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Letter William C. Irvine to Charles B. Penrose

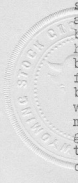
Ross, Wyoming  
Nov. 21, 1913

Dr. Charles B. Penrose  
Philadelphia  
Pa.

My dear Doctor.

When in Cheyenne a few days ago, Doctor Barber handed me your letter to him of the 20th. of October, and asked me to give you the desired information relative to that part of the "Invasion, so called" which occurred after we left the Tisdale ranch, and while I do not presume to be a writer I will try to give you the facts as I remember them.

You will remember no doubt that we were joined at Tisdale's ranch by Mike Shonnessy who reported 14 or 15 rustlers at the KC ranch at 5 o'clock that evening. We immediately decided to move that night, which we did at about one A.M. and we arrived close to the KC long before day light next morning and built fires up on the hill of sage brush to keep us warm. To the crowd around the fire at which I stood I talked, as I commenced to feel afraid some of the Texans might kill some one we did not want killed. I told them frankly what our purpose was, but rather than kill an innocent man we preferred to let a rustler get away, and rather than kill a woman or child we would let them all get away, and I tried to impress upon their minds that not a man was to be fired on by them until they were ordered to do so by some Wyo. man who knew what he was doing. These orders are all that saved Jack Flagg. He rode within thirty yards of three of our best men next day, who were laying in a hollow along the road, but none of them knew him, and he was not recognized until he got to the bridge when Charlie Ford recognized him calling out - "Jack Flagg, Jack Flagg", - and took a shot at him and missed him. He had however got entirely through our lines and to the south end of the bridge across Powder R., and he and his step-son Taylor dashed on to and across the bridge. Now the brush and timber grew on the bank of the river right up to the bridge on both sides and the only way we could have got a shot at Flagg after he struck the bridge was to get out where we could look through the bridge, this we could not do without exposing ourselves to Champion's fire from the cabin which would have been certain death. But to go back to my story. We were still some little distance from the KC. when we built the sage brush fires. As it came near day-light we moved up closer and placed our men all around the ranch. When it got light enough for us to see, we found a spring wagon in front of the ranch which Mike Shonnessy said did not belong there. Hence we concluded there was someone at the ranch that we did not want and



we must be careful. So we just layed around keeping quiet and out of sight until sometime after the sun was up, when an old gray headed man came out with a bucket in his hand. He was after water. (He was one of the two hunters) when he got near the barn where he could see us behind the end of stable we motioned to him to come to us, which he did, and we put him down in the brush guarded by two men. In about twenty minutes or a half hour his partner came out looking for him, and we captured him and sent him into the brush with the old man. Then there was a long wait, but finally Nick Ray appeared at the door of the cabin, but Major Wolcott had ordered us not to fire and he had a young Texan we called Kid (I have forgotten his name) who was one of the best shots among the Texans, at a crack near the stable door who was to take the first shot. Ray acted in a suspicious manner, came out very cautiously and as if he was afraid of something being wrong. When he got about ten or a dozen steps from the door Wolcott ordered the Kid to fire which he did knocking Ray down. He was able to crawl to the door however and Champion helped him in. This was about 8 o'clock in the morning. We then tried to get Champion who fought us off for hours. We then sent to Baxter's ranch for a load of hay six miles, only to find their work team had gone to town for supplies.

Then comes Flag about two in the afternoon. When he crossed the bridge, some of our fellows crossed the river above the bridge horse-back and give him such a close run that he cut the tugs of the harness of the near horse, put Taylor on him, and struck for Buffalo, leaving his wagon and one horse, our fellows bringing the wagon and horse back to the KC. This gave us a wagon. We cut down some pitch pine posts which were around the hay corral, and as there was a little old hay there, we put a layer of hay then a layer of pitch pine (having split the posts) then another layer of hay and pine, built out wide and high. This was all done back of the stable where we were not exposed. Now there was but one opening, a window, in the cabin, from which Champion could direct his fire to the barn, and Wolcott ordered me to take six men, line them up and keep one after another sending a bullet into said window every second of time when he gave me the word to commence. He then took the end of the wagon tongue himself, and called for four men, two on each end of the double tree, giving the word to commence firing into the window he backed the wagon loaded with hay and pitch pine seventy-five or a hundred yards to the cabin, pushed the tail end of it right up against said window and set it on fire, staying there with his men until the load was burning well. It was then but a question of a very short time. Champion soon came rushing out, rifle in hand, in his stocking feet, having pulled off his boots. He ran into two of our best men who killed him. On his person we found his diary in which he plainly stated Nick Ray had died about nine o'clock in the morning which cleared us of the charge afterwards made, that we had intentionally burned his body after killing him.

This was about four P.M. The cooks had dinner ready for us, as they had been ordered to do by Wolcott, and as soon as we ate something we started for Buffalo.

We arrived at the Baxter ranch sometime in the night and

changed horses there, stopping just long enough to make the change. Here a big Texan did some thing which cost him his life. He was a large heavy man, and they gave him a horse which was a little snorty. He feared him, and turned him over to A. B. Clarke who rode him without any trouble, the Texan keeping the same horse he had ridden the whole trip. The result was when we arrived at the TA ranch he was afoot. Charlie Ford loaned him an old gentle grey horse that had never been known to buck. The Texan mounted him with his rifle loaded, hanging by a strap over the horn of his saddle, when the horse bucked the strap came off the horn, the gun left the scabbard, the butt striking the ground which discharged the gun, the bullet striking the man in knee. We sent him to the Hospital at Ft. McKinney, his leg was amputated and he died from the shock. From the Baxter ranch we proceeded north. Somewhere along the road, I do not know where it was as it was night, Jack Tisdale and Will Guthrie, who were our out riders came galloping back to us saying there was a body of men ahead. There was much excitement among our men at once. Wolcott and myself got down afoot and walked ahead, he having a pair of field glasses, and after going a considerable distance and listening intently we had about decided that the boys had run into a bunch or range horses, when a gun was discharged ahead, which gave Sheriff Angus and his party away, and clearly indicated there was more or less excitement in both parties.

