

FOSSETT, W. D.

SECOND INTERVIEW

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Interview with W. D. Fossett
Kingfisher, Oklahoma.

I was born in Jefferson County, New York, on November 3, 1851, the youngest of nine children. We moved from Jefferson County to Wisconsin and from there to Minnesota in the summer of 1863; this was all new country then.

In the spring of 1873 I took a team and covered wagon and came south. I made my first stop at Salina, Kansas, and worked for a cowman named Baker, whose cow ranch was on Smoky Hill River. Then that fall I came through to Caldwell, Kansas, which was a cow town and located on the southern border of Kansas on the old Jesse Chisholm Trail.

Wellington was the county seat of the county Caldwell was in; they were just organizing the county at that time and there were three or four different locations talked about for the county seat. The first location decided on had not a single settler there, so then the location of the county seat of Sumner County was changed to Wellington.

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The Jesse Chisholm Trail, about which there has been a great deal of dispute, ran from Caldwell, Kansas, to Wichita but the cattle trail which was the old Chisholm Trail extended to Abilene, Kansas; that was before there was any thought of Dodge City, or the John Chisholm Trail, that ran into Dodge City, Kansas, from western Texas.

Jesse Chisholm was a post trader but a great many have gotten the two trails of the two men, Jesse Chisholm and John Chisholm, mixed.

As the country commenced to settle up the droves of cattle were stopped and the herds of cattle fell back from Abilene to Newton, Kansas, then to Wichita, Kansas, and as homesteaders commenced to plow around their claims and to collect fines off of the stock which the cowmen were driving through they fell back to Caldwell, which was within three miles of the line of the Indian Territory.

As Abilene was the nearest railroad point, cattle were driven from Texas to Kansas, in order to get them to market.

There were thousands and thousands of cattle driven up that trail every year. I believe I should know the

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different locations of the different trails as well or perhaps better than anyone living today, as I was very active in handling cattle and horses all up and down these trails from as far south as Old Mexico.

A great many people have gotten mixed up on the location of the old Jesse Chisholm Trail for the reason that both the John and Jesse Chisholm Trails ran north and south for only short distances west of the sites of Oklahoma City and Guthrie.

The Chisholm Trail ran eight miles east of Terrell, Texas, crossed the Red River over in the northern course, came up through what was known at one time as Council, then went on to Darlington, which was located on the North Canadian River, north of what is now Fort Reno but at that time there was no Fort Reno.

I will try to explain why there were so many different cow trails that ran north and south after crossing Red River east of Terrell, Texas. Imagine millions of cattle driven over a trail for several hundred miles which had to have feed and water. The first river of any size after leaving Red River and the South Canadian is the Cimarron. There were many little creeks that ran into the Cimarron

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River from the south for twenty miles east of Kingfisher and what was known at that time as the Kingfisher Stage Ranch was on the old Jesse Chisholm Trail.

Kingfisher Creek was located by the old Kingfisher Stage Ranch where Kingfisher now stands. The cattle were driven in different herds from Red River to the Cimarron River, using these different little creeks for watering places, crossing the Cimarron River at the mouth of Kingfisher Creek, then on through what is now Dover. All the herds crossed at this point and I'll try to explain why.

East of Dover on the north side of the Cimarron River for many miles north, south, east and west there were solid timber lands, known as blackjack, so the cattle herders had to get back on the old Jesse Chisholm Trail to get through.

North from Dover was a stage ranch called Hennessey, named after Pat Hennessey, who was killed by the Indians in 1874.

There was no Fort Sill at that time, but there was a settlement known as Sill until Bill Sherman named it Fort Sill in 1874. There were a few soldiers there. Men

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had to freight from Wichita, Kansas, to Fort Sill to supply the fort.

Pat Hennessey and three other freighters were loaded with freight, flour and groceries, also other supplies which they might have needed.

The Indians were constantly breaking off from their reservations and killing the white people. The trail that ran by Hennessey ran within a few hundred feet of a deep gulch, where thousands of Indians with their horses could hide. The Indians fired on the wagon train and three of the freighters got back up the trail a short distance, before they were overtaken. Pat Hennessey got down under his wagon and fought the Indians as long as his ammunition lasted. The pile of empty shells that were by his body under the wagon showed plainly that he had fought with all his strength.

