

The State of Wyoming

Twelfth State Legislature

Senate

WM. C. IRVINE
Ross

December 6th 1913.

Dr. Charles B. Pearson,

Philadelphia.

Penn^a.

My dear doctor,

I have finally got to where I can commence on the second ~~or~~ addition of my letter, but Linda only knows when I will have finished it.

You are no doubt familiar with conditions as they existed in the whole range country for years prior to 1892. How the cattle interests had been forged upon, how those interested had first resorted to the law, spending thousands and hundreds of thousands of dollars in our efforts to prevent stealing, but all in vain. ~~At~~ The percentage of convictions was exceedingly small, and the trials so expensive that some County Attorneys, while admitting we had good cases, would refuse to prosecute unless we would agree to pay the expenses of trial, although we were tax ~~or~~ payers in said country, giving as an excuse their countries were too poor to stand the expense. In fact a Johnson Co.

Attorney ^{we-period} Nolle Pleased some seventy-five cases at one time for such a reason, hence conditions went from bad to worse. The Rustlers grew bolder and bolder, until they worked quite openly, ^{not} working the country just ahead of them, followed our round ups, and openly cut large calves and yearlings from the round ^{up} at the same time going to our wagons for their meals, carrying their ^{beds} on pack boxes ^{up} after our men had rounded up the cattle, if any one objected there was a fight, and the Rustler crowd were usually in such numbers that they got away with the fight, soon the men working for the cattle cut-fits

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seemed to have an understanding among themselves that they were being paid so much a month for working, not fighting, and it was ^{kept} to the owners or managers to do his own fighting, ^{and} for some years prior to 1892 there was considerable talking and discussion among those who could be trusted, as to what could be done to ^{prevent the} wholesale stealing of our property; and the assertion was made by some that none but imbeciles would go on from year to year allowing our property to be taken away from us without an effort upon our part to prevent, and that idea seemed to sink into many of us.

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In 1891 we made up our minds to do something, and the Wyoming contingent (the names you have) and those of their friends they could trust talked freely, and finally decided that an expedition of some kind was to be sent into Johnson County, ^{H. B.} and Mr. ^{H. B.} Evans, then then Secretary Wyo. Stock Growers Association, was instructed to enter into ^{it} correspondence with such parties as he saw fit, whom he thought would receive for us the number and kind of men for the job, and it was

through Mr. Evans, ^{who} secured the services of a Texan by the name of Tom Smith, who in turn collected the Texans, and who acted as their captain and spokesman throughout the entire time they were in our employ; in case

It was decided that we should ^{at that time} go into Johnson Co. immediately after the adjournment of the ^{next} Annual meeting of the Wyo. Stock Growers Assn. ^{in early April}. As we well know it would create suspicion for us to work our ranch horses at that time of year, we decided to purchase an entire new outfit and to the task of buying them R. S. Van Fosselle and myself were assigned

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V. ~~Why~~ Why you probably have no idea of how we were being robbed. To give you an instance Frank Benton who now lives in Colorado, but was then a cattle buyer in Wyo. told me years after, that he bought in one bunch from a sixteen year old girl eighty calves, Captain Jenks, who lived twelve miles east of Pusk about 175 miles south east of here, an old Cheyenne friend of mine, ~~then~~ ~~so~~ and who was familiar with my brand, wired me, "come down to my ranch at once, about twenty-five of your cows with seven bags in my pasture, do not know how they got there" I went at once taking the sheriff of our county with me. We found twenty-one cows, ^{with eggs swollen} I drove the cows to Pusk and put them into a pen there, the Sheriff made a circle around north of ^{of Jenks ranch} looking for calves. He found a bunch hid in a hollow 15 miles north of Pusk, the man who seemed to own them was disinclined to show them, but the Sheriff a determined sort of a fellow took the calves and the man too. We turned the bunch of calves into the same pen with the cows at Pusk, and nineteen out of twenty-one went to seeking the cows. The man I sent to the Pen, although I received several letters warning me not to appear against him. At this time in the proceedings it had not been decided upon that owners and managers should go, and at this meeting, at which we decided something should be done, I was surprised to have John Winterling move that all owners & managers who could possibly do so

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should go with the Texans, for the several reasons, as follows.
to show them the way, to point out those we wanted,
to give the expedition prestige, and last to prevent mistakes.
This motion was a surprise to me, but in order to bring it
up before the meeting I seconded it, and after some
discussion it was carried. The moment it was carried I
personally put the question to every ^{man} ~~gentleman~~ in the room
"Will you go" and received a reply that they would from every
man there ~~but~~ ^{except} old Col Pratt and George M. Baxter.

Winterling who was in Cheyenne until shortly before we started,
wants to his home ~~at~~ in Sheridan Co. Big Red
Ranch, ahead of us, assuring us he would be on
deck at the proper time. He did not show up at all.
notwithstanding our messenger to him ^{from the TA ranch} ^{and urging him to come with us} ^{to} ^{be} ^{present} ^{at} ^{it}
advising him of our need of reinforcement, ^{he} ^{traced} ^{him}
and succeeded in returning to us.

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At the start our intention was to organize and start
 from Omaha, and as I remember it, Col. Pruth, George
 Baxter and myself were appointed as a committee to ex-
 range for the transportation of ^{our} horses and baggage.
 Naturally we first called upon ^{the} Mr. Burth, ^{the} Superintendent of the F. C. M. V. R. R.
 who was afterwards President of the Union Pacific. It took
 some time for it to soak into him what we wanted, but
 when our real object finally dawned on him, I wish you
 could have seen and heard him. He ran his fingers
 through his hair and exclaimed, Gentlemen, Gentlemen,
 this railroad will have nothing to do with an expedition
 of that kind, nor will I, and my advice to you gentlemen
 is to drop it. We gave him to understand plainly we were
 not then asking advice but transportation, and if his
 road could not accommodate us we would go elsewhere
 for it. We then called on Mr. Holdridge of the R. M. R. R. He
 listened ^{intently} to us without a word until we were through,
 and then answered ^{instantly} Gentlemen I think I understand what
 your intentions are, but that is no affair of mine ^{of this}
 roads, I am personally acquainted with you all. I know you
 are ^{we are} commission ⁱⁿ ^{business} ^{for} ^{the} ^{money} ^{that} ^{is} ⁱⁿ ^{it}
 to be responsible ^{when} you send the train over
 - we two days notice and it will be furnished, I need
 saw a man take in, and sign up a citation quicker or better,
 and I have always had a great admiration for Holdridge ever
 since, later however, it was considered better to send
 our Texans in Denver, and ^{they came} directly ^{from} there
 to Cheyenne, thence via Corin Junction to Casper.