You will no doubt remember there was some friction between Wolcott, Canton and the Texans before we arrived at the Tisdale ranch. Well, when we got back to the bunch that night we found our men in such a state, that Wolcott at once assumed command. Nobody suggested it, but we were all glad he did so, recognizing the fact that he was the right man in right place. He rode out in front of us and gave a good blowing up, saying "I can take ten good men and whip the whole damned bunch of you", and then lined us up and proceeded to drill us by moonlight. We then cut a wire fence and proceeded to go around a ranch in which our Buffalo contingent presume the Sheriff and his party would likely be waiting for us at, arriving at Fred Hesse's ranch on Crazy Woman early next morning, where we were well fed and got some much needed rest. An amusing incident occurred here which I will relate now while I think of it. Dick Allen, Manager of the Standard Cattle Co., an honest man if there ever was one, and as good a fellow as you will meet in a life time, had provided himself with one of the most expensive rifles money could buy. In some way he had got a cartridge that did not fit his gun, into his pocket, and it of course locked his gun, which he did not discover until we ran into the Sheriff's posse. He had fussed and used no end of profanity until one of the hands at the ranch took pity on him and when he found what a simple thing it was to fix, he cursed himself, the manufacturer of the gun and every body around him, but wound up by giving the man five dollars and even offering him the gun. Early the next morning we proceeded on our way to Buffalo, our intention being to take the town, seize the arms of the militia stored in the Courthouse, arrest what rustlers were there, call the people of the town together

and tell them what we were there for.

We were met however, about six or eight miles from Buffalo by James Craig, one of our people, a good and brave man, in whose judgement we had the utmost confidence. He plead with us not go into Buffalo, told us the people did not understand our intentions, that many were arrayed against us, who honestly thought we were trying to run the honest settler out of the country, people who were honest, good citizens and a class of people we did not want to injure, and that we could not possibly have a fight in Buffalo without killing and injuring many that had in no way harmed us or our property, and that it would be the regret of our lives if we went in there. We soon decided as we sat in the road to take Craig's advice. To move back to the T.A. ranch, where the rustlers could come out and fight us, which Craig intimated they were likely to do.

Here Dick Allen informed us that it was his intention to go to Buffalo alone and unarmed. That he had large payments on southern cattle coming due and it was imperative for the sake of his credit that he should do so, his intention being to go to Denver. This he did notwithstanding we all advised against it. He got no farther than Buffalo, was arrested and put into jail, later taken out by an army officer and two men and brought to McKinney where we were then confined. He was indeed pleased to get back to the bunch and we were delighted to have him back, as we were afraid those fellows would hang him. You better find Dick and have him write his experiences in detail he is very handy with his pen. We returned to the T.A. and made ourselves as comfortable as possible, sending a report of our movements to our friends at Cheyenne, some of which did not get through. That afternoon PhilDuFran an ex-cow-puncher and a friend of ours, succeeded in getting out of Buffalo, and to us, informed us to get ready to fight 250 men that that number would be out to see us next day. Our party consisted of fifty-five men, with Fred Hesse's brother-in-law, and DuFran, who remained with us being afraid to return, 57 men and a boy, who was also at the ranch when we got there. We immediately commenced to fortify the house, barn, ice house, and build a little fort on the top of the hill to protect the barn and stables where we had our horses. We worked most of the night and by morning we were quite well fixed, as there was a full set of house logs there for a new house, all of which we used. We also filled two or three barrels with water, and carried it and a lot of potatoes and beef into the house. The next morning about sun up we could see men in the distance coming, but they kept their distance. That night and all day we could see them throwing up breastworks. They would shoot at our horses in the corrall behind the barn, hitting five, mine among the number. We then crowded them all loose into the barn during the day and watered and fed them at night. The rustlers would fire on anything that moved. There was some cattle that would come up in the evening around the house, as they had been fed there, they killed two of these and after dark we would go out and butcher them. They were constantly firing on the house which was considerably shot up. They finally got the range of the doors and it was dangerous to go in



or out. We had the windows covered to within one foot of the top with slab boards, secured at a saw mill, which varied in thickness, in some parts near the edges quite thin. I remember finding Teschmaker standing with his back to a window, and told him to get away. He stepped away and a second after a bullet crashed through. There was a boy about sixteen at the ranch when we arrived. He was very keen to be in on the fighting, tried to borrow a gun from several of our party, and finally found an old shotgun in the loft of the ranch and cleaned it up. He had hardly finished cleaning it when a bullet came in one of the windows, and creased him across the neck just so the blood would ooze out of the wound. This sure quited the boy, who went and layed in a corner, and it was the last we heard of him. The 1st. day and night Jack Tisdale with fifteen manned the fort on the hill which protected the barn. The second night Wolcott, who had a foolish idea the rustlers would not fight, wanted to take twenty men on foot and make a night attack on about 300. This I opposed. He became very angry and called me a damned . . . My plan was to all go, or none. He finally agreed to leave to the Wyoming members of our party, and they all agreed with me, result we did not go at all. Next morning Teschmaker woke me up, saying the Major wanted me. I reported at once. He ordered me to take fifteen men and relieve Jack Tisdale. I answered "where are the men?" He replied, "pick your men." The eighth man I picked refused to go. I told the Major I had seven men, that the 8th, had refused to go, and that he could send up the balance. He asked me who had refused and before I left the house I heard him order the fellow himself to go up on the hill. He again refused, saying it was too light and that he would be killed going up. Wolcott's reply was, "which do you prefer, being killed going up the hill or being killed right here, as you white-livered son-of-a bitch, you will either do as ordered or I will kill you myself." The result was he went up the hill, and we all arrived without accident. That night Wolcott got the Wyo. boys together and they decided to make a break to get away from the ranch. He then sent for me and said, "we have decided to go out of here tonight at 2 A.M. What do you think of it?" I replied, "it makes little difference what I think if the move has been decided upon. I am going with you. I am damned sure I do not want to stay here alone," but before the time came, he countermanded the order voluntarily, as the moon came out so bright that with the snow on the ground you could see such a distance that he concluded to wait until the next night. The next morning about ten o'clock we could see the soldiers coming. When they got near enough they halted and Col. Van Horn, Red Angus, the sheriff, and one other army officer came up to our little fort under a flag of truce. The Col. said to me "Who is in command of this party?" I replied "we have no one in command. We are simply an out-fit of cattlemen up here trying to protect our property." He again asked who was in command, plainly showing some temper, and that he did not believe my answer. I replied again "we have no one in command, but Major Wolcott is our acting foreman." "Very well," he said, "I Want to see him." I said, "I will send for him at once," and sent a man to the house, informing

the Major that Col. Van Horn wanted to see him. I shall always remember this incident with pleasure. The old man came out of the house with as much dignity and assurance as if he had a thousand men.