The Indians captured him and tied him to the wagon wheel and burned him alive. One of the first men to the place was an old friend of mine, a cowman named Billie Malony, who at that time ran what was known as the Pond Creek Stage Ranch.

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I have talked about the killing of Pat Hennessey with a great many of the old Indians and the most I could ever find out about the Hennessey fight was, the Indians would say, "Heap brave white man", because Pat never even groaned while he was being tortured.

I passed by the place where Pat Hennessey was burned a few days afterwards and all there was left were some pieces of iron and some nails from the boxes. Hennessey's body had been rolled in a blanket and buried almost on the Jesse Chisholm Trail. There is still a tombstone where Pat Hennessey was buried at the northwest corner of Hennessey.

I have mentioned the Kingfisher Stage Ranch and also the one at Dover. A great many people do not know that the Government established a mail route between Wichita, Kansas, and what is now Fort Sill. At that time this was Indian Territory. This mail route was established before Fort Sill was named by General Bill Sherman. I don't remember the names of any mail carriers except Fischdell, who had the first mail contract. The next contract was let to Vale and Williamson.

The mail carriers were equipped with Concord Coaches pulled by mules and horses. The coaches did not run every

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day. They used mules and buckboards and what you might call relay stations, were established about every twelve miles, along the route.

One station south of Caldwell was called Pole Cat; next was Pond Creek, next Skelton (where Enid now stands), then Buffalo Springs (Bison now), then Dover and then the Kingfisher stage station which stood one half mile west of where Kingfisher was located.

About twelve miles south from the place where Kingfisher is there was a place which used to be known as Nine Mile Hollow, nine miles north of Darlington. These stations were all located on the old Jesse Chisholm Trail.

The old stage line ran through what is now Anadarko, but used to be known as Wichita on the Washita River, then on to Fort Sill.

The homesteaders had taken up all the land through southern Kansas and this threw the end of the cattle drive into Caldwell.

In the summer of 1878 and the winter of 1879, the Santa Fe Railroad Company put on a branch from Wichita, Kansas, to Caldwell, to take care of the cattle shipment. They built the line on down to the line of the territory

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three miles south of Caldwell and built large corrals at this point.

Millions of cattle and thousands of horses from Texas and Old Mexico were driven to Caldwell, Kansas.

I handled from five hundred to fifteen hundred broncos a year. Charles Colcord, lately of Oklahoma, and I handled eight hundred head of broncos that belonged to Colonel Colcord and myself.

While roping horses in Kingman County, Kansas, I hired a man named McCarney to help. He was a good stock man and a good roper but a little disagreeable to get along with. One day I saw Charles Colcord and McCarney having a dispute out in the corral. At that time, Charles was a boy about sixteen and very high tempered. I walked up behind Charles but he did not see me, he pulled out a forty-five Colt revolver, threw it down and snapped it. I made a grab for the gun to cut my finger under the hammer which kept the plunger from exploding the shell. Later, McCarney and Colcord became great friends.

There was a silver and gold excitement in the early days in the Wichita Mountains. A friend of mine named Roberts and I went to Fort Sill and on into the mountains prospecting.

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The Indians were very bad at that time, but the Government was trying to keep them on their own reservations, and even took all their guns and ponies away from them, that is except what were hidden. The Indians had gotten word that the Government was going to do this and had hidden out all their best ponies and rifles.

We had gotten up into the mountains quite a distance when there was a big snow storm and we got lost. It was growing dark and we could hear some dogs barking so decided to go in that direction. We discovered a big Indian camp. They were having what I believed they called a Sun Dance. Any way they had a young Indian boy tied up to the tent pole. They had raised the skin on each side of his breast and had run a stick underneath the skin. They then tied him with rawhide whangs and danced around him making a lot of noise with what they called a tom-tom, which was a sort of drum.

Roberts was very much afraid of Indians. I crawled right into the tepee or tent. The Indians stopped the dance, sat down in a circle, got a pipe, lit it, and passed it around, each taking a puff or two and when it came to me I did the same. The Indians got up then and went

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ahead with the dance. The young brave who was tied with the rawhide whangs would pull back, apparently with all his strength, trying to tear the stick out from his body. They finally hacked it with their knives as they passed by and when it finally gave away they had what they called a young warrior.

