

LAYNE, Wm. J.

INTERVIEW

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James Russell Gray,  
Investigator.  
December 20, 1937.

Interview with Wm. J. Layne,  
Hartshorne, Oklahoma.

Mr. Layne is at the present time the Justice of the Peace at Hartshorne, Oklahoma.

I was the first elected marshal of this town when it first got a charter in the days when this was Gaines County, Indian Territory.

The first city marshal was appointed; they appointed Jim Brazell. He didn't particularly want the job, but kept it until we could have an election. I was elected in 1903 and served two years. Doctor Frank Miller, now deceased, was the first appointed mayor, and William J. Hulsey was the first elected one.

I never captured any famous law breakers, but I can tell you about one case that happened before I became marshal. It was the capture of the famous, or maybe I should say "noted", outlaw named Step Ody. I didn't help capture him, but I knew all the details; I saw

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Ody before and after his capture.

Ody was considered quite a bad man and had a big reputation in this part of the Choctaw Nation. He was a negro; lots of the early day outlaws were.

In 1900 I was working at old Number 2 mine, now abandoned. You can see the remains of the dump yet, a mile east of "Slate Ford" on Brushy Creek.

One day after lunch - I was working "on top" - I went for a walk through the woods; you know how a man likes to do that sometimes. I walked along the side of a hill and sat down to rest a while before going back to work. I noticed a cabin down in the bottoms below.

A man came riding up to the cabin. He tied his horse out of sight in a shed and knocked on the door; a negro woman opened the door for him. The man looked up at me and I got a good view of his face; he was, as I found out later, Step Ody, the outlaw. I heard him say, "Who's that man up there on the hill?" The woman

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answered, "It's all right, he's just one of the miners."

I never thought any more about the incident until after Ody was captured, and then I remembered seeing him that day.

Bill Ellis captured him. Bill was a deputy United States Marshal; the first one to be stationed at Harts-horne. The United States Marshal from Wilburton, Robert "Poorboy" Fortune, was with him. Ellis was a white man but Fortune was a negro. A lot of the marshals in the Territory were negroes then, maybe because we had a Republican president. Zeke Miller, the marshal stationed at Alderson then, was a negro.

Ellis, Fortune, and some others cornered Step Ody in an abandoned log cabin in the Brushy bottoms. He shot it out with them until he ran out of shells, then he called out that he was giving himself up, and walked out with his hands in the air.

I saw him when they brought him to town. They put him in jail here overnight, then took him to Fort Smith

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to stand trial there. He was a horse thief and a killer,  
and general all around bad man.