Col. Van Horn said, "Major Wolcott, I have been ordered by the President of the United States to prevent any farther bloodshed here and my opinion is that the best way to do that, is to have your party surrender, sir." Wolcott replied, "Col. Van Horn, to whom do we surrender, to the United States army, or are we to be turned over to the civil authorities of this county: if the former, we will surrender, if the latter we will not surrender." The Col. assured him we would not be turned over to the civil authorities, and he at once surrendered and we were lined up and dis-armed, and started immediately for Fort McKinney about sixteen or 18 miles distance. While they were dis-arming us I counted about 160 of the other side who had come up to see the surrender. They followed us jeering at us until we got very near to McKinney.

I forgot to say that early in the morning prior to my being ordered to relieve Jack Tisdale, Will Guthrie and myself were on guard on the east end of the house, when a bullet struck the house and glanced into the sole of my foot. The weather being cold I had pulled an old mattress outside and Will and I were sitting flat on it with our legs wrapped in an old blanket, which turned our feet up so they could be struck on the sole. I told Will something had hit my foot. He looked and laughed, saying, "It never touched you." but my foot hurt me so I concluded to go into the house and investigate. When I took off my overshoe and boot I found the bullet in the boot which has passed through the soles of both shoes, but did not break the skin of the foot. It bruised it however, so that in about 30 minutes it was much swollen and next day the front end of the foot was black as my hat. I did not wear a boot for three or four weeks after that. The man who took my place on guard, in going out of the house on his hands and knees, dropped his six-shooter and shot himself in the stomach and died a few days later.

At McKinney they quartered us in upstairs of the bath house, where we were very comfortable. Had we known there was a bomb placed under the house, which would have blown us all to kingdom come had it been touched off, our slumbers would not have been so peaceful.

The officers at the Post gave us the cold shoulder with the exception of a Captain Whitney who knew me years before. He called on us. While in the above mentioned quarters a Sergeant came into the room and called my name, and said Col. Van Horn wished to see me at the officers quarters. So he marched me with his gun at my rear to said quarters. Upon arriving there the Col. invited me to be seated, and then handed me a telegram sent to him by Old Bill Paxton of Omaha, who knew him intimately when he was stationed at the Post near Omaha.

The telegram read; "Col. Van Horn, Ft. McKinney, Wyo.--Anything that W. C. Irvine or any of his friends wants, I shall expect you to see to it that they get it." I smiled and said, "The telegram is characteristic of dear old Bill, but I am glad to say Colonel, neither Irvine or his friends want anything. We are very comfortable, have plenty of funds with us to pay for food, horse feed and anything else we need." All of which was a great relief to the Colonel, who while he was anxious to please old Bill, could not get away from the fact that we were prisoners and had to be treated accordingly. That same day or the next, one Bob Cobble a friend of mine from my native town Carlisle, Pa. dressed himself up in soldiers clothes in order to get out of Buffalo, and came to McKinney and our quarters and told me that the rustlers intended to bush-whack us from the brush as we left the Post on our way to Douglas. I again called on Van Horn repeated Cobble's story to him and requested that our arms be returned to us for the trip south. This he refused to do, but assured me he would give us ample protection. He not only did that, but without knowledge sent a four mule wagon along which was all sheeted down as if loaded with grain, but it really contained rifles and ammunition for our whole party to be used in case of emergency. We remained at McKinney five days, then started for Douglas with four troops cavalry, Hotchkiss Gun, etc., etc., under command of ~~Major~~ Fechet, who by the way, was no friend of ours. The trip was a very cold and unpleasant one, as we had a regular blizzard nearly the whole way. At the Ogallala Ranch Fechet kept us standing for hours in the storm after I had requested him to allow me to put my party into my houses. He finally allowed us to get into shelter, and we sure enjoyed the warmth and food, so that we made a night of it, singing and playing on the piano. About mid-night a soldier appeared at the door and asked for me, when I presented myself, he said, "Capt. Fechet presents his compliments and desires to inform you, your men are disturbing his rest." (His tent was just behind the house.) I said, "please return my compliments to the Col. and tell him the piano is mine, that I have turned it over to the boys for the night and they can do what they damn please with it." Fechet and one other officer, a Captain Stanton, were the only two we disliked, all of the others, three or four in number, were good to us. The day after we reached this ranch I killed a beef. After the beef was taken by the soldiers a sergeant appeared on the scene asking for beef. I took him to the <sup>beef</sup>sergeant of Stanton's troop, and said, "why were you not on hand when we cut up the beef. You will have to get some from the other troops or go without." He said, "that's tough on us, we were good to your boys as we came down," and it suddenly occurred to me I might be mistaken as to the troop he belonged to, and as he walked away I asked him, "Do you belong to Captain Stanton's company?" He answered, "No, Capt. Scott's." "Hell," I said, "that makes a difference. I will kill another beef."