There were many buffalo robes at this time. The Indians had plenty of blankets and they fixed the tent we were in with two hammocks. To make these hammocks, small willows were woven into rawhide strips, nailed to stakes that were driven into the ground about two feet long. This rawhide was stretched from these stakes, the center lying on the ground. These hammocks made good beds.

I never knew why the Indians left two young squaws in this tent where they had fixed the hammocks. Roberts was so afraid of the Indians that he took the blankets we had and went to the bushes. I stayed in the tent but never spoke to the squaws during the night. I thought at that time and I still believe that these squaws were left in that tent on purpose and if Roberts or I had spoken

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to them this would have given the Indian braves an excuse to kill us. The next morning they gave us breakfast and directed us the way into Sill. Albert Roberts stayed at Sill and I returned to Caldwell, Kansas.

In June of that year I received a telegram from the Commanding Officer of Fort Sill saying that Roberts had been found murdered, about twenty miles south and east of Sill on the east side of Cache Creek, near the place where Walters now stands.

I hitched up a team to a covered wagon and drove to Fort Sill. A man named Billie Macks was the post carpenter and I had him to make a wooden box and line it with tin. I got some fellows to go with me and we dug up the body which had just been rolled in a blanket and buried two weeks before. We took his shoes off and did the best we could to get him in shape, put him in the wooden box and sealed it tight, and I started back with his body to the nearest railroad point at Wichita, Kansas. I got up as far as Nine Mile Hollow and camped there.

The Indians stole my horses that night and I had to walk back to Darlington the next morning and get the

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soldiers out to find my horses. They brought the horses back and I hitched up and got as far as Kingfisher the next night. That was the most lonely night I ever spent in my life. I was on the northwest side of Kingfisher Creek and about three hundred yards southeast of me there was a big band of Indians having a dance and just a quarter of a mile southwest of me there was another big band of Indians who were dancing, too. They would pass back and forth close to ^{to} my wagon all of them giving war whoops. The coyotes howled close my wagon, and the hoot owls around in the trees joined in with their music. I was certainly glad when morning came so I could move on.

I took Robert's body on to Wichita, Kansas, and shipped it back to his parents in Iowa.

Geronimo was an Apache who was held for a number of years as a United States prisoner. His tribe was located a few miles north of Fort Sill. In passing through this reservation I saw for the first time the bodies of dead Indians in trees. I had heard of this custom ever since I was a boy but never had seen anything of the kind until then.

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The Indians would tie the limbs of trees together and stretch a blanket over them. A great many dead Indians had their bows and arrows, bottles containing what looked like medicine tied up at their heads. Some would have all kinds of trinkets. It looked as if there might have been the bodies of a hundred men, women and children placed in trees in this way.

A great many think the buffalo were all killed by what were known as buffalo hunters. I have sat and listened to would-be cowboys who pretended to have driven up the trail as late as along in the 80's and they said they had to send cowboys ahead to run the buffalo off to keep them from mixing up in the herd and stampeding the cattle, but I positively know that the last buffalo hunts were in the fall of 1874, and winter of 1875. While there were thousands of buffalo killed for their hides they were not all killed by buffalo hunters. As the country became settled the buffalo apparently could not stand civilization so went north into Wyoming. Some smothered to death in the deep snow in the winter of 1876. There were a few old straggling buffalo that were too thin and weak to get

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out of the country and they were left in western Kansas, and in what is known as the Panhandle.

In the summer of 1878, I took a herd of horses and mules to Leadville, Colorado, where there was a great excitement about the discovery of gold and silver and a demand for pack horses and mules.

I stayed in Leadville that winter and came back to Caldwell, Kansas, in the spring of 1879. A friend of mine named Charles Mannering was a big cowman, in fact his company was known as the Montague and Mannering Cattle Company, and their cattle were located about thirty miles southwest of Caldwell, at a place which was known as the Walnut Grove. This cattle company was short of help and wanted me to go down and help them with their round-up. I did and while there I was appointed assistant city marshall of Caldwell, Kansas.

I went to Caldwell and assumed the duties of assistant city marshal.

It was only a short time until a gang came in and undertook to rob the bank. The city marshal hid out and did not show up during the fight in which there were several men killed on both sides. One man who was killed

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was George Spears, a brother to Wade Spears who has worked as a plain-clothes man in Oklahoma City for a great many years and who is retired now on a pension.

