and women were not generally that craven and pathetic, as the stories in this book will tell. In town after town, the ordinary people who lived there were willing to step up and defend their homes, help their local peace officers, and lay their lives on the line against heavily armed bullies. Some of them died fighting for their town and their neighbors.

They were, in the words of the Bard, "warriors for the working day," who fought against evil and then went back to their stores and farms and families. This book is dedicated to their memory.


Pacific
Ocean
N
W
E
S
Vancouver Island
Victoria
Vancouver
British Columbia
Calgary
Alberta
Olympic Mts.
Seattle
Olympia
Columbia River
Spokane
Washington
Portland
Vancouver
Columbia River
Salem
Missouri River
Helena
Montan
Oregon
ROCKY MOUNTAINS
Idaho
Boise
Snake River
Wyomin
Great Salt Lake
Sacramento
Carson City
Salt Lake City
Cheyc
Oakland
San Francisco
Nevada
Meeker
Boulc
Utah
Delta
Color
Gunnison
Telluride
Mojave
Death Valley
Desert
California
Colorado River
Los Angeles
Channel Islands
Arizona
Rio Puerco
Santa
New
Mexic
San Diego
Campo
Mexicali
Phoenix
Rio Grande
Baja California
Hermosillo
Guadalupe
Golfo de California
Sierra Madre Occidental
Chihuahua
MEXI
Tough Town Location
Capital
Town


Lake Winnipeg
katchewan
C A N A D A
Manitoba
Ontario
Regina
Winnipeg
North Dakota
Lake Sakakawea
Bismarck
Minnesota
Lake Superior
Lake Huron
G R E A T P L A I N S
Lake Oahe
Pierre
South Dakota
St. Paul
Wisconsin
Minneapolis
Menomonie
Northfield
Lake Michigan
Michigan
Madison
Lansing
Missouri River
Nebraska
I o w a
Des Moines
Chicago
Lake Erie
Platte River
Omaha
Illinois
Indiana
Ohio
Lincoln
Indianapolis
Columbus
Denver
Springfield
Mexico
Kansas
Topeka
Kansas City
St. Louis
Arkansas River
Ohio
Frankfort
Kentucky
Dodge City
Cimarron
Kinsley
Missouri
Coffeyville
Southwest City
Tennessee
Nashville
Ingalls
Tulsa
Guthrie
Stroud
Arkansas River
Mississippi River
Oklahoma City
Boley
Morris
Henryetta
Little Rock
Oklahoma
Ardmore
Mill Creek
Atlanta
Denton
Arkansas
Mississippi
Montgomery
Georgia
Cisco
Dallas
Fort Worth
Jackson
Alabama
T e x a s
Louisiana
Round Rock
Baton Rouge
Tallahassee
Florida
Sanderson
Sonora
Austin
Houston
San Antonio
Gulf of Mexico
Sierra Madre Oriental
Rio Grande
0
500 Miles
0
500 KM

TUESDAY AFTERNOON IN MEEKER

The Wrong Town

Thus was justice meted out to three bold bandits who struck the wrong town in which to ply their villainous trade.

THUS SPAKE THE *Meeker* (Colorado) *Herald,* and it was so.

October in highland Colorado is a pretty season, cool and pleasant and colorful. So it was in the little Rio Blanco town of Meeker late in October of 1896. It was a good time to be alive. It was also a good time for a holdup, or so thought hard case Jim Shirley. He had his eye on the busy Meeker bank, which was part of a well-known local emporium called the J. W. Hugus and Company General Store. The bank was located inside the store building and was accessible through several different doors. It looked like a robber's dream.

Shirley was between forty and fifty years old, and he had been around. He had obviously thought a lot about the details of this raid, and he had done a good deal of planning and preparation. Shirley wasn't going in alone, for one thing; he was taking along a couple of fellow outlaws. One was a tough, dense gunner about thirty-five years old, inappropriately named George Law—his real name, in fact, was perhaps George Bain. The other bandit was a youngster, maybe twenty-one years

old. His name was probably Pierce, but he is known to history simply as "the Kid."