I forgot to say that we had no trouble arranging transportation with U. P. Office, who
 fracted us by sending us well, meaning our train through to Casper, over the F. C. M. V. R. R.
 from Corin Junction so far as I know without their consent or knowledge.

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of the Wyoming Stock Growers Assoc.

As the annual meeting was early in April much was to be done in the mean time, Van Fassel & J. bought the horses in Colorado and shipped them to the stock yards at Cheyenne where they were branded, and grained for some days prior to our start, which as I stated ^{before was} immediately after the adjournment of the meeting, ^{at Cheyenne} ~~read~~ the word had been given out to the faithful to walk down to the stock yards immediately after the meeting was over in two or three 10 and not to excite attention, as soon as they arrived there they were put into the horse stable, in the mean time ^{all} ^{who is a grand old scout for anything that requires action.} Van had had our horses and baggage all loaded on the cars waiting for the arrival of Major Holcott who had gone to Denver to bring up the Texans, which was beautifully done, The train pulled into Cheyenne with the sun blinds pulled down, and as Holcott had ordered his men ^{to} ^{remain} in the cars and keep quiet, they were not noticed at all, and were at once backed to the stock yards where we hooked onto the horses and baggage ^{cars}, ^{climbed aboard} and pulled ~~it~~ out, without a single man being ^{the} ^{wiser} to what was going on unless it was some friend of ours whom we had taken into our confidence.

We arrived without any mishap at Arapahoe Junction, shortly before our arrival there Holcott said to me, come up to the station with me I am going to see if David Luns done his work. He first said to the Operator please call up the Agent at Douglas and ask him to get Buffalo, He soon told us that the wires were down between Douglas & Buffalo. Well said the Major get me Chadron probably we can

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got a message around that way. The operator
pounded away on his instrument for some minutes
and said damn it I can't get Chadron either,
then a scoundrel came on the old man's face and he
whispered to me, I guess everything is all right, and
to the operator he ^{said} that is too bad, as I was very
anxious to send a message. When we arrived at
the Ft. Fethrman Stock Yards we were met ^{by} Ed. David,
who was there with two saddle horses for Wolcott.
We opened one of ^{the} cars and put the horses in, but David
did not accompany us, much to my disgust, as I
had had a time with him in Cheyenne sometime before. He
was then trying to kick out of going, giving us an excuse
he could not square himself with his wife, and I asked
him how in hell am I to square myself with my wife
and five children, adding it is a damned poor reason who
gets behind his wife, this remark seemed to put him on his
mettle and he again assured me he would go, and as I want
to be perfectly just to David, I will say that in my opinion,
He would have kept his word, had not Major Wolcott in-
-structed him to stay up in this country, and cut the wire
between Douglas & Buffalo and east of Corn Junction, ^{and keep them cut for some} which he
did, and did it damned well, as he came up here and took my
Jornum Chambers into his confidence, who assisted him, and
they would ~~take~~ cut the wire between two poles, hitch one
end of the piece to the horn of a saddle and drag it
three miles away and hide it in the hills. Duss however,
much chagrined and disappointed in his failure to go, as

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I could plainly see then, how important it might be to ^{later} us, to have Corry's representative with us, and I think Malcott was wrong in giving David such instructions, without consulting the rest of us, and then keeping the arrangement to himself until it was too late to change it, as any good man could ~~it~~ have ~~cut~~ those wires.

On the way up to Casper there was considerable work to be done with our baggage in order to save time in getting away from the Casper Stock Yards, and Malcott who was ostensibly in ^{and doing the work} command, ordered every one out of the baggage car except those he wanted to help him.

Whether Frank Canton knew of the order or not, I am unable to say, but after ^{the} order was read, he came into the car, and was promptly ordered out, This was the start of a better feeling between the two which gave us considerable trouble later, as Tom Smith and Canton were friends,

and the Texans naturally followed Smith.

^{After we had given the men their saddle horses.}

Upon our arrival at Casper Penn, the Major ordered me to take six men and set up and load the wagons, while he got out of sight with our main force. This proved to be a very difficult job, as our work horses which good ones, had never been hitched together, some refused to pull, and one team of four ran away, and had it not been for the skill and staying qualities of the driver, we would have been up a stump right at the start. But we finally got safely through Casper and

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North of the Platte River, which encouraged us to feel we were well on our way, but at noon that very day, some of our men foolishly turned their horses loose with the ropes on them, which caused a stampede of our horses, some of which we never did recover, among those lost was the "Reporter's" horse, beloved (or beloved) by name, who immediately took one of the Texan's horse and insisted it was his, I however took the horse away from ^{him} and made him ride on the wagon, until sometime during the day we ran into a bunch of Cheyenne saddle horses, and we rounded them up and took three as I remember it. That same night Deschmetz and others came to me and said I would have to talk to Moxley in regard to the trouble that was brewing, and I did so in bed, as he slept with me, not having a bed of his own. The next morning at breakfast, or about that time, he made a very peculiar speech resigning command of the Expedition for the sake of peace and harmony, that we were out for a distinct purpose, and that the feelings ^{or wishes} of no one man should be allowed to stand in the way of our success. From that time until ^{the night} we struck Sheriff Angus and his party Frank Canton was in command. As I remember we went into Bob Fiddlers ranch in a snow storm the second night. I can well remember ^{Ed} "House" who was suffering terribly with Piles. His stirrups were