The Captains took turns in taking charge of the "Invaders," day about, every thing would go well and smooth until it came Stanton's turn. Then our whole bunch would become suddenly deaf. Stanton would say "Halt!" no one appeared to hear. We would march on twenty steps and Wolcott would say "Halt.!" Every man would stop as if he had been hit with a club. When we got to Fetterman we were met by that most beloved soldier, Col. Egbert, who had been ordered to relieve Col. Fechet of us at that point. The special train there to receive us was ours, and we felt that we were on our own dung hill, and immediately let Fechet know he could not ride with us to Cheyenne, and he never would have done so, had not Col. Egbert asked us to allow him to go as his guest. Fechet no doubt regretted his treatment of us many times. Old Tom, the steward of the Cheyenne Club refused him a room there. Fred Hesse met him in Omaha and abused him like a pickpocket, and he attended one of the Annual Meetings of the Ogallala Land and C. Co., some years after the Invasion in the interest of his niece who was the owner of \$35,000.00 worth of our stock and had been for years. He was exceedingly courteous then, a very noticeable difference in manner than when he was in command of our escort from McKinney to Fetterman.

You are of course more or less familiar with our confinement at Ft. Russell, our trial in Chambers at Laramie City for a change of Venue before Judge Blake, our trial later in Cheyenne when they examined 2700 veniemen and failed to get the jury box full, our sending the Texans home, the dinner we gave them at Cheyenne Club, and what happened there.

I presume of course you intend to have something to say about what led up to the Invasion, the character and standing of the men who organized it, what drove them to it; how they first restored the law but could not get protection. In reading Barber's scrap book you will run on to considerable stuff about the ark of safety, so I better give you the facts. The ark of safety was constructed of our two wagons captured a day or two before, baled hay and poles. In the hollow just over the hill from the fort on top of the hill, we could not see them, but could plainly hear them pounding and working, and when it was finished a great cheer went up. Much has been said and printed about what they would have done to us with this instrument of war had not the soldiers come and prevented. The facts are that the Ark of Safety was completed about three o'clock on the afternoon before the soldiers arrived on the morning of the next day. They pushed her up toward us until we could just see a little of one corner of her, and then their hearts failed them, they could not get the men to man her, they had plenty of time to use her had they had the courage; How our cattle were stolen, our homes broken into, guns and ammunition stolen and desks and private papers rifled; How about 70 cattle stealing cases were nolle prossed in Johnson County by one stroke of the pen so to speak. Then again consider the class of men who were on the other side, fugitives from justice from all points of the compass. Then there was no intention at the time of the Invasion to drive out honest settlers, and never has been. We had the record of every man we were

after, and those we intended to kill or drive from the country. We have never tried to deny that, and I for one have never had the slightest regret, or made the slightest apology for my part in it. Had we allowed the rustlers to go on unchecked they would have taken the country, and we were but a step from a condition then, that a man would have been afraid to ride a good horse into the country for fear of meeting some one on the road who would invite him down and take the horse. I have not touched on the organization of the expedition, the buying horses, arranging for transportation, our getting out of Cheyenne, and no doubt I will think of many things I should have mentioned after I send you this stuff, and I will say here if you want more stuff I will gladly give it to you if you will suggest about what you want. As I said at the start I am not making a literary effort. I am not even particular about my spelling. I am simply giving the facts in the rough and as hastily as I can write them, as I find it a larger job than I thought it would be. Before leaving Cheyenne, I wrote to Henry A. Blair of Chicago asking him to send Barber some material I sent him years ago, which was for you.

W. C. Irvine.

P.S.

Since the Invasion I have been appointed State Treasurer for one term by the Governor of the state and elected for a second by going before the people, and I carried every county in the state. I am at present a State Senator, this being the 3rd. term. So my Invasion record has not hurt me much. Excuse me blowing my own horn.

An amusing incident occurred the day the soldiers came, which I may as well relate. As there was but a foot of space above the boards on the windows for us to look out from, we were in the habit of standing on the cook stove, and counting the bunches of men that would arrive each. When the troops were first sighted, it was thought they were but another bunch to be added to the enemy. Teschemaker, however soon discovered flags and announced that the troops were coming, which was exceedingly good news to the wise ones, but one of the Texans who did not understand the situation as well as some of us said, "What! United States Troops! Have we got to fight the United States Troops too? Great God All Mighty, we are sure done up now!"

NOTE - (1)

In this connection let me say that two years before the Invasion when I went to Buffalo to attend the preliminary trial of Jumbo McKenzie for stealing cattle, much to the surprise of the Rustlers, who thought I was afraid to go there, Flagg and his step-son, Taylor had me arrested accusing me of firing the shot that Charlie Ford took at Flagg at K.C. with intent to kill, swearing that they recognized me, that I was close enough to them for them to see the white of my eyes, when as a matter of fact I was behind the stable asleep when Ford called out Jack Flagg. I would have given one thousand dollars to have had Ford's opportunity. Their intention was to have me arrested at the hotel where the crowd was. I however got wind of the warrant and immediately called on the Justice who issued the warrant, asked him send for the sheriff and have him serve it in his office, which did, placing my bond for appearance at \$3000., and the business men of Buffalo walked in a qualified to the amount of \$15,000, some of whom I was introduced to after they had signed the bond. I had several experiences of an exciting nature in Buffalo later if you want an account of some write me.

NOTE (2)

About this time however, we were all so mad and chagrined at Flagg's escape that we came near fighting among ourselves, and the Buffalo fellows of our party argued that Flagg would go there, report our being in the country, and that the rustlers would kill their friends in Buffalo, and they wanted to strike that minute for Buffalo. Wolcott however, ruled to the contrary, saying we will do one thing at a time, we will get these fellows first while we are at it and then we will go to Buffalo fast as we can.

WILLIAM C. IRVINE  
ROSS, WYOMING

November 2<sup>nd</sup> 1913.

Dr Charles B. Reesor.  
Philadelphia.  
Pa.

My dear Doctor.

When in Cheyenne few days ago, Doctor Barber handed <sup>me</sup> your letter to him of the 26<sup>th</sup> of October, and asked me to give you the desired information relative to that part of the "deviation, so called" which occurred after we left the Tidale ranch, and while I do not presume to be a writer I will try to give you the facts as I remember them.