I resigned as assistant marshal of Caldwell and went to Kingman, Kansas, and was appointed city marshal there and served about six years. I then was in the business of contracting on the railroad and the Mississippi levee until old Oklahoma was opened up on April 22, 1889.

I had been so familiar with all the Oklahoma country and the trails that I made the run for the hundred and sixty acres that the land office was located on at Kingfisher. Although there were thousands of people lined up for the race I beat them all to the hundred and sixty acres that I had started out to try and win. I was so far ahead that there was no question or dispute as to who was on the claim first.

The land office force which consisted of Jake Roberts, appointed from Nebraska as Register, Jake Admire from Kansas, appointed Receiver, and the rest of the office force were all out watching the race so I had no trouble in proving that I was the first settler on my land.

I stayed with my homestead and had the honor of winning the only case of the kind in what was then the Territory.

When the United States Government opened old Oklahoma for settlement they made no provisions for townsites; it was opened strictly for homesteaders.

I knew the homestead law and knew that if I didn't violate the law they could not "beat" me out of my homestead.

Men came with all kinds of propositions trying to get me to make some concessions by which I would violate my homestead right. All other homesteaders on land on which Guthrie, Oklahoma City and Kingfisher are now situated lost out by making some concession that violated their homestead rights.

I hauled the first lumber from Caldwell, Kansas, which was used to build the first house in Kingfisher, and this house is still standing. In the fall of 1889 the Rock Island Railroad built into Kingfisher from Caldwell.

I had done a great deal of detective work for the Rock Island Railroad Company in Kansas before the Opening and they employed me as special agent. I worked on the lines

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west of the Missouri River. I had to report to the chief special agent whose name was Flynn at Chicago, about once a month.

The outlaws were very bad about this time and hardly a week passed that the trains on the Santa Fe lines were not held up and all the passengers robbed. I had no great trouble of that kind on the Rock Island line.

There was a gang of outlaws called the Dalton gang. Mrs. Dalton, their mother, had a homestead about three miles from Kingfisher.

Mr. Whipple married one of the Dalton girls and they lived on a piece of property that I owned in Kingfisher, and that might be one of the reasons why the Daltons never tried to rob the Rock Island train.

There were two outlaws named Dick Yeager and Black who were terrors to the settlers along the foot hills of what were known as the Glass Mountains. They robbed the poor farmers, stole their horses and finally became so bold that they would offer to pay the poor farmers for their meals and horse feed and would offer large bills that they knew the farmers couldn't change; the outlaws would then

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ask the farmers how nearly they could come to changing the bills and the farmers would tell them just how much money they had and would offer it in change. The outlaws would take the money from the farmers, keep their greenbacks and ride away.

They have been known to steal a man's horses and in a few days ride back and make the owners feed their own horses and then get on the stolen horses and ride away again.

The settlers finally organized what was known as the "Anti Horse Thief Association".

I was in Kingfisher and received word that about two hundred farmers had Yeager and Black surrounded in the foot hills west of Fairview.

While Yeager and Black had never bothered the Rock Island Railroad, I felt it would be only a short time until they did so I wired A. J. Hitt, who was General Manager of the Rock Island Railroad, for permission to take a posse and assist in the capture of the outlaws. There were about seventy-five men in Kingfisher who volunteered to go but when I received the message to go ahead and take a posse there was just one man, Bill Banks who would go.

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I had a son about sixteen years old who was begging to go. I had tried to keep him out of all such work, but when I found there was only one man who would go I consented for my boy to go with Banks and me.

Yeager and Black as I had expected slipped out from where they had them surrounded, stole two horses belonging to members of the posse and went into the Glass Mountains.

I took their trail as the country was very sandy and not thickly settled and we trailed them into what was known as Greaver Canyon.

Greaver Canyon was named for a big cowman whose name was Greaver, who had had a cow ranch in the canyon during territorial days. We trailed Yeager and Black south about forty miles to what was known as the Ames Chapman place.

Chapman when I first knew him was a Government scout and had had one leg shot off in a battle with the Indians, but later he started drinking very heavily and married an Indian squaw. He turned out to be as bad or worse than a great many outlaws.

We drove Yeager and Black out of the camp and they headed back toward the Greaver Canyon again. There was

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a little store up in the hills the name of which I have forgotten and a man of the same name as the store who lived a mile west of the store.