Shirley and his two henchmen had acquired three extra horses and cached them outside the town at a place called Three-Mile Gulch. The plan was to race their current horses to the gulch after the robbery, then change to fresh mounts for the rest of the escape. Shirley and his boys had thoughtfully cut the fences along their line of retreat as well, the better to leave the country at the high lope once the deed was done.

Shirley had other ideas up his sleeve as well. In a grim foretaste of twentieth-century viciousness, Shirley planned to surround himself and his hoodlums with hostages on the way out of the bank, using whatever local citizens might be handy at the time. He also decided that he would wear a peculiar pair of blue goggles, apparently something he had acquired to disguise his appearance. There were other steps in his grand plan as well. Not long before, Butch Cassidy had struck the bank at Montpelier, Idaho, and maybe Shirley was trying to emulate the master-planner of bank robbery. In the end, he may have planned too meticulously for his own good.

Shirley and his boys rode in from Brown's Park and set up camp along the White River, just south of Meeker. They had everything arranged, or so it seemed, and it must have been with considerable confidence that the boys started out for unsuspecting Meeker on the morning of October 13, 1896. Nearing Meeker, they crossed the river, entered the town near its lumberyard, and tied their horses to a freight wagon standing in an alley. The alley ran beside the Hugus store, so their all-important transportation was parked just yards from their objective. Shirley marked time in the alley until his confederates had time to spread out. Then all three men went inside at about the same time, entering through three different doors: rear, side, and front.

Business was brisk inside the store. In addition to store manager A. C. Moulton and assistant cashier David Smith, the robbers threw down on customers C. A. Booth, Victor Dykeman, Ed Hall, Joe Rooney, and at least one other citizen. The robbers herded these men into a group, where they stood helpless, their hands in the air. One hostage commented later that the bore of the weapon aimed at him "looked big enough to sleep in." Hall casually picked up a scale weight from the

counter, with the fanciful notion of throwing it at Shirley. He abandoned that plan when Shirley turned his revolver on him and told him to forget about it. A local citizen named W. P. Herrick wandered in during the holdup and became part of the group of hostages.

Smith, the assistant cashier, had been in the middle of waiting on Joe Rooney when he felt a "heavy hand on his shoulder," and looked around to see one of the bandits stick the muzzle of his revolver through the bars on the teller's cage. Shirley—or Law, depending on which account you read—demanded money, and told Smith to be quick about it. Looking down the ugly end of the pistol, Smith perceived that he had very little option but to deliver.

So far, things had gone according to plan for Shirley and his cohorts, but big trouble was coming for the bandits, and coming quickly. As Meeker sheriff Ed Wilburn recalled many years later: "Uncle Phil Barnhart, the old stage driver, was on a drunk. He came out of Willis' Saloon and in the glass front [of the store] he could see what was going on and he began to holler: 'Boys, get your guns. They are robbing the bank!'"

And so they were, but for a while Uncle Phil had a tough time getting anybody to believe him. A woman passing in the street assumed Uncle Phil was drunk and ignored his warning to get out of the street. "I guess I know my business," she scoffed. "Go on in, lady," Uncle Phil replied, "and get your butt shot off!"

A youngster called Jerm ran to H. S. "Simp" Harp's livery stable. The terrified Jerm was "about the whitest boy you have ever seen," but he managed to tell Harp, "They are holding up the bank and they have killed Dave Smith!" Charlie Duffy, sitting on a box in front of the stable, decided to go down and investigate this alarming report.

Duffy also briefly ignored Uncle Phil, but then, as the sheriff remembered long after, "Charlie come down to look in the window, and he just turned a back somersault going back up the walk." Simp Harp, the livery stable owner, remembered that Duffy "came running back faster than a race horse could run." "Where's your gun, Simp?" Duffy asked. "When I got down there to the bank I stepped up to the door and a fellow said 'Hands up!' and I said 'I don't have time.'" Tom Shervin of the Meeker Hotel also saw the robbery in progress and ran down Main Street to rally some help. There would be lots of it.