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too long and I exchanged horses with him, and even then he suffered intensely, and when Adamson and I would lift him off and on as we did several times he would beg us to leave him, That same night Wolcott got lost and slept in a haystack. The next day led McArthur the freighter, and Agallala Dad. Showed up, and when they understood the nature of our gathering, McArthur was very anxious to go back and feed his runder, and Agallala Dad his cat. I informed them both however, that both the runder and the cat would have to fast for a while, It was this day I think that Mike Shoumway arrived and advised us that fourteen Runder were at the RR ~~the~~ ranch that evening, and we immediately commenced to get ready to rear. Right here is the place to say what I am going to say about H. M. Davis, I could say considerable, but I will say nothing, We all have the highest respect and esteem for his wife and family, and when Mrs. Davis who got wind of how Winter acted, ~~she~~ went to Ford Hesse and asked him ^{about it} Ford for the sake of her feelings lied, and the rest of us have backed Ford up in his lie, for the same reasons.

I, of course do not know just what Tom Smith told the Texans in Texas, as to the nature of our Expedition, but I am quite sure he understood perfectly well what we intended doing and I think the others did also.

Yes the Expedition got out of Cheyenne without it.

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it being generally known.

The Union Pacific Officials, who furnished transportation for us from Denver to Casper were fully informed as to our intentions, as it was discussed very fully in Superintendent Anderson's office a number of times, and I a remark I made them, Anderson quite frequently repeated to tease me, which was, "just you land us at Casper and we will do the rest."

The date we left Cheyenne was April 5th 1892. Arrived at Casper P.M. early April 6th 1892. ~~Spent~~ night of April 7th camped between Casper and Fisdale's ranch, night of April 8th arrived at Fisdale's ranch.

Major Nolcott was supposed to be the real head of the party when we started, He ^{formerly} was appointed, but we all conceded him to be the best man for the place, and it was generally understood, He accepting the responsibility willingly, and our conclusions in this respect were sound, as notwithstanding his manner to some, and his actions at times, He was unquestionably the best man in our party for the position, After leaving Fisdale's ranch Frank Canton was supposed to be in command, but he had little to say, and in fact Nolcott ^{than} took the lead at the K.C. ranch where ^{he} directed the placing

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might enquire

At Ft. W. Kinney Reservation, to tell any one who ^{enquired},
that they were cooking for a surveying party, and if they were
able to get there to camp on said Reservation and remain there
until they were sent for. As it was our intention then
to go right into Buffalo, and as our Buffalo Contingent
were exceedingly anxious about their friends there, we
intended to travel faster than the trains could go, and as
we had no men to spare to send a guard with them,
we concluded to let them take their chances in getting
through. In this connection let me say, that the wagons
passed in plain view of the TA just before they were
captured, and we should, and could have prevented said
capture, had we had the gumption to do so, but those
of us who should have attended to it ^{were} ~~were~~ so completely
tired out, and done up, for the want of sleep that we
neglected to do it. For instance that morning when the
word came to us the wagons were passing in charge of
a very few men I who had taken them about a mile
away, we had just been seated at the table for breakfast,
and while we waited a minute or two to be served, I
noticed Major Moleath's head sink down with his
face flat in his plate, ^{soundly asleep,} the men driving our wagons
were not turned over to the military, but as I remember
were held in Buffalo for the purpose of being used as wit-
-nesses against us. They were not confined with us at any

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nor were they tried with us, and were eventually turned loose.

I think the only reason the Army officers of Col. Frich's type were against us, was that many of the Rustlers were good spenders, and hale fellows well met in Ruffles from time to time, and bought whiskey for them.

The others, I think, ^{at least} many of them ~~were~~ being acquainted with any of us, and not ^{being} sure of their ground, took the safe plan and remained away from us.

It was ^{known} not generally, to our friends throughout the state that the expedition was to take place. The secret of our intentions was carefully guarded for fear it would reach the ears of those whom we did not want to know about what we contemplated doing.

^{Do you see} I do not know what finally became of Jones & Walker, ^{got} but they all that was coming to them, and much more, to start with, and afterwards gave us an endless amount of trouble and expense, being willing to sell out to either side. In the first place, you will remember my saying in my other letter, that when it became light enough for us to see the morning we surrounded the K. C. ranch, that we were informed by Wise Shonnessy that the spring wagon standing in front, and close

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to the ranch, did not belong there, and that it was his opinion that it belonged to some one who came there late the evening before, and the chances were it was the property of some one whom we were not after. Well, that wagon, the harness, a fiddle, and some traps, ^{with some grub} belonging to the Trappers were burned. When we started so hastily north after disposing of Champion & Phey, we sent those two Trappers south, as they were starting away, they complained of their losses. Charlie Campbell, ^{and I} took them aside, and upon my asking them what their losses were, one of them put his own value on each article burned and I added them up and gave him dollar for dollar for every dollar he claimed we had destroyed for them, except for the grub for which I gave them an order on Bob Fairdale's ranchman, asking him to furnish it to them. After they had started away perfectly satisfied apparently, the younger fellow said, and my hat was broken too, I have no hat, I immediately handed him mine, and put on ^{an} old fur cap that I had tied to my saddle for use in very cold weather. These same fellows afterwards turned up in Cooper, and did considerable talking against us. Later they appeared in Douglas, and it was thought best to get rid of them. This was easier said than done.

V and I went to say with more money than either of them had seen for years.