You will remember no doubt that we were joined at Tidales ranch by Mike Shonemy who reported 14 or 15 nestlers at the KC ranche at 5 o'clock that evening, Mr immediately decided to move that night, which we did at about one A.M. We arrived close to the KC long before day light next morning and built fires up on the hill of sage brush to keep us warm, to the crowd around the fire at which I stood I talked, as I commenced to feel afraid



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"These orders are all that saved Jack Flagg. He rode within thirty yards of those of <sup>our</sup> best men next day, who were laying in a hollow along the road, but none of them knew him, and he was not recognized until he got to the bridge when Charlie Ford recognized him calling out Jack Flagg. Jack Flagg, and took a shot at him, and missed him. He had however got ~~on~~ entirely through our lines and to the south end of the bridge across Powder R. and he and his step-son Taylor, dashed on to and across the bridge. Now the brush and timber grew on the bank of the river right up to the ~~river~~ <sup>bridge on both sides</sup>, and the only way we could have got a shot at Flagg after he struck the bridge was to get out where we

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Feb. 23

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could look through the bridge, this we could not do without exposing ourselves to Champion's fire from the Cabin which would have been certain death. "o;";

But to go back to my story. As we were still some little distance from the K.C. when we built the Sage brush fire. As it came near day-light we moved up closer, and placed our men all around the ranch. When it got light enough for us to see, we found a spring wagon in front of the ranch which Mike Shanessy said did not belong there. Hence we concluded there was some <sup>one</sup> at the ranch that we did not want and we must be careful, so we just layed around keeping quiet and out of sight until sometime after the sun was up, when an old gray headed man came out with a bucket in his hand. He was after water. (He was one of the two hunters) when he got near the <sup>river</sup> where he could see us behind the end of the stable we motioned to him to come to us, which he did, and we put him down in the brush guarded by two men. In about twenty minutes or a half hour his partner came out looking for him, and we captured

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ROSS, WYOMING

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him and sent him into the brush with the old man. Then there was a long wait. But finally Nick Roy appeared at the door of the cabin. But Major Malcath <sup>had</sup> ordered us not to fire until he gave the order, and he had a young Texan we called Kid (I have forgotten his name) who was one of the best shots among the Texans, at a crack near the stable door who was to take the first shot. Roy acted in a suspicious manner, came out very cautiously and as if he was afraid of something being wrong. When he got about ten or a dozen steps from the door Malcath ordered the Kid to fire which he did knocking Roy down. He was able to crawl to the door however and Champion helped him in. This was about 8 o'clock in the morning. We then tried ~~all sorts~~ to get Champion who fought us off for hours. We then went to Baxter's ranch for a load of hay six miles, only to find their work team had gone to town for supplies.

Then comes Flagg about two in the afternoon, when he crossed the bridge, some of our fellows crossed the river above the bridge horseback, and give him such a close run, that he cut the fags of the harness of the rear horse, put Taylor on him and struck for Buffalo

between 5+6

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✓ About this time however, we were all so mad and chagrined at Flagg's escape that we came near fighting among ourselves, and the Buffalo fellows of our party argued that Flagg would go there, report our being in the country, and that the rustlers would tell their friends in Buffalo, and they wanted to strike that minute for Buffalo. Volcott however, ruled to the contrary, saying we will do one thing at a time, we will get these fellows first while we are at it and then we will go to Buffalo as fast we can.

leaving ~~on~~ his wagon and one horse, our fellows bringing the wagon and horse back to the K.C. This gave us a wagon. We cut down some pitch pine posts which were around the hay corral, and as there was a little old hay there, we put a layer of hay then a layer of pitch pine, leaving a split the posts, then another layer of hay and pine built out wide and high. This was all done back of the stable where we were not exposed. Now there was but one opening, a window, in the cabin, from which Champion could direct his fire to the barn, and Volcott ordered <sup>me</sup> to take six men line <sup>them</sup> up, and ~~one~~ of keep one after another sending a bullet into said window every second of time when he gave the word to commence. He then took the end of the wagon tongue himself, and called for four men two on each end of the double tree, giving the word to commence firing into the window he backed the wagon loaded with hay and pitch pine seventy-five or a hundred yards to the cabin, pushed the tail end of it right up against said window and set it on fire staying there with his men until the load was burning well. It was then but a

6.

question of a very short time. Champion soon came rushing out rifle in hand in his stooping feet, having pulled off his boots. He ran into two of our best men who killed him. On his person we found his diary in which he plainly stated Mick Ray had died about nine o'clock in the morning, which cleared us of the charge afterwards made, that we had intentionally burned his body after killing him.

This was about four P.M. The Cooks had dinner ready for us, as they had been ordered <sup>to do</sup> by McLeath, and as soon as we ate something we started for Buffalo.

We arrived at the Baxter ranch sometime in the night and changed horses there, stopping just long enough to remove the charge. Here a big Texan did something which cost him his life. He was a large heavy man, and they gave him a horse which was a little snorty. He feared him, and turned him over to A. B. Clarke who rode him without any trouble. The Texan keeping the same horse he had ridden the whole trip. The result was when we arrived at the TA ranch he was a foot. Charlie Ford ~~was~~ loaned him an old gentle grey horse that had never been known to buck. The Texan mounted him with his rifle loaded hanging by a strap over the horn of his

saddle, when the horse bucked the strap came off the horn, the gun left the scabbard, the butt striking the ground which discharged the gun, the bullet striking the man in the knee, Mr. Keith took to the Hospital at Ft. McKinney, his leg was amputated and he died from the shock.

~~From the TA ranch etc~~

From the Baxter ranch we proceeded north, somewhere along the road I ~~don't~~ <sup>do not</sup> know where it was, as it was night, Jack Fisdale and Will Guthrie, who were our out riders came galloping back to us saying there was a body of men ahead, There was much excitement among our men at once, Wolcott himself got down afoot and walked ahead he having a pair of field glasses, and after going a considerable ~~down~~ distance and listening intently we had about decided that the boys had run into a bunch of range horses, when a gun was discharged ahead, which gave Sheriff Angus and his party away, and clearly indicated there was more or less excitement in both parties.