If anybody else doubted Uncle Phil, they didn't for long, for a gunshot from inside the Hugus store alerted everybody within earshot that there was real trouble in town. It so startled a workman that he fell off some scaffolding at the Meeker Hotel. The bandit covering Smith, thinking the cashier was moving a little too slowly—which he probably was—had fired a round close to him, a bullet that tore the bank's cash book to pieces. Then, to compound his foolishness, the outlaw fired again.

Now the fat was in the fire, although amazingly Shirley and his men seem not to have realized that they had stomped on a large nest of hornets. They wasted enough time, in fact, for a citizen to run home twice for guns. Outside, the men of the town were rallying quickly, and the little village began to bristle with weaponry. Simp Harp, Tom Shervin, Jo Hantgen, and Uncle Phil all grabbed weapons and converged on the bank, but nobody fired because of the danger to their fellow citizens, who were herded together inside the Hugus building. "Don't shoot in there," cautioned Harp, "because they'll start shooting and kill the whole works."

Inside, however, the outlaws still proceeded methodically and according to plan, and what the plan called for next was entering the bank office. The inept George Law could not seem to get the door open himself, so Shirley had Law move Smith away from the door and turned on the cashier. "Mr. Cashier," said the outlaw, "we want you." He then forced Moulton to open the office door and asked him the critical question: "Where is your money?" "Here it is," Moulton answered, gesturing to the cash drawer. "Help yourself."

And they did, to the tune of about $1,600, dumping the loot into an old sugar sack. They could not, however, get into the bank's safe. Oblivious to the likelihood that somebody had heard one or the other of Law's ill-advised shots, Shirley tarried in carrying out the next part of his scheme. The outlaws collected all the rifles in the store—general stores often sold weapons in those days. They loaded three of them for their own use, and broke the stocks off the rest, presumably to discourage armed pursuit. One witness and the local paper estimated that the outlaws squandered five precious minutes or so bashing rifles.

Then came the last and vital part of the plan: to herd the hostages together, get out of the building, and put some miles between themselves

RIO BLANCO HISTORICAL SOCIETY

The Meeker bandits after their failed robbery attempt

and Meeker. And so Shirley and his boys herded a selection of citizens out the side door into the alley. Shirley pushed Joe Rooney ahead of him, while the other outlaws sheltered behind Smith, Moulton, W. P. Herrick, Victor Dykeman, and others. Dykeman remembered that Rooney was in front, Law and the Kid were somewhere in the middle of the line, and Shirley was in the rear. The outlaws herded their captives some 25 or 30 feet down the alley toward their tethered horses, and started to untie their mounts.

The street was deserted, or so it seemed. Just for a moment, the robbers might have congratulated themselves on a plan well made and well executed. Then Shirley saw game warden N. H. Clark watching him from behind the Hugus grain warehouse. Shirley snapped off a shot at Clark and hit him in the chest, and then catastrophe struck. The hostages ran for it.

The Kid opened fire on the fleeing hostages and hit several of them: Dykeman was wounded in the right arm and had a "streak" cut in his scalp by a slug that tore through the brim of his hat; Herrick was nicked on one finger; another hostage, C. A. Booth, was shot in the arm,

as well. But nobody stopped running, and so in no time flat the outlaws found themselves alone and unprotected. They mounted their horses, but then they ran out of luck.

Bullets poured in from all directions, and Shirley and his men were hit repeatedly. Simp Harp and Jo Hantgen fired from behind a board fence and nailed the Kid no fewer than seven times. He finished his short life in the dirt, face to the sky. The Kid had carried a small brand book in one pocket, and the sheriff recalled that he took "two holes through that brand book and plumb through him."