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As there was so much interference from the outside that they were constantly changing their minds, our representatives finally had to take them away by force. They were held in Crawford, again in Chadron, and finally we had a special train sent there there and took them to Omaha, where some kind of a case was ~~knumped~~ ^{knumped} up against ^{them} in order to hold them, Then Douglas -man took them to New York state, where they ^{with} kept for months, and some years afterward I had a letter from some fellow in Colorado telling me that unless I paid some checks issued by one Hugo Douglasman to certain parties in New York on banks that ~~never~~ ^{never} existed he would open up some old sores, I replied that I was not responsible for the actions of Hugo Douglasman or any other man, and when he got ready to proceed as he threatened to do, he did not have to have my consent, I never heard from him afterward, ~~and~~ but I understand that Mr. E. M. Whitcomb did, In this connection, while we were being tried in Cheyenne, two lawyers who claimed we were indebted to them on the Jones & Malpas got away business appeared in the City, ^{of Cheyenne,} It was very evident the time was chosen for the purpose of intimidating us into giving them a lot of money, Charles Campbell, Fischmader and myself were appointed to see them, which we did in the presence of State Attorney

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in Stales office. The spokesman of the two made us a speech and informed us we owed them including those hundred and attorney F. H. Harry had promised ^{& the sheriff at Chadron} ~~to~~ return 17 and 18 hundred dollars. I turned to Mr. Harry and asked him, did you promise the sheriff \$200.⁰⁰? he answered yes, I asked him again, how much did you pay these two gentlemen? He answered \$350.⁰⁰ all I had, I asked him how much time was required to do the work & they did for you? He answered about twenty or thirty minutes, I then turned to the Chadron attorneys and said, so far as I am concerned gentlemen, as a member of this committee, I am willing to pay the amount our attorney promised to pay the sheriff and no more, The conference ended in their accepting the \$200.⁰⁰, all of which they kept themselves, not giving the sheriff one cent. As the sheriff at Chadron ~~was~~ at that time was Jim Dahlman, an ex-cow-puncher, who was later on W. J. Bryan's right bow, ^{politically,} ^{was well known to} He is now serving his second term as Mayor of Omaha, ^{the} and asked me himself some years afterward why we had not paid him the three hundred, I told him of the above mentioned conference, and offered to take him to the Stock Growers National Bank and dig up the old draft that was used in paying the money to those lawyers, but he declined to have me do it. In referring to your letter I see I have overlooked your question number 2 entirely, namely! What form was followed in deciding what rustlers should be killed & c & c. I am glad to answer, and it would have spoiled the whole story next to have done so.

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Those of us who were in the field and came in personal contact with what was going on, of course had our individual experiences, and we were perfectly familiar with names and actions of certain individuals in our immediate neighborhood. Reports were sent into Mr. H. B. Evans, Secretary of the Wyo. Stock Growers Assn. from all over the state, who also had much experience in collecting evidence ^{purpose of forming} for the ~~prosecution~~ ^{prosecution} of these thieves, ~~and~~ who in addition had taken ^{great} pains through correspondence ^{and otherwise} in informing himself of the former records of all the men we knew to be active in preying upon our interests, and you will be surprised to know perhaps, that 90% of these are fugitives from justice from other states, murderers, horse & cattle thieves and all round bad men, Jake Nick Rhey, for instance, He was notorious as a thief on the Platte River in western Nebraska, the former range of the Agallula Band Co. (this company) In 1888 said company moved up here, the following summer Rhey appeared ^{on} the scene, and ~~being~~ was known to say, the Agallula was good pecking in Nebraska, and he could not see why it would not be as good in Wyoming, This same fellow, walked into this ranch with his arm in a sling. saying his horse had fallen with ^{him} and broken his collar bone, He layed around for

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For two days apparently in great pain, the third morning he was gone, so was a very fine black horse from our east pasture. Then came another fellow from western Nebraska by the name of Wagner, and we had positive knowledge that this fellow, and they took out of this country several times from one to two hundred ^{of} yearlings in a drive, of course our information ^{was} through Nebraska sources and long after the transaction. This fellow Wagner's brother, Tom Wagner, was located about fifty or seventy five miles east of ~~the~~ here. He was one of the most successful thieves the country ever knew. One morning three men called on and ~~him~~ took ^{him} from the midst of his family, and hanged him with his own rope within a few miles of his home. He had accumulated over 1200 horses, and had \$17,000. ⁰⁰ in cash in a bank at Newcastle.

There was no room for doubt in our minds as to the guilt of these men, every one of whom we had the names, with a record of their deeds in this state, and of many of them in other states. All the evidence in the hands of Mr. Evans was from time to time submitted to the Executive Committee of the Wyo. State Growers Assn., which was composed of two members from such county in the state, which committee was glad to call into its deliberations any one who could aid in the work. It was no close corporation proposition, on the contrary we welcomed every one who showed a disposition to help

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who we were not suspicious of, ~~the~~ ~~man~~ nothing of this kind was decided by correspondence. As evidence of men would accumulate their names were taken by Mr. Evans and later on submitted to the committee and many others in order to be sure we were right, and the result has proved that care was exercised in preparing that list, as not a single mistake was made, not a man was killed who did not deserve killing. The only trouble was we did not get enough of them. Had those fourteen reported to be at the K.C. the evening before our arrival, had only remained there, we would have got them and immediately scattered as fourteen would have had the same effect on what was left as a hundred. It was too bad they did not remain, Jack Flag's escape was another misfortune. However, what little we accomplished, notwithstanding the expedition was considered a mistake, and unsuccessful, it had a good effect. It put the better people to thinking, and juries in Johnson Co. commenced to convict, in fact it was not long until a thief who was tried in Johnson Co. was sure of conviction if there was a case against him.

I am anxious to impress upon your mind that the Invasion was not a mistake, on the contrary was an absolute necessity, and that no mistake was made in killing the men we killed, that those of us who took part in it, did so from a high sense of duty, and because after resorting to the laws for protection, the government was forced upon us, that the laws of the state either could not or would not protect us.

