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Compiled by Darren McMannis

SOURCE ARTICLES

1872-13 – ROWDY JOE & THE PLUG HAT GUEST

A. M. SWEET

FEBRUARY 18, 1872 - CASE # 1872-HM05

NEWTON - The Tragedy At Newton. The Topeka Commonwealth contains the following in regard to the recent shooting of a man at Newton. It seems that it occurred at the house of Fanny Grey, formerly of Lawrence:

On Sunday evening there was a dance at Rowdy Joe's house, at which there were several strangers. During the festivities, one of the strangers made overtures to Rowdy Kate which she resented. The stranger complained to Joe of his treatment, and Joe slapped Kate for the alleged insult.

Seizing the opportune moment, a man by the name of A. M. Sweet, formerly of Topeka, "made up" to Kate, got her drunk, and took her to the house of Fanny Grey, formerly of Leavenworth.

On Monday, Rowdy Joe heard that Sweet had threatened to kill him, and went to Fanny's house to see about the matter. As soon as he presented himself, Sweet pulled his revolver; but before he fired, Joe fired two shots, both taking effect in Sweet's body, from the effects of which he died in 3 hours. Rowdy Joe immediately went to the Sheriff and gave himself up. *The Topeka Daily Commonwealth, Topeka, Kansas. Wednesday, February 21, 1872. Page 1; The Leavenworth Weekly Times, Leavenworth, Kansas. February 29, 1872. Page 2.*

NEWTON – William Sweet, who was shot by Rowdy Joe at Newton, died on Monday night. Verdict of the Coroner's jury, "Justifiable Homicide." *The Walnut Valley Times, El Dorado, Kansas. Friday, March 1, 1872. Page 2.*

NEWTON - The man Rowdy Joe had a preliminary examination before a justice, on the 21st inst., and was acquitted on the plea of self-defense. *The White Cloud Chief, White Cloud Kansas. Thursday, March 7, 1872. Page 2.*

NEWTON - That former frisky citizen of Newton and Wichita, "Rowdy Joe," is reported to have been snuffed out in Texas. The name of the benefactor of the human race who killed him is not given. *The Harvey County News, Newton, Kansas. Thursday, March 29, 1877. Page 1.*

THE BIRTH OF HARVEY COUNTY

FEBRUARY 28, 1872

TOPEKA – The papers incorporating this place a city of the third class, were received here a few days since, and in accordance with the statute governing the case, the election for city officers will be held on the first Tuesday in April. The contest will determine the question whether Newton is to continue her career as a “hurrah” town, or whether, under the restraint of law and order, she is to seek her destiny through paths of peace and tranquility.... If Harvey county becomes an accomplished fact and Newton the county seat, the sun will shine on as peaceful and law-abiding a community as there is in Kansas. If it does not the question is a problematical one.

The presence of several counterfeiters here, having in their possession spurious national bank notes of various denominations, is suspected, and certain parties who manage to live well and yet have no visible means of support are narrowly watched... - Allegro. *The Kansas Daily Commonwealth, Topeka, Kansas. Thursday, February 29, 1872. Page 2.*

TOPEKA – Mayor Spivey, of Newton, has done an excellent winter’s work. He has assisted in securing the passage of the county line act, and other measures, but best of all, he has secured (to his mind at least) the very best wife in the country. He and “frow” leave to-day for their frontier home and our well wishes go with them. *The Kansas Daily Commonwealth, Topeka, Kansas. Friday, March 1, 1872. Page 3.*

CHEROKEE DAN HICKS

MARCH 1, 1872 - CASE # 1872-HM06

Cherokee Dan was a buffalo hunter referred to in the newspapers of the day as a “half-breed” was often drunk and “shooting up the town.” One evening he was standing across the street from the Bull’s Head Saloon, between 4th and 5th streets in Newton, and decided to shoot up the bull painted on the sign above the door. There, night marshal Charles Baumann, walking up

Main Street after supper, heard the shots. Demanding that Cherokee Dan stop, Marshal Baumann fired his pistol but missed, and then dropped to one knee for a better aim and fired again, but only grazed Cherokee Dan enough to make him turn around and return fire. Dan's first shot hit the marshal in the right thigh and the second shot took off Charlie's right thumb. Dr. Gaston Boyd then intervened, standing between the two men requested each to tuck away their pistols, which they did. It is certain that one or both of the targets would have been shot to death but for Dr. Boyd's timely intervention and, being respected by all concerned, his admonition was heeded to end the affair. Marshall Baumann recovered from the wounds, albeit without a thumb.