Yeager and Black were about out of ammunition and wanted to get to this store for more supplies. They knew that I was on their trail and had left word along the road by different ones that they were going to "lay" for me if I didn't quit trailing them. They could have laid in wait for me very easily if they had had plenty of ammunition, as the country was rocky and sandy and full of blackjack bushes.

I found out along the way that the outlaws had inquired the name of this store which I have mentioned and had been directed to this man's place a mile west of this store. When we got to the man's place we found that Yeager and Black had just left there after inquiring where the store was located.

There was a small cornfield between this homesteader's place and the store; instead of the two outlaws going up the trail or section line to the store, they went around on the north side of this field and when we arrived at the

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store there was a farmer in a wagon just driving north on a dim trail. We waited about two hours but Yeager and Black did not show up and we then took the trail that the farmer in the wagon had taken. We went up the trail three or four miles before we saw a dugout and the man who left the little store lived there. He said "Just after I left the store these outlaws stopped me and asked if there were any officers down at the store looking for Yeager and Black, and I told them that I did not know about officers but that just as I was leaving the store some armed men rode up. I told the outlaws that these armed men got a drink and talked very low, and that I overheard one of them say something about Greaver Canyon."

We then took up the trail and trailed them into Greaver Canyon. By that time it was night but the moon was very bright and we could trail these men by moonlight. We found the place where they had built a fire and made some coffee. Our delay of two hours or so waiting at the store for them to show up had given them that much advantage.

The last time we trailed them south and then we were "hot" on their trail, but were out of "grub", so we

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went down to a little store in the foot hills and met some members of this Anti Horse Thief Organization who were armed and were still looking for Yeager and Black.

I told them about our being on a "hot" trail and said that if they would go along we could no doubt catch the outlaws in a short time. These men said they would not go up into the mountains but they would guard the cross roads and if we chased the outlaws out of the hills they would get them. I thought it was strange that they took that attitude but sure enough we chased them out and they did as they said they would.

Yeager's and Black's horses were giving out but so were ours. We ate a lunch at a ranch house where Yeager and Black had gotten something to eat about an hour before.

Their horses were so nearly exhausted that Yeager was driving Black's horse ahead of him.

There was a road running north and south down in the foot hills or plains and there was a corn field on the west side of this trail and after getting south almost to the end of this corn field there was a house and well. The cornfield which was only a little strip of corn extended between the house and the trail. The posse saw

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Yeager and Black when they went around the south end of this little corn field to the well for some water. The members of the posse fired, killing Black and badly wounding Yeager who was able to get into this little strip of corn and go east across this trail and over a divide and to run south from there about a mile, where a country doctor lived. There Yeager got his wounds dressed, took a little buckskin horse and saddle belonging to the doctor and rode away. I trailed him to the doctor's house, then trailed the horse on east two miles and met the horse coming back with the saddle and bridle.

Yeager had been wounded so badly that he could not ride on horseback and had gotten a farmer with a span of mules and a lumber wagon to haul him north to the Cimarron River where he got a boy about fourteen years old with a one horse cart to take him on east.

There were, no doubt, seventy-five Anti Horse Thief men and farmers after him by that time but our horses were giving out and we could not get any fresh ones from anyone in the country. Had we had fresh horses we could have ridden around in front of the boy, who was driving Yeager with a horse and cart, heading

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them off, but the posse didn't seem to think of that, they just trailed along behind and didn't dare to shoot at Yeager for fear of killing the boy. It was getting late in the afternoon and the news had spread until there was a large crowd of people in pursuit.

The boy with Yeager in the cart crossed the Rock Island Railroad late in the afternoon, between Hennessey and Bison. When Banks, my son and I found this out we decided to go into Hennessey at the first road running north and south and get some fresh horses and something to eat. While we were in Hennessey I wired Mr. Hitt, General Manager of the Rock Island line, and told him what success we were having and that there was no chance in the world for Yeager to get away, wounded as he was, and that there were a number of men close enough to shoot him at anytime.

We started out again and ran into the posse about one o'clock in the morning. They had surrounded a little patch of corn and claimed they had seen Yeager in there at eleven o'clock and were going to keep it surrounded until morning so he could not escape. I watched them a

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little while and told Banks that Yeager was not in there. The way his pursuers had handled it, I knew Yeager had slipped out and was gone. Yeager had a sweetheart living down Skeleton Creek and I was quite confident that he was trying to get to the place where she lived.