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History teaches us, that whenever conditions in the past, such as existed in our state at the time of, and prior to the Invasion, have existed, that the people will invariably rise ~~up~~ and protect themselves, This is as it should be, and I want to further impress upon you, that those of ^{us} who still live, ~~and~~ who were of the 70's, contingent, and those who have gone before, have not, and never have had the slightest remorse of conscience, or worry, ~~nor~~ ~~do~~ ~~we~~ ~~regret~~, on account of the part we played, and we never have, and never shall make the slightest apology for our action, public or private, on the contrary we feel proud of it, and I am quite sure, judging from the attitude of the better people of our state toward us, that they have long since come to the conclusion that the Invasion was the natural ~~an~~ outcome of the conditions then existing in our state, and it had to come sooner or later, Personally my chief regret is, that we were not more successful.

(This is South.)

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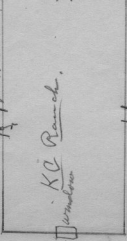
Chapman was "killed" here

All Hills

Hills

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Spring wagon at
the house
James & Charles



door where they & hunters came out

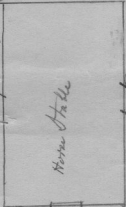
East

Route of long heavy pack
to Okfuskee

Refers to
conclusion

Since that I directed the
constant fire of his men from the window in house

Draw stand
there



Equal in door
where they came
out from

to come out
early in morning

Hay corral
Here where
wagons loaded
with hay &
started from

Here where
waited for hunters

Road side of pack they came down

Charlie Ford stood
here when he shot at Flagg,
Flagg asleep when you see it at
time that was fired.

Here where we went
down into trench



North

President

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Dr. Charles B. Penrose,
Philadelphia, Penn.

My dear doctor,

I have finally got to where I can commence on the second addition of my letter, but Lord only knows when I will have finished it.

You are no doubt familiar with conditions as they existed in the whole range country for years prior to 1892. How the cattle interest had been preyed upon. How those interested had first resorted to the law, spending thousands and hundreds of thousands of dollars in our efforts to prevent stealing, but all in vain. The percentage of convictions was exceedingly small, and the trials so expensive that some county attorneys, while admitting we had good cases, would refuse to prosecute unless we would agree to pay the expenses of trial, although we were tax payers in said county, giving as an excuse their counties were too poor to stand the expense. In fact a Johnson Co. attorney noll-prossed some seventy-five cases at one time for such a reason. Hence conditions went from bad to worse.

The Rustlers grew bolder and bolder until he worked quite openly, followed our round ups or worked the country just ahead of them and openly cut large calves and mavericks from the round ups after our men had rounded up the cattle at the same time going to our wagon for their meals, carrying their beds on pack horses. If any one objected there was a fight, and the Rustler crowd were usually in such numbers that they got away with the fights. Soon the men working for the cattle outfits seemed to have an understanding among themselves that they were being paid so much a month for working, not fighting, and it was up to the owner or manager to do his own fighting.

For some years prior to 1892 there was considerable talking and discussion among those who would be trusted, as to what could be done to prevent the wholesale stealing of our property, and the assertion was frequently made by some that none but imbeciles would go on from year to year allowing our property to be taken away from us without an effort after our part to prevent, and that idea seemed to sink into many of us.

In 1891 we made up our minds to do something, and the Wyoming contingent (the names you have) and those of their friends they could trust talked freely, and finally decided that an expedition of some kind was to be sent into Johnson County, and Mr H. B. Ijams, the then Secretary Wyo. Stock Growers Association, was instructed to enter

into correspondence with such parties as he saw fit, whom he thought could secure for us the number and kind of men for the job. And it was through Mr. Ijams who secured the service of a Texan by the name of Tom Smith, who in turn collected the Texans, and who acted as their captain and spokesman throughout the entire time they were in our employ.

It was decided that we should start for Johnson Co, immediately after the adjustment of the next Annual meeting of the Wyo. Stk Growers Asson. Early in April, as we well knew it would create suspicion for us to work our ranch horses at that time of year, we decided to purchase an entire new out-fit and to the task of buying them R.S. Van Tassell and myself were assigned .

Why you probably have no idea of how we were being robbed. To give you an instance, Frank Benton who now lies in Colorado, but was then a cattle buyer in Wyo. told us years after that he bought in one bunch from a sixteen year old girl eighty calves. Captain Jenks, who lived twelve miles east of Lusk, about 175 miles south east of here, an old Cheyenne friend of mine, and who was familiar with my brand, wired me. "Come down to my ranch at once, about twenty-five of your cows with swollen bags in my pasture, do not know how they got there." I went at once taking the sheriff of our county with me. We found twenty-one cows, with bags swollen. I drove the cows to Lusk and put them into a pen there. The sheriff made a circle around north of Lusk and Jenks ranch, looking for calves. He found a bunch hid in a hollow 15 miles north of Lusk. The man who seemed to own them was disinclined to show them, but the sheriff a determined sort of a fellow took the calves and the man too. We turned the bunch of calves into the same pen with the cows at Lusk and nineteen out of twenty-one went to sucking the cows. The man I sent to the Pen, although I received several letters warning me not to appear against him.

At this time in the proceedings it had not been decided upon that owners and managers should go. And at this meeting (held in Omaha), at which we decided something should be done, I was surprised to have John Winterling move that all owners & managers should go with the Texans, for the several reasons as follows. To show them the way, to point out those we wanted, to give the expedition prestige, and last to prevent mistakes. This motion was a surprise to me, but in order to bring it up before the meeting I seconded it, and after some discussion it was carried. The moment it was carried I personally put the question to every man in the room. "Will you go" and received a reply that they would from every man there except old Col Pratt and George W. Baxter.

Winterling who was in Cheyenne until shortly before we started went to his house in Sheridan Co. Big Red Ranch, ahead of us, assuring us he would be our dick [detective] at the proper time. He did not show up at all. Notwithstanding our messenger to him from the TA ranch advising him of our need of reinforcements (and urging him to come with all the men he could get) reached him and succeeded in returning to us.