The probabilities are that Harp and Jo Hantgen hit Shirley as well, for the bandit leader didn't live any longer than his young henchman. Shirley was hit in the left lung, but kept on shooting until he sank down near the Kid. He dropped his rifle when the bullet slammed into his chest, but managed to pull out his revolver as he fell. He lay on the ground, spasmodically emptying the weapon, hitting nothing but his own hat-brim. Law made a run for the river and reached it, but there was no safety for him there or anyplace else. He took a bullet in the right lung—probably from Ben Nichols—and still another in the left leg. Law wasn't even going to make it across the river, much less survive to face a Colorado jury. He lasted about an hour. The citizens carried him up from the riverbank, took him over to a cabin, and laid him down. Law would not tell them who he and his dead comrades were. Reportedly, all he gave them was a collection of innocuous aliases. He said his own name was George Harris, and he identified Shirley as Charles Jones. The Kid, he said, was named Billy Smith.

But Law did ask the townsmen to take off his boots. Like so many western hard cases who came to a bitter end, he did not want to die with his boots on. His last words, according to the local paper, were "oh, mother."

Dykeman was probably the most badly injured of the citizens, and he would recover handily. Though both the town's doctors were away, Dykeman received some basic medical treatment from the bartender at the Meeker Hotel: a full glass of whiskey. "Drink this," the barkeep told the wounded man, "and you will feel better."

"I did," Dykeman wrote many years later, "and it put me to sleep." While he was sleeping, as the *Meeker Herald* reported, "Link

RIO BLANCO HISTORICAL SOCIETY

George Law, as he lay dying of gunshot wounds

Taggert made a record-breaking ride after Doctor French, and the latter responded in about as quick time."

Herrick was apparently less perturbed about his minor wound than about the damage to his new suit of clothes—an outlaw bullet had ripped his vest across the front. Curiously, he blamed Moulton, and demanded of him—or the county—the price of a new suit.

As it turned out, Jim Shirley, the would-be master outlaw, had worked for Sheriff Wilburn for three weeks or so not long before the robbery. Simp Harp recognized Shirley too, and called him "one of the most pleasant men you've ever seen . . . also the nicest cook . . . he worked for me two years." And the Kid was tentatively identified as one of two men who robbed the Meeker-Rifle Stage about a year before. Beyond that scanty information, they remained ciphers.

That night, as Dykeman later remembered, "the saloons were open all night and the drinks were free to everyone. The outlaws [Dykeman thought] were part of the famous Butch Cassidy gang from the Brown's Park area and the people expected more of the gang to come later, and they were ready for them."

Not everybody was overcome with joy after the town's defeat of Shirley and his men. Some of the ladies, at least, "fluttered" in the words of one historian, and one of them, viewing the outlaws' bodies laid out in a cabin, passed out altogether. "Loosen her corset and she can breathe better," somebody advised.

At first, there was considerable doubt about the actual identity of the dead outlaws. Some people even guessed that Shirley was the notorious Tom "McCarthy" (they meant McCarty), leader of the bank raids on Delta and Telluride. And an article in the *Denver Post* opined that the bandit leader—whom it also identified as Charles Jones—might be "Dunham, the California murderer."

The *Rocky Mountain News* confidently identified the robbers as Charles Jones (Shirley), George Harris (Law), and William Smith (the Kid). The *News* based the identities on the strength of Law's dying mutterings. The paper also reported that somebody had summoned the bandits to surrender, but was answered with "a fusillade." The citizens' response, said the article, was overwhelming: Jones, as the paper called him, would have died of "any one of a dozen shots," something of an exaggeration to be sure. More accurately, it said that Harris, "mortally wounded, held a revolver, and still staggering, continued to do battle until he fell."

A coroner's jury was convened, and lost no time in deciding that "the deceased came to their death by gun-shot wounds inflicted by the citizens in the defense of life and property, and that the killing was justifiable."