I told the boys that we would leave the posse and go south so we went about two miles south and stopped until daylight. I went over to a farm house and inquired if they had seen anything of Yeager. There was a gradual slope in the lay of the land to the east and the man said, "No," there has been no one here, but last night just before sundown I saw a man who either had a gun or a stick and he was walking very slowly; he went to that house, pointing to a house farther south and a little east from there. Sure enough it was Yeager who had stayed there until after night and had forced this man to go over and steal two of his neighbors horses and then Yeager had compelled this farmer to drive him east and south.

I sent word to the posse about what I had found out and then took the trail of these two big footed farm horses and followed them east to the section line,

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then on south to the place on Skeleton Creek where Yeager's sweetheart lived. He had turned the farmer whom he had kidnapped and one horse loose and let them go home. After he had been gone awhile Yeager turned the other horse loose and it went back toward home. He did this no doubt to make us think that he had ridden this horse out of the country, but Yeager was wounded and I knew he could not ride horseback.

He had crawled into a corn field and while we were searching, the posse arrived, and we found him asleep. He had been up night and day for several days and nights and was completely worn out.

We fired our guns above and around him but did not hit him. Yeager died from wounds that he received when Black was killed at the foot hills of Fairview.

After the running down of Yeager and Black I was made Chief Special Agent of all lines of the Rock Island, west of the Missouri River.

Congress realized the mistake made in not laying out any land for townsite purposes and in opening the Cherokee Strip on September 16, 1893, they located a townsite and called it Pond but afterwards they changed the name back

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to Pond Creek. They also changed the location of Enid, moving the town about a mile and one half south of the Enid depot. The Rock Island Railroad did not want to change the locations of its depots and didn't stop the trains at these Government townsites, and a very bitter contest was put up on both sides by the settlers and the railroad company.

Enid went so far as to saw off the pilings of a long bridge south of the new townsite. They sawed the piling so the cuts would be slanting so that when the train ran into the bridge it would sink down. It was intended to catch the passenger train and ^{if} it hadn't been for the fact that an extra freight train happened to be out just before the passenger train, the passenger train would have been wrecked and perhaps many people would have been killed and crippled. The freight train was wrecked.

I was at the Rock Island depot at Enid, looking after business, when the passenger train going north went through about five in the evening. I took that train and invited Lue Umphry, a friend of mine to go with me to Caldwell, Kansas, for supper and told him

that we would return that night on the south bound Rock Island train.

On coming down on the train that night we had just gotten to the south line around Pond Creek, the Government townsite, when the train very suddenly stopped, throwing all the passengers forward in their seats; then the train started again before the air was released and chugged, chugged along and again came to a dead stop. The conductor, Mr. Umphry and I were sitting in two seats turned facing each other in the smoking car. The conductor said, "I wonder what the trouble is", and went to the platform and sent the porter to see what the trouble was. It was a hold-up.

The train robbers had planned to stop the train on the first road crossing, south of Pond Creek. They commenced shooting back through the roof of the cars, but had stopped the express car right on the crossing of the road. Two outlaws crawled over the tender and held up the engineer and fireman with guns. The outlaws had a fire built where they wanted the train stopped, and when they threw their guns down on the engineer ordering him to stop the train, he had put on the brakes

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and stopped and the outlaws saw that they had stopped the train a little too soon and they forced the engineer to run up to a place where the express car would be on the crossing and he had forgotten to release the air and that had caused the train to jerk when it stopped.

The train robbers took the engineer and fireman back to the place where they were going to force the express messenger to open the door on the west side of the train. They had the porter, engineer and fireman as protection and as it was dark you didn't dare to shoot for fear of killing one of the train crew. I went out on the platform and could see the shadows of the men but could not distinguish one man from another as the only lights were those shining through the windows of the express cars two cars away.

I came back and walked through the train and I never have been able to figure out why I happened to pick a man sitting next to the aisle in the chair car. I asked him if he had a gun? He answered, "No, Why?" I said, "You look to me like a man who would have a gun and don't you leave that seat while this is going on".