X Nobody suggested it, but we were all glad he did  
so, recognizing the fact he was the right man, in right  
place!

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You will no doubt remember there was some  
friction between Moleath, Canton and the  
Texans before we arrived at the Fisdale  
Ranch. Well when we got back to the bunch  
that night we found our men in such  
a state, that Moleath at once assumed  
command, rode out in front of us and gave  
us a good blowing up, saying I can take ten good  
men and whip the whole damned bunch  
of you, and then lined us up and proceeded  
to drill us by moonlight. Then cut a wire  
fence and proceeded to go around a ranch  
in which our Buffalo contingent presumed the  
Sheriff and his party would likely be waiting for  
us at. arriving at Ford Hesses ranch on  
Crazy Woman early next morning, where we were  
well fed and got some much needed rest. An  
amusing incident occurred there, which I  
will relate now while I think of. Dick Allen  
Manager of the Standard Battle Co. an honest  
man if there ever was one, and as good a  
fellow as you will meet in a life time, had  
provided himself with one of the most expensive  
rifles money could buy, in some way he had  
got a cartridge that did not fit his gun  
into his pocket, and it of course looked

mit

X I visited this ranch last summer, just 21 years after the de-  
struction for the first time since 1892. These still live there, It is  
a fine property now of Heco acres.

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*Irvin*  
his gun, which he did not discover until we  
ran into the Sheriff's Pass. He had fussed and used  
no end of profanity until one of hands at the  
ranch took pity on him, and when he found out  
what a simple thing it was to fix, he cursed him-  
self the manufacturer of the ~~the~~ gun and every  
body around him, but wound up by giving the  
man five dollars and even offering him the gun.

Early the next morning we proceeded on our  
way to Buffalo, our intention being to take the  
the town, seize the arms of the wealthy stored  
in the Courthouse, arrest what rustlers were  
there, call the people of the town together and  
tell them what we were there for.

We were met however, about six or eight miles  
from Buffalo by James Craig one of our people,  
a good and brave man, in whose judgment we  
had the utmost confidence. He plead with  
us not to go into Buffalo, told us the people did  
not understand our intentions, that many  
were arrayed against us, who honestly thought  
we were trying run the honest settlers out of the  
country, people who were honest, good citizens  
and a class of people we did not want  
injure, and that we could not possibly have  
a fight in Buffalo without killing and in-  
-juring many that had in no way harmed

us or our property, and that it would be the right of our lives if we went in there. Mr Cook decided as we sat in the road to take Craig's advice, To wove back to the TA ranch, where the rustlers could come out and fight us, which Craig intimated they <sup>were</sup> ~~intended~~ likely do.

Mr Dick Allen informed us that it was his intention to go to Buffalo alone and unawares. That he had large payments on Southern cattle coming due and it was imperative for the sake of his credit that he should do so. His intention being to go to Denver. This he did notwithstanding we all advised against it. He got no farther than Buffalo, was arrested and put into jail, later taken out by an army officer and two men and brought to the Kinney where we were then confined. He was indeed pleased to get back to the bunch and we were delighted to have him back, as we were afraid those fellows would hang him. "You better find Dick and have him write his experience in detail he is very handy with his pen". We returned to the TA and made ourselves as comfortable as possible. Sending ~~out~~ a report of our movements to our friends at Cheyenne, some of which did not get

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through. That afternoon Phil Du Fran an ex-cow-puncher and a friend of ours, succeeded in getting out of Buffalo, and to us, informed us to get ready to fight 750 men that, that number would be out to see us next day. Our party consisted of fifty-five men, with Ford Hesse, brother-in-law and Du-Fran, who remained with us being afraid to return, 57 men and a boy, who was also at the ranch when we got there. We immediately commenced to fortify the house, barn, the house and build a little fort on the top of the hill to protect the barn and stables where we had our horses. We worked most of the night and by morning we were quite well fixed, as there was a full set of house logs there for a new house, all of which we used. ~~The~~ We also filled two or three barrels with water, and carried it, and a lot of Potatoes and beef into the house. The next morning about sun up we could see men in the distance coming, but they kept their distance, that night and all day we could see them throwing up breast works. They would shoot at our horses in the corral behind the barn, hitting first, mine among the remainder, we then crowded them all loose into the barn during the

the day and watered and fed them into night. The rustlers would fire on anything that moved, there was some cattle that would come up in the evening around the house, as they had been fed there, they killed two of these and after dark we would go out and butcher them. They were constantly firing on the house which was considerably shot up. They finally got the range of the doors and it was dangerous to go in or out. We had the windows covered to within one foot of the top with slab boards secured at a low angle, which varied in thickness, in some parts near the edges quite thin, I remember finding Tsch-makes standing with his back to a window, and told him to get away, he stepped away and a second after a bullet crashed through. There was a boy about sixteen at the ranch when we arrived, he was very keen to be in on the fighting, tried to borrow a gun from several of our party, and finally found an old shot gun in the loft of the ranch and cleaned it up. He had <sup>hardly</sup> finished cleaning it when a bullet came in one of the windows, and crashed him across the neck just so the blood would ooze out of the wound. This sure quitted the boy, who went and layed

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in a corner, and it was the last we heard  
of him. The <sup>day and</sup> 1st night Jack Tidale with fifteen  
men entered the fort on the hill which protected the  
bar. The second second night. Nolcott, who had  
a foolish idea the rustlers would not fight,  
wanted to take twenty men on foot and  
make night ~~an~~ attack on about 300. This  
I opposed, he became very angry and called  
me a damned scoundrel. My plan was  
to all go, or none. He finally agreed to leave  
to the Wyoming members of our party, and they  
all agreed with me, so we did not go  
at all. Next morning early Teschmaker woke  
me up, saying the Major wanted me. I reported at  
once. He ordered <sup>me</sup> to take fifteen men and re-  
-turn with Jack Tidale. I answered where are the  
men. He replied pick your men, the <sup>eight</sup> ~~seventh~~  
man I picked refused to go. I told the Major I  
had seven men, that the 8th had refused to  
go, and that he could ~~not~~ send up the  
balance. He asked me who had refused. and  
before I left the house I heard him order the  
fellow himself to go up on the hill, he again re-  
-fused, saying it was too light and that he  
would be killed going up. Nolcott's reply  
was, which do you prefer, being killed going