A local photographer took the usual grisly pictures of the dead outlaws, and what remained of Shirley and his boys was planted in Potter's Field by the local undertaker. The bandits' only memorial was a set of wooden crosses. And there they remained, forgotten and unmourned, for almost seventy years.

Then, in 1965, the commissioners of Rio Blanco County decided that the area in which the bandits were buried, now something of a slum, wanted sprucing up. So, the county funded three small stone slabs, and the local historical society added a plaque reciting the history of the raid. Not everybody in town was happy about the new stones, there being some sentiment that the cemetery also held citizens of Meeker who were far more worthy of recognition.

A sad postscript to the botched Meeker robbery was the fate of the three getaway horses, stashed, Butch Cassidy–style, near Three-Mile Gulch. Deprived of their riders, the poor animals languished for seventeen days without food or water, until at last they were found. It was too late for one of the horses, which had tried to lie down, slid down a slope, and strangled in its harness. The remaining pair lived out what remained of their lives with a Rio Blanco rancher.

And so passed the short-lived Shirley gang, victims of a town full of people who didn't take kindly to being pushed around. The *Meeker Herald* produced a long story of what it called this "red letter day in Meeker's history," also reminding its readers, tongue-in-cheek, that a copy of the paper was available for "ten cents a copy. No need to borrow, beg or steal it—or sneak into the barber shop and read it."

So ended, the paper said:

> *the first attempt to rob a bank in this part of the state . . . and a very creditable showing for the citizens of Meeker. . . . The cool display of judgment and bravery exhibited under trying conditions establishes for the men of Meeker a reputation to be proud of, and will give this town a creditable name throughout the length and breath [*sic*] of the land.*

The outlaws' performance, said the paper, "showed evidence of amateurishness in many particulars, but the lightning-like promptness by which they were disposed of showed that the citizens of Meeker knew how to act and shoot."

They did indeed.

MURDER!

The Rifleman of Delta

"MURDER!" SCREAMED the headline of the *Delta* (Colorado) *Independent*. "Three Robbers Commit a Horrible Deed." The small weekly paper devoted the whole front page and two columns of the other three pages to the excitement. On the floor of Delta's Farmers and Merchants Bank, an unarmed bank cashier, father of a large family, lay dead, a bullet through his skull. Two more men, both bandits, were sprawled in their own blood in the dirt of a Delta street, and a grim posse was in hot pursuit of one surviving outlaw.

In the autumn of 1893, Delta was a quiet little town, like hundreds of other young communities across the West. It had been called Uncompahgre not long before, but it was platted in the spring of 1882 as Delta, named for its nearness to the delta of the Gunnison and Uncompahgre Rivers. It was a growing town in 1893, a settlement with a future: Delta already boasted two saloons, three hardware stores, three lawyers, a couple dozen other commercial enterprises, and two banks.

The seventh of September was a miserably hot day. A Delta resident of the time called it "stifling," the sort of day on which people moved slowly and stayed in the shade if they had no pressing business. Like the surprising heat on that autumn day, another unwelcome guest was about to pay a visit to the town of Delta. Veteran outlaw Tom McCarty had his

eye on the citizens' hard-earned savings at the Farmers and Merchants Bank, and with him were his brother Bill and Bill's seventeen-year-old son, Fred. The three had been watching the little town and its bank for several days, and they were at last ready to move.

Tom McCarty was a professional hoodlum. His father brought his large family west to Montana and Utah, where they settled for a while close to Circleville, home of one Leroy Parker, better known as Butch Cassidy. The family moved on to Nevada, then back to Utah in 1877. The McCarty brothers became ranchers on their own, but they weren't very good at it, at least not for the long haul, or maybe they were just not very interested. In time, whatever the reason, taking other people's money began to seem a good deal more attractive than working. For a while, at least, it was.