The train robbers continued to pound on the door of the express car on the west side, but the messenger would not open the door. The express company had a guard who came through the end door and into the smoker, apparently frightened to death. He was so badly scared that he crawled under one of the seats. The messenger was in the express car alone and the outlaws laid a stick of dynamite on the coin plate at the foot of the express car door on the west side and touched it off, making a terrible explosion and shattering the door so that the messenger could not open it. The messenger told the outlaws if they would come around on the east side of the car that he would open the door for them. Some went around the engine and some crawled through underneath the train, the messenger opened the door and they lifted a man inside. One man went out in what is called the barrow pit and commenced shooting back and through the passenger coaches. I had changed my position then to the east side. I knew the fellow who was shooting back through the train and I knew he was none of the train crew so I took a shot at him and he fell and the other robbers piled out of the express car and ran for

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their horses that were hitched on the west side along the section line. The outlaws took a few shots back but all these shots went wild and nobody was hurt.

I crawled up this section line and found two horses saddled, and brought them down to the train, and was trying to find somebody to take them back to Pond Creek.

By this time the people in town had heard this shooting and a group of men had come down to find out what the trouble was, and among them was an old friend of mine, Joe McEllen, who had been sheriff of Kingman County, Kansas, while I was city marshal of Kingman.

He said, "I have two boys who will take the horses back to town." About this time this fellow whom I had told to keep his seat came and offered his services. I said, "I thought I told you to stay where you were; now you get back there."

We loaded the dead man whom we found to be Bob Hewes, and who had been one of the leaders of the gang, into the express car, backed the train up to the depot and took his body off. The train went on but the fellow who had been in the chair car and had offered his services

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to take the horses back didn't go on with the train, he stayed over and attended the coroner's inquest the next morning. He seemed to be very anxious to testify and his testimony was altogether different from what had really happened. I called him down on it and he finally acknowledged he did not know much about it as he was in the chair car all the time.

Next morning I found a sack - a seamless grain-sack that had several holes worn in it and had been newly patched with two different kinds of goods. One patch was made of the end of a little pocket and the other patch was made from a cheap kind of pants material with a little red stripe woven in.

They had taken a leather string and fastened it to the mouth so it would go around about twice and be tied in a knot and then the string was slit at each end so that it would slip through and back through so that there was no danger of losing valuables.

The horses that I captured had recently had their hind shoes pulled off but it was plain they had not been off long, for the nail holes had not filled up with dirt.

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The news spread and the marshals' offices were notified and the marshals started searching. The marshal's office claimed right away that the Dalton gang had held up the train. I knew the Dalton boys so well that I believed had any of them been in the gang I would have recognized their voices for I listened to them for at least forty minutes while they were trying to get into the express car from the west side as I had notified the marshals.

I took the sack and went to Topeka, Kansas, to see M. A. Lough, who was General Solicitor for the Rock Island Railroad at that time. I also met the superintendent of the Express Company, Dan Rosson. I told them this robbery had not been committed by the Dalton gang, that it must be a new outfit, because the sack showed plainly it hadn't been used since it was patched and the material from which the patches were cut must be some place not far off, and the shoes that came off of the horses could not have been destroyed. I also told them about the fellow whom I had told to keep his seat on the train and told them that he was still around Pond

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Creek and that I had strong suspicion that he was one of the gang and I had told him that no doubt a reward would be offered for this gang, and that if he would assist me he could have the reward.

I did not believe that he would tip off the outlaws but wanted to get into his confidence enough so that I could watch him so that he would not slip away in the night.

Someone furnished this man a horse and one day he saddled up and started out of town to the south. I saddled up and followed him at a great distance behind, but close enough so that I could see him most of the time. He rode in a southwestern direction until he got within about six miles of Enid, then he turned west across the prairie and after riding several miles he went into a ravine and into a dugout, that was made in the bank on the west side of the ravine. I was on a hill about a mile away.

I waited for something to happen but he still remained in the dugout. I could tell by the general appearance of things that somebody lived in that dugout so I went back to Pond Creek fully convinced that if this dugout could be searched something would be found that

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would tip off who the members of this gang were. I went to Topeka, Kansas, and saw Mr. Hitt and Dan Rosson again and told them what I had in mind.