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up the hill, or being killed right here, as  
you white lived son of a B. you will  
either do as ordered or I will kill <sup>you</sup> myself.  
The result was he went up the hill, and  
we all arrived without accident. . . .  
That night Wolcott got the Myo. boys together  
and they decided to make a base to get away  
from the ranch. He then sent for me, and said,  
we have decided to go out of here tonight  
at 2 A.M. what do you think of it, I replied  
it makes little difference what I think if the  
moon has been decided upon, I am going with you.  
I am damned sure I do not want to stay here  
alone, but before the time came, he counter-  
manded the order voluntarily, as the  
moon came out so bright that with the  
snow on the ground you could see such  
a distance, that he concluded to wait un-  
til the next night, The next morning about  
ten o'clock we could see the soldiers coming,  
when they got near enough they halted and  
col. Van Horn. Bud Angus, the sheriff and one  
other army officer came up to our little fort  
under a flag of truce, The col said to me who  
is in command of this party, I replied we  
have no one in command, we are simply an  
out-fit of cut-throats up here trying to protect

our property. He again asked who was in command, plainly showing some temper, and that he did not believe my answer. I replied again we have no one in command, but Major Moleath is our acting foreman, very well he said, I want to see him. I said, ~~very~~ I will send for him at once, and sent a man to the house, informing the Major that Col. Van Horn wanted to see him. I shall always remember this incident with pleasure. The old man came out of the house with as much dignity and assurance as if he had a thousand men, Col. Van Horn said Major Moleath, I have been ordered by the President of the United States to prevent any further blood shed here, and my opinion is, that the best way to do that, is to have your party surrender, do you surrender Sir, Moleath replied, Col. Van Horn, to whom do we surrender, to the United States Army, or are we to be turned over to the civil authorities of this County, if the former we will surrender, if the latter we will not surrender. The Col. assured him we would not be turned over to the civil authorities, and he at once surrendered and we were lined up and disarmed, and started immediately for Fort



16.

U<sup>c</sup> Kinney about sixteen or 18 miles distance.  
While they were disarming us, I counted about  
160 of the other side who had come up to see  
the surrender. They followed us, jeering at us  
until we got <sup>near</sup> to U<sup>c</sup> Kinney. X  
I forgot to say that early in the morning prior to my  
being ordered to relieve Jack Tidale, Mill Guthrie  
and myself were on guard on the east end of  
the house, when a bullet struck the house and  
glanced into the sole of my foot, the weather  
being cold I had pulled an old mattress  
outside and Mill & I, were sitting flat on it  
with our legs wrapped in an old blanket,  
which turned ~~up~~ our feet up so they could  
be stuck on the sole, I told Mill something had  
hit my foot he looked and laughed saying  
it never touched you, but my foot hurt  
me so I concluded to go into the house and  
investigate, when I took off my over shoe and  
boot I found the bullet in the boot which  
had passed <sup>over</sup> the <sup>soles</sup> of both shoes, but  
did not break the skin of the foot, it bruised  
it however, so that in about 30 minutes it

was much swollen and next day the front end of the foot was black as my hat. I did not wear a boot for three or four weeks. <sup>The man who took my place on guard, in going out of the house on his hands and knees, scraped his feet, and shot himself in the stomach, and died a few days later.</sup> At Mr. Kinnay they quartered us in up stairs of the bath house, where we were very comfortable, Had we known there was a bomb placed under the house, which would have blown us all to kingdom come had it been touched off, our plunbers would not have been so peacefull.

The officers at the Post gave us the cold shoulder with the exception of a Captain Whitney who knew me years before, He called on us. While in the above reception quarters a sergeant came into room and called my name, and said, Col Van Horn wished to see me at the officers quarters, so he marched me with his gun at my rear to said quarters. Upon arriving there the Col invited me to be seated, and then showed me a telegram sent to him by Genl Bill Paxton of Omaha who knew him intimately when he was stationed at the Post near Omaha. The telegram read,

Col. Van Horn, Ft. W. K. K. N. N. N. "Anything that M. C. Irvine  
~~was~~ or any of his friends want, I shall expect you  
to see to it that they get it", I smiled and said,  
The telegram is characteristic of dear old Bill, but  
I am glad to say Colonel, neither Irvine or his friends  
want anything. We are very comfortable, have plenty  
of funds with <sup>us</sup> to pay for food, horse feed and any  
thing else we need. all of which was a great relief  
to the Colonel, who while he was anxious to please  
old Bill, could not get away from the fact we  
were prisoners and had to be treated accordingly.  
That same day or the next, one Rob. Cobble a friend  
of mine from my native town Carlisle Pa. dressed  
himself up in soldiers clothes in order to get out  
of Buffalo, and came to W. K. K. N. N. N. and our quarters  
and told me that the Rebels intended to bush-  
whack us from the bush as we left the Post on  
our way to Douglas, I again called on Van Horn  
repeated Cobble's story to him and requested that  
our arms be returned to us for the trip south, tho'  
he refused to do, but assured me he would  
give us ample protection. He not only did that,  
but without our knowledge sent a four wheel  
wagon along which was all sheeted down as if  
loaded with grain, but it ~~was~~ really contained  
rifles and ammunition for our whole party.