Tom rode with Butch Cassidy and Matt Warner, among others, and had been part of the famous 1893 robbery of the San Miguel Bank in Telluride, Colorado. That raid, which netted more than $20,000, was reputed to be Cassidy's first venture into bank robbery. Tom McCarty was also the central figure in the celebrated robbery of the First National Bank of Denver in the spring of 1889.

When McCarty and Warner robbed a gambling hall in Butte, Montana, they sought shelter at a hardscrabble "ranch" in Baker, Oregon, owned by McCarty's brother, Bill. Things were tough in the ranching business for Bill and his son Fred, and both joined Tom to follow the apparently easy money of the owlhoot trail. It would prove to be an exceedingly poor decision in the long run, however short the grass was at Baker.

For a while, though, the outlaw business went fairly smoothly. The four men robbed a placer camp called Sparta, Oregon, coming away with a haul of currency and gold nuggets. They rode into Moscow, Idaho, to rob, of all things, a circus, and then returned to Enterprise, Oregon, to rob a bank. More holdups followed, including a bank in Roslyn, Washington. The Roslyn job went bad: One of the gang shot a man in the stomach and the robbers had to run for it, with a posse hot on their heels. Warner was eventually captured and spent some time in jail, awaiting trial. Acquitted and released, he was smart enough to quit once he got out of jail. McCarty wasn't that bright.

Now without the redoubtable Warner, the McCarty brothers and young Fred were determined to empty the coffers of the Farmers and Merchants Bank, one of Delta's two banks. The story of what happened when they tried to do so varies, depending on whose account you read. A couple of stories of the raid don't even agree on the date: While it is clear that the holdup took place on September 7, some accounts have it happening on the 3rd or the 27th.

The three outlaws apparently arrived at Delta about the first of the month, and spent some time casing the town. They seem to have spent considerable time in the Steve Bailey Saloon, otherwise known as the Palace Sampling Rooms, which were right across the street from the bank. They camped outside the town prior to the raid, perhaps in nearby Escalante Canyon—at least they are thought to have stopped there for a meal at the John Musser cattle ranch. They brought with them a string of spare mounts, and they took their time sizing up the bank and the town.

When in town, the outlaws stabled their horses at Fadley's Corral on the north side of Delta and spent some time yarning with one George Smith, keeper of the steam engine that drove the municipal water pump. The three hoodlums were chatty types, asking what were later called innocent-sounding questions over a friendly drink in the town's watering holes. In the afternoons they rode out of town, letting it be known that they were shopping for a ranch site. One source says young Fred was used as a scout for the gang, and even played a bit in a marble game with some of the Delta boys. The outlaws ate a meal at Bricktop's restaurant on Main Street, and at least two more at Central House. In between a drink or two and some card playing at the Steve Bailey Saloon, they shopped for shoes and a bottle of whiskey.

On the seventh of September, they were ready. Tom probably performed his usual role: He liked to be the outside man, watching the street and holding the horses for the other two robbers. Local citizen H. H. Smith watched Tom down at least one slug of liquid courage just before the raid began. Tom then entered the alley behind the bank with all three men's horses. At about 10:15 A.M., Bill and his son walked into the bank. It probably did not occur to any of the outlaws that this broiling day was the anniversary of the James–Younger Gang's disaster at Northfield in 1876.

Delta County Historical Society

Ray Simpson

Inside the bank were two men: A. T. Blachley, a cashier, and H. H. Wolbert, teller and assistant cashier. One book on the Wild Bunch puts a third employee in the bank, a bookkeeper called John Trew, but no other authority does. At the back of the bank, in a sort of lean-to used as an office, sat attorney W. R. Robinson. Across the street, in Simpson and Corbin's Hardware Store—or Simpson and Son's, depending on the source—sat William Ray Simpson.

Simpson was Kentucky-born and raised and had moved west with his parents for his health. He settled in Delta, but took time out to return to Kentucky for his light of love, Mary Ann Hays. The pair eloped, the story goes, since Mary Ann's father insisted that his family was superior