At the start our intention was to organize and start from Omaha, and as I remember it, Col. Pratt, George Baxter, and myself were appointed as a committee to arrange for the transportation of our horses and baggage. Naturally we first called upon Mr. Burt, then superintendent of the F.E.M.V.R.R. [Fremont, Elkhorn, and Missouri Valley Railroad] who was afterward President of the Union Pacific. It took some time for it to soak into him what we wanted, but when our real object finally dawned on him, I wish you would have seen and heard him. He ran his fingers through his hair and exclaimed, gentlemen, gentlemen, the railroad will have nothing to do with an expedition of that kind, nor will I, and my advice to you gentlemen is to drop it. We gave him to understand plainly we were not there asking advice but transportation, and if his road could not accommodate us we would go elsewhere for it. We then called on Mr. Holdridge of the B & W R.R. [Burlington and Western Railroad]. He listened intently to us without a word until we were through, and then answered instantly, gentleman I think I understand what your intentions are, but that is no affair of mine or of this road. I am personally acquainted with you all. I know you to be responsible men & we are common carriers in business for the money that is in it. When you need the train give me two days notice and it will be furnished. I never saw a man take in, and size up a situation quicker or better, and I have always had a great admiration for Holdridge ever since. Later however, it was considered better to bunk our Texans in Denver, and they came directly north from there to Cheyenne, then on via Orin Junction to Casper. (Text written on left side of page: I forgot to say that we had no trouble arranging transportation with U.P. Official, who treated us exceedingly well, meaning our train through to Casper over the F.E.M.V.R.R. from Orin Junction, so far as I know without their consent or knowledge.)

As the annual meeting of the Wyoming Stock Growers Assoc.) was early in April, much was to be done in the meantime. Van Tassell & I bought the horses in Colorado and shipped them to the stock yards at Cheyenne where they were branded and grained for some days prior to our start, which as I stated before was immediately after the adjournment of the meeting at Cheyenne. The word had been given out to the faithful to walk down to the stock yards immediately after the meeting was over in twos & threes, so as not to excite attention, as soon as they arrived there they were put into the horse stable. In the meantime old Van, who is a grand old scout for anything that requires action, had had our horses and baggage all loaded on the cars waiting for the arrival of Major Wolcott who had gone to Denver to bring up the Texans, which was beautifully done. The train pulled into Cheyenne with the sun blinds pulled down, and as Wolcott had ordered his men to remain in the cars and keep quiet, they were not noticed at all and were at once backed to the stock yards where we hooked onto the horses and baggage cars, climbed aboard and pulled out, without a single man being the wiser to what was going on unless it was some friend of ours whom we had taken into our confidence.

We arrived without any mishaps at Orin Junction. Shortly before our arrival there Wolcott said to me, come up to the station with me. I am going to see if David has done his work. He first said to the Operator please call up the Agent at Douglas and ask him to get Buffalo. He soon told us that the wires were down between Douglas & Buffalo. Well, said the Major, get me Chadron, probably we can get a message around that way. The operator pounded away on his instrument for some minutes and said damn it I can't get Chadron either. Then a smile came on the old man's face and he whispered to us I guess everything is all right, and to the operator he said, that is too bad as I was very anxious to send a message. When we arrived at the Ft. Fetterman Stock Yards we were met by Ed David, who was there with two saddle horses for Wolcott. We opened one of the cars and put the horses in, but David did not accompany us, much to my disgust, as I had had a time with him in Cheyenne sometime before. He was there trying to kick out of going, giving as an excuse he could not square himself with his wife, and I asked him how in hell am I to square myself with my wife and five children, adding it is a damned poor man who gets behind his wife. This remark seemed to put him on his metal and he again assured me he would go, and as I want to be perfectly just to David I will say that in my opinion, he would have kept his word had not Major Wolcott instructed him to stay up in this country and cut the wires between Douglas & Buffalo and east of Orin Junction and keep them cut for several days, which he did and did it damned well. As he came up here and took my foreman Chambers into his confidence, who assisted him and they would cut the wire between two poles, hitch one end of the piece to the horn of a saddle and drag it there miles away and hide it in the hills. I was however much chagrined and disappointed in his failure to go as I could plainly see then how important it might be to us later to have Carey's representative with us, and I think Wolcott was wrong in giving David such instructions without consulting the rest of us and then keeping the arrangement to himself until it was too late to change it, as any good man could have cut those wires.

On the way up to Casper there was considerable work to be done with our baggage in order to save time in getting away from the Casper Stock Yards, and Wolcott who was ostensibly in command and doing the work ordered every one out of the baggage car except those he wanted to help him. Whether Frank Canton knew of the order or not, I am unable to say, but after the order was made, he came into the car, and was promptly ordered out. This was the start of a bitter feeling between the two which gave us considerable trouble later as Tom Smith and Canton were friends, and the Texans naturally followed Smith.

Upon our arrival at Casper Pen, after we had given the men their saddle horses, the Major ordered me to take six men and set up and load the wagons, while he got out of sight with our main force. This proved to be a very different job, as our work horses, while good ones, had never been hitched together. Some refused to pull, and our team of four ran away, and had it not been for the skill and staying qualities of the driver, we would have been up a stump right at the start. But we finally got safely through Casper

and north of the Platte River, which encouraged us to feel we were well on our way, but at noon that very day, some of our men foolishly turned their horses loose with the ropes on them, which caused a stampede of our horses, seven of which we never did recover. Among those lost was the "Reporters" horse, Clover by name, who immediately took one of the Texans horse and insisted it was his. I however took the horse away from him and made him ride on the wagon, until sometime during the day we ran into a bunch of Carey's saddle horses, and we rounded them up and took three as I remember it.

That same night Teshemacher and others came to me and said I would have to talk to Wolcott in regard to the trouble that was brewing, and I did so in bed as he slept with me, not having a bed of his own. The next morning at breakfast, or about that time, he made a very manly speech resigning command of the expedition for the sake of peace and harmony, that we were out for a distinct purpose, and that the feelings or wishes of no one man should be allowed to stand in the way of our success. From that that time until the night we struck Sheriff Angus and his party Frank Canton was in command.