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to be used in case of emergency. We remained  
at Mr. Kinney for days, then started for Douglas,  
with four ~~troop~~ Troops, ~~Cavalry~~ Cavalry, Hotchkiss Gun  
&c. &c. under command of Col. Fichet, who, by the  
way, was no friend of ours. The trip was a very  
cold and unpleasant one, as we had a regular  
blizzard nearly the whole way. At the Ogallala Ranch  
Fichet kept us stalling for hours in the storm after I had  
requested him to allow me to get <sup>my party</sup> into my house.  
He finally allowed us to get into shelter, and we soon  
enjoyed the warmth and food, so that we made  
a night of it singing and playing on the Piano.  
About mid-night a soldier appeared at the door,  
and asked for me, when I presented myself, he  
said Col. Fichet presents his compliments and  
desires to inform you, your man is disturbing  
his rest. (His tent was just behind the house) I will  
please return my compliments to the Col, and  
tell him the Piano is mine, that I have turned it  
over to the boys for the night and they can do  
what they damn please with it, Fichet and one  
other officers, a Captain Stanton were the only two ~~who~~  
we disliked, all of the others, those or four in number,  
were good to us. The day after we reached this ranch  
I killed a deer, after the deer was taken by the  
soldier a sergeant appeared on the scene asking

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For beef. I took him to <sup>the</sup> sergeant of Stanton's troop, and said why were you <sup>not</sup> on hand when we cut up the beef, you will have <sup>to</sup> get some from the other troops or go without. He <sup>said</sup> that's tough on us, we were good to your boys as we came down, and it <sup>then</sup> occurred to me I ought to <sup>be</sup> mistaken as to the troop he belonged to, and as he walked away I asked him, do you belong to Captain Stanton's company, He answered no, Captain Scott's. Well, I said that makes a difference, I will kill another beef. The Captains took turns in taking charge of the "Evadors", day about, everything would go well and smooth until it came Stanton's turn, then our whole bunch would become suddenly deaf. Stanton would say halt, no one appeared to hear, we would march on twenty steps & Malcott would say halt, every man would stop as if he had been hit with a ~~A~~ club. When we got to Fethrman we were met by that most beloved soldier Col. Egbert, who had been ordered to relieve Col. Fethrman of us at that point. The special train there to receive us was ours, and we felt that we were on our own dung till, and immediately let Fethrman know he could not ride with us to Cheyenne, and he never would have done so, had not

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Col. Egbert asked us to allow him to <sup>be</sup> as his guest, I can't no doubt report his treatment of us many times, old Tom the steward of the Cheyenne Club refused <sup>him</sup> a room there, Fred Hesse with, in Ovulaba and abused him like a jack pocket, and he attended one of the Annual Meetings of the Ogallala Paul H. Co. some years after the Invasion in the interest of his niece who was the owner of \$35000.00 worth of our stock and had been for years. He was exceedingly courteous then, a very noticeable difference in manner than when he was in command of our escort from <sup>the</sup> U.S. Mining to Fetterman,

You are of course more or less familiar with our confinement at Ft. Russell. Our trial in Chambers at Paradise City for a change of venue before Judge Blake, & our trial later in Cheyenne when they examined 2700 specimens and failed to get the jury box full. Our sending the Texans home, the dinner we gave them at Cheyenne Club, and what happened there.

I presume of course you intend to have something to say about what led up to the Invasion, the character and standing of the men who organized it, what drove them to it, how they first resorted to the law, but could not get protection.

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In reading Barbara's scrap book you will run  
on to considerable stuff about the use of  
safety. So I better give you the facts. The ark of  
safety was constructed of our two wagons  
(captured a day or two before) baled hay and  
poles, in the hollow just over the hill from the  
fork on top of the hill, we could not see them,  
but could plainly hear them pounding and  
working, and when it was finished a great  
cheer went up. Much has been said and printed  
about what they would have done to us with  
this instrument of war had not the soldiers  
come and prevented. The facts are that the  
Ark of Safety was completed about three o'clock  
on the afternoon before the soldiers arrived  
on the morning of the next day. They pushed  
her up toward us until we could just  
see a little of one corner of her, and then  
their hearts failed them, they could not get  
the run to reach her, they had plenty of  
time to use her had they had the courage.

Reponde

How our cattle were stolen, our houses broken into, guns and ammunition stolen, and desks and private papers rifled. Now, about 70 cattle stealing cases were not pleased in Johnson County by one stroke of the pen so to speak. Then again consider the class of men who were on the other side, fugitives from justice from all points of the compass. That there was no intention at the time of the invasion to drive out honest settlers, and reward had been, We had the record of every man we were after, and those we intended to kill or drive from the country, we have never tried to deny that, and I for one have never had the slightest regret, or made the slightest apology for my part in it. Had we allowed the rustlers to go on unchecked they would have taken the country, and we <sup>were</sup> but a step from a condition then, that a man would have been afraid to ride a good horse into the country for fear of meeting some one on the road who would invite him down and take the horse. I have not touched on the organization of the expedition, the buying the horses, arranging for transportation, our getting out of Cheyenne, and no doubt I will think of many



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things I should have mentioned after I send you this stuff, and I will say here if you want more stuff I will gladly give it to you if you will suggest about what you want.

As I said at the start I am not making a literary effort. I am not even particular about my spelling. I am simply giving the facts in the rough, and as hastily as I can write them, as I find it a larger job than I thought it would be. Before leaving Cheyenne, I wrote to Henry A. Blair of Chicago, asking him to send Barber some material I sent him years ago, which was for you. With my best wishes for your success I am  
as ever

Very truly yours,

W. C. Irvine.

P.S.

Since the Invasion I have been appointed State Treasurer for one term by the <sup>then</sup> Governor <sup>of the State</sup> and elected for a second by going before the people, and I carried every County in the State. I am at present a State Senator <sup>this</sup> being the 3<sup>rd</sup> term. So my Invasion record has not hurt me much. Excuse me blowing my own horn.

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X An amusing incident occurred the day the Soldiers  
Came, which I may as well relate,  
As there was but a foot of space above  
the boards on the windows for us to look out  
from, we were in the habit of standing on the  
cook stove, and counting the bunches of men  
that would arrive each. When the troops were  
first sighted, it was thought they were but  
another bunch to be added to the enemy.  
Sephemores however soon discovered flags  
and announced that the troops were coming,  
which was exceedingly good news to the wise  
ones, but one of the Texans who did not under-  
stand the situation as well as some of us, said  
what! United States troops! Have we got to fight  
the United States troops too? Great God all mighty we  
are sure done up now.