I told them that this fellow who had been on the train and at the coroner's inquest had never come back and that I was going to search this dugout. I wired a friend of mine, Beford Woods, at Wichita, Kansas, to meet me at the Rock Island Depot on the arrival of the south bound train and go south with me that night. He met me at the train but as he was a plain clothes man on the police force and was working on a special case he could not go so I went on toward Pond Creek, and my wife got on the train at Caldwell going to Kingfisher.

I thought the matter over and thought perhaps I had better tell her what I was going to do that night so that if anything happened she would know where to search for me. I was going to get someone to go with me to search the dugout.

I got off at Pond Creek and my wife went to Kingfisher, and told my boy, Lue Fosset, that I was going north. My son caught this freight going north and came to Pond Creek.

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I was busy getting lanterns and a couple of shot guns and such things as I would need to make this search, but had not engaged anyone to go with me for I did not want to give anyone who might be friendly to the outlaws a chance and time to tip them off.

My son is one of those still boys who does not have much to say but who are good thinkers and listeners.

I finally got everything ready and told Lue to go over to a little hotel which was there and stay. I told him that I was going out into the country on a little business and would be back sometime during the night.

He said, "Yes I heard about it and that's why I came up here; you will take some stranger out there to search that place and the outlaws will kill you and if they do it will make an outlaw out of me anyway so you had just as well let me go along." I thought, "Boy, you've got more sense than I have", but I did not tell him so.

Lue and I got a couple of horses and rode out to the place, tied our horses in a little patch of willows a short distance from the dugout, crawled up to the west end of the dugout where there was a window, shot three

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or four times so the reflection could be seen through the window, and some women and children ran out of the dugout. My boy sat guard on the outside while I went in and searched the place, and I searched it thoroughly and found the material the sack was patched with, found the horse shoes that had been taken off of the horses, found the letter that had been written over about Chandler to Nate Silvia, and signed by Felix Young. I found the filing papers on the claim where the dugout was; these papers were made out to Nate Silvia. Felix Young was the man who had been with me at Pond Creek and whom I had followed to Silvia's dugout.

The letter read something like this, "Let us meet in El Reno on Saturday and sell our horses and mules and fix to rob the Rock Island train on the 15th, as that is the date when the Government money will be on the train and will be taken off at Duncan to pay off the soldiers at Fort Sill."

I took the letter, the horse shoes and the material I believed the sack to be patched with and went to Topeka on the first train. I had fitted the shoes on the horses and the nail holes fitted exactly, the patches on the

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sack matched the material, both in texture and color.

I showed Mr. Rosson and Mr. Lough the letter and told them I was going to catch the outlaws at El Reno on Saturday. This was Friday.

I wired Mr. Woods at Wichita again to meet me and go south which he did. When we got to what at that time was North Knid, there was Chris Madson and a group of deputies with a woman whom they had along as a pilot and who was going to show them where to find the Dalton gang. They knew there was no question but that they were the ones who had robbed the Rock Island train. They had been out all this time chasing around and charging hundreds of dollars expense money to the Government and relying on this woman to lead them to the Dalton gang.

I told some of them I had the gang located and that they would be in El Reno that day. They just laughed at me. We got off at El Reno and the bunch of deputies went to the city.

Woods and I arrested Silvia and another fellow who had horses and mules tied on a side street. When I arrested Silvia, Felix Young ran west across the street and into

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the alley where he had his horse tied, I chased him in between some buildings and killed his horse in the alley. He then ran west down the street that runs east and west by the Kerfoot Hotel. I shot him in the leg before he got to a little dry creek in west of the Rock Island tracks, he stopped then and held up his arms, but still had his six shooter in one hand. I told him to throw his six shooter toward me as far as he could which he did and I took him back to jail. I got eighteen head of stolen horses and mules. I turned Young and Silvia over to Madson and some other deputies who took them to Pond Creek.

Madson claimed he had shot Young's horse but at that time Madson was several blocks away and there was a row of buildings between him and the alley where the horse was killed. A person could not have seen a row of soldiers had they been where Madson was. I killed Young's horse.

These two men were United States prisoners and were turned over to the United States Marshals.

The people at Enid and Pond Creek had such a feeling against the Rock Island Railroad Company that

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after Young and Silvia were arrested they broke open the jail and turned them loose, and at the same time turned over more than a quarter of a mile of track around Pond Creek.

Silvia was later arrested in Missouri, for horse stealing. Young was killed in Wyoming in a robbery case.