As I remember we went into Bob Tisdales ranch in a snow storm the second night. I can well remember poor Ed "Towse" who was suffering terribly with Piles [hemorrhoids]. His stirrups were too long and I exchanged horses with him, and even then he suffered intensely, and when Adamson and I would lift him off and on as we did several times he would beg us to leave him. That same night Wolcott got lost and slept in a haystack. The next day Old McGeehee the freighter, and Ogallala Dad showed up, and when they understood the nature of our gathering, McGeehee was very anxious to go back and feed his mules and Ogallala Dad his cat. I informed them both however, that both the mules and the cat would have to fast for a while. It was this day I think that Mike Shonsey arrived and advised us that fourteen Rustlers were at the KC ranch that evening, and we immediately commenced to get ready to war. Right here is the place to say what I am going to say about H. W. Davis [Henry Winter Davis]. I could say considerable but I will say nothing. We all have the highest respect and esteem for his wife and family, and when Mrs. Davis who got wind of how Winter acted, went to Fred Hesse and asked him about it. Fred for the sake of her feelings lied, and the rest of us have backed Fred up in his lie for same reasons.

I of course do not know just what Tom Smith told the Texans in Texas, as to the nature of our expedition, but I am quite sure he understood perfectly well what we intended doing and I think the others did also.

Yes the expedition got out of Cheyenne without it being generally known.

The Union Pacific officials who furnished transportation for us from Denver to Casper were fully informed as to our intentions, as it was discussed very fully in Superintendent Anderson's office a number of times, and a remark I made then, Anderson quite frequently repeated to tease me, which was, "just you land us at Casper and we will do the rest."

The date we left Cheyenne was Apl 5th 1892, arrived at Casper Pen early Apl 6th 2891. Night of Apl 7th camped btween Casper and Tisdale ranch, night of Apl 8th arrived at Tisdale ranch.

Major Wolcott was supposed to be the real lead of the party when we started. He never was formally appointed, but we all conceded him to be the best man for the place, and it was generally understood. He, accepting the responsibility willingly, and our conclusions in this respect were sound, as notwithstanding his manner to some, and his actions at times. He was unquestionably the best man in our party for the position.

After leaving Tisdales ranch, Frank Canton was supposed to be in command, but he had little to say and in fact Walcott even then took the lead at the KC ranch where he directed the placing.

Ft McKinney Reservation, to tell any one who might enquire, that they were cooking for a surveying party, and if they were also to get there to camp on said Reservation and remain there until they were sent for. As it was our intention then to go right into Buffalo, and as our Buffalo contingent were exceedingly anxious about their friends there. We intended to travel faster than the teams could go, and as we had no men to spare to send a guard with them, we concluded to let them take their chances in getting through. In this connection let me say that the wagons passed in plain view of the TA just before they were captured, and we should and could have prevented said capture had we had the gumption to do so, but those of us who should have attended to it were so completely tired out and done up for the want of sleep that we neglected to do it. For instance that morning when the word came to us the wagons were passing in charge of a very few men who had taken them about a mile away, we had just been seated at the table for breakfast and while we waited a minute or two to be served, I noticed Major Wolcott's head sink down with his face flat in his plate & soundly asleep. The men driving our wagons were not turned over to the military, but as I remember were held in Buffalo for the purpose of being used as witnesses against us. They were not confined with us at any [time] nor were they tried with us and were eventually turned loose.

I think the only reason the Army officers of Col. Fechets type were against us was that many of the Rustlers were good spenders, and hale fellows well met in Buffalo from time to time and bought whiskey for them. The others, I think at least many of them being unacquainted with any of us, and not being sure of their ground, took the safe plan and remained away from us.

It was not generally known to our friends throughout the state that the expedition was to take place. The secret of our intentions was carefully guarded for fear it would reach the ears of those whom we did not want to know about what we contemplated doing.

I do not know what finally became of Jones and Walker [Ben Jones and William Walker] but I do [?] they got all that was coming to them and much more to start with, and afterwards gave us an endless amount of trouble and expense, being willing to sell out to either side. In the first place, you will remember my saying in my other letter, that

when it became light enough for us to see the morning we surrounded the K. C. ranch, that we were informed by Mike Shonnessey [Shonsey] that the spring wagon standing in front, and close to the ranch, did not belong there, and that it was his opinion that it belonged to some one who came there late the evening before, and the chances were it was the property of some one whom we were not after. Well, that wagon, the harness, a fiddle, and some traps with some grub belonging to the Trappers were burned. When we started so hastily north after disposing of Champion and Rhey [Ray] we sent those two trappers south, as they were starting away, they complained of their losses. Charlie Campbell and I took them aside, and upon my asking them what their losses were, one of them put his own value on each article burned and I added them up and gave him dollar for dollar for every dollar he claimed we had destroyed for them, except for the grub which I gave them an order on Bob Tisdales ranchman, asking him to furnish it to them. After they had started away perfectly satisfied apparently the younger fellow said, and my hat was burned too, I have no hat, I immediately handed him mine, and put on an old fur cap that I had tied to my saddle for use in very cold weather. These same fellows afterwards turned up in Casper, and did considerable talking against us, later they appeared in Douglas, and it was thought best to get rid of them. This was easier said than done as there was so much interference from the outside that they were constantly changing their minds. Our representatives finally had to take away by force. They were held in Crawford, again in Chadron, and finally we had a special train sent them there and took them to Omaha, where some kind of a case was trumped up against them in order to hold them. Then Donzelman took them to New York state, where they were kept for months, and some years afterward I had a letter from some fellow in Colorado telling me that unless I paid some checks issued by one Hugo Donzelman to certain parties in New York on banks that never existed he would open up some old sores. I replied that I was not responsible for the actions of Hugo Donzelman or any other man, and when he got ready to proceed as he threatened to do, he did not have to have my consent. I never heard from him afterward, but I understand that Mr. E.W. Whitcomb did. In this connection while we were being tried in Cheyenne, two lawyers who claimed we were indebted to them on the Jones & Walker get away business appeared in the City of Cheyenne. It was very evident the time was chosen for the purpose of intimidating us into giving them a lot of money. Charlie Campbell, Teshemacher and myself were appointed to see them, which we did in the presence of Stoll & Harvey attorneys in Stolls office. The spokesman of the two made us a speech and informed us we owed them including three hundred our attorney F.H. Harvey had promised the sheriff at Chadron between 17 and 18 hundred dollars. I turned to Mr. Harvey and asked him did you promise the sheriff \$300.00. He answered yes. I asked him again how much did you pay these two gentlemen? He answered \$350.00 all I had. I asked him how much time was required to do the work they did for you? He answered about twenty or thirty minutes. I then turned to the Chadron attorneys and said, so far as I am concerned gentlemen, as a member of this committee, I am willing to pay the