Later, on March 1, 1872, Cherokee Dan walked into Harry Lovett's saloon and started shooting at the paintings of women in varying degrees of undress which covered the walls. Harry Lovett quickly replied by shooting Cherokee Dan with his six-shooter. Newton was delighted to have Cherokee Dan removed from its midst. Lovett appeared before Justice of the Peace Halliday, who held the killing justified.

NEWTON - Tally One For Newton. Friday Night, Dan Hicks, better known as "Cherokee Dan," not having killed a man for several weeks, very naturally got on the rampage. While playfully shooting at a stray curl over the eye of Harry Lovett, a saloon keeper, the latter not heeding the admonition, "slow to anger," sent a bullet through the brain of poor sportive Dan. *The Atchison Daily Champion, Atchison, Kansas. Wednesday, March 6, 1872.*

NEWTON – "Cherokee Dan," who was shot by Lovett a few days ago at Newton, died on Sunday morning last at 10 o'clock, from the effects of his wounds. *The Kansas Daily Commonwealth, Topeka, Kansas. Tuesday, March 5, 1872. Page 4.*

NEWTON – On Friday evening, Newton was all ablaze with excitement. Numerous bonfires were built, and all public and private buildings were brilliantly illuminated. Music and dancing were participated in by all citizens. The causes of all the excitement and jollity are various. Some thought it was on account of Mayor Spivey un-baching himself by a matrimonial alliance with an accomplished and good-looking maiden of Shawnee county; others said it was a glorification over the new county, while others still were loth to give up the idea that it was a glorification demonstration over the fact that the notorious desperado. Hicks, had met his just deserts. From whatever cause the people "glorificated," one thing is certain, the causes were sufficiently varied to justify all in taking part. Mayor Spivey made a speech, but his honeymoon experiences were so recent, that his speech began and ended with, "My wife, oh, my wife!" *The Kansas Daily Commonwealth, Topeka, Kansas. Sunday, March 3, 1872. Page 4.*

UNKNOWN SETTLERS

MAY 12, 1872 - CASE # 1872-HM07

HUTCHINSON – The Cheyennes and Osages are strongly inclined to continue the series of depredations and murders inaugurated by them as far back as the middle of the winter. Newton, Sedgwick, Wichita, Larned, Zarah, and Dodge, besides other intermediate points in the Arkansas valley, all tell of victims whose bones lie bleaching on the buffalo plains. Railroad employees, terrified at the losses of life and stock and the near vicinity of a large band of Comanches unaccompanied by their squaws (an almost certain evidence of hostile intentions on the part of the Indian), have left the railroad in such numbers that to day there are but five teams in the employ of Cutter and Wiley... - Allegro. *The Kansas Daily Commonwealth, Topeka, Kansas. Thursday, May 16, 1872. Page 2.*

UNKNOWN MAN

MAY 13, 1872 - CASE # 1872-HM08

NEWTON - Proving His Innocence. A few days since a man was arrested in Newton, Kansas, and taken before a certain justice, charged with assault and battery, with intent to kill. The defendant, having shot the plaintiff through the thigh, contended that there was no intent to kill because, with his reputation for “deadly aim” he could have killed him if he wanted to. No evidence of his sporting qualities being adduced, he invited the justice to an exhibition of the same. He and the justice then retired to the rear of the office, where the defendant, at twenty paces, put six balls into the bottom of an oyster can in as many seconds. Upon returning to the court the defendant was discharged on the ground that such an excellent “shot” could not possibly have had any intent to kill. *The Evening Star, Washington, D.C. Thursday, May 16, 1872. Page 1.*

PLUG HAT GUEST

MAY 18. 1872 - CASE # 1872-HM09

A man wearing the plug hat got off the west-bound train during a planned stop-over in Newton. From the east he was interested in seeing the cowboy town. He left the depot to wander into a Main street saloon for a quick drink.

Walking up to the bar amidst the snickers and jeers of those wearing real cowboy hats, M