amount our attorney promised to pay the sheriff and no more. The conference ended in their accepting the \$300.00, all of which they kept themselves, not giving the sheriff one cent. As the sheriff at Chadron at that time was Jim Dahlman, an ex-cow-puncher, who was later on W.J. Bryans [William Jennings Bryan] right [bower?] politically. He is now serving his second term as Mayor of Omaha. He was well known to me and asked me himself some years afterword why we had not paid him the three hundred. I told him of the above mentioned conference and offered to take him to the Stock Growers National Bank and dig up the old draft that was used in paying the money to those lawyers, but he declined to have me do it. In referring to your letter I see I have overlooked your question number 2 entirely, namely what form was followed in deciding what Rustlers should be killed & etc. I am glad to answer, and it would have spoiled the whole story not to have done so.

Those of us who were in the field and came in personal contact with what was going on, of course, had our individual experiences, and we were perfectly familiar with names and actions of certain individuals in our immediate neighborhood. Reports were sent into Mr. H.B. Ijams Secretary of the Wyo. Stock Growers Asson. from all over the state, who also had much experience in collecting evidence for the purpose of prosecuting these thieves, who in addition had taken great pains through correspondence and otherwise in informing himself of the former records of all the men we knew to be active in preying upon our interests, and you will be surprised to know perhaps that 90% of them were fugitives from justice from other states, murderers, horse & cattle thieves, and all round bad men. Take Nick Rhey [Ray], for instance. He was notorious as a thief on the Platte River in western Nebraska, the former range of the Ogallala Land & C. Co. [Ogallala Land and Cattle Company] (this company). In 1888 said company moved up here, the following summer Rhey [Ray] appeared on the scene, and was known to say, the Ogallala was good picking in Nebraska, and he could not see why it would not be as good in Wyoming. This same fellow walked into this ranch with his arm in a sling, saying his horse had fallen with him and broken his collar bone. He layed [sic] around for two days apparently in great pain, the third morning he was gone, so was a very fine black horse from our east pasture. Then came another fellow from western Nebraska by the name of Wagner, and we had positive knowledge that this fellow and Rhey [Ray] took out of this country several times from one to two hundred of yearlings in a drive, of course our information was through Nebraska sources and long after the transaction. This fellow Wagners brother Tom Wagner [Waggoner] was located about fifty or seventy-five miles east of here. He was one of the most successful thieves the country ever knew. One morning three men called on and took him from the midst of his family and hanged him with his own rope within a few miles of his home. He had accumulated over 1200 horses, and had \$17000.00 in cash in a bank at Newcastle.

There was no room for doubt in our minds as to the guilt of these men, every one of whom we had the names, with a record of their deeds in this state, and of many of them in other states. All the evidence in the hands of Mr. Ijams was from time to time

submitted to the Executive Committee of the Wyo. Stk Growers Asson. which was composed of two members from such county in the state, which committee was glad to call into its deliberations any one who could aid in the work. It was no close corporation proposition, on the contrary we welcomed every one who showed a disposition to keep who we were not suspicious of. Nothing of this kind was decided by correspondence. As evidence of men would accumulate their names were taken by Mr. Ijams and later on submitted to the committee and many others in order to be sure we were right. And the result has proved that care was exercised in preparing that list as not a single mistake was made, not a man was killed who did not deserve killing. The only trouble was we did not get enough of them. Had those fourteen reported to be at the KC the evening before our arrival, had only remained there, we would have got them and immediately scattered as fourteen would have had the same effect on what was left as a hundred. It was too bad they did not remain.

Jack Flagg [Flagg's] escape was another misfortune. However, what little we accomplished notwithstanding the expedition was considered a mistake and unsuccessful, it had a good effect. It put the better people to thinking, and juries in Johnson Co. commenced to convict, in fact it was not long until a thief who was tried in Johnson Co. was sure of conviction if there was a case against him.

I am anxious to impress upon your mind that the Invasion was not a mistake, on the contrary was an absolute necessity and that no mistake was made in killing the men we killed. That those of us who took part in it, did so from a high sense of duty, and because after reporting to the laws for protection, the conviction was forced upon us that the laws of the state either could not or would not protect us.

History teaches us that wherever conditions in the past, such as existed in our state at the time of and prior to the Invasion, have existed, that the people will invariably rise and protect themselves. This is as it should be, and I want to further impress upon you, that those of us who still live, who were of the Wyo. contingent, and those who have gone before, have not, and never have had the slightest remorse of conscience or worry, on account of the part we played, and we never have, and never shall make the slightest apology for our actions, public or private. On the contrary we feel proud of it, and I am quite sure, judging from the attitude of the better people of our state toward us, that they have long since come to the conclusion that the Invasion was the natural outcome of the conditions then existing in our state, and it had to come sooner or later. Personally my chief regret is that we were not more successful.

(FINAL PAGE) A sketch of the KC Ranch, including the road on which Jack Flagg rode, the door in which Ray and hunters came out, and the horse stable that the Invaders used to hide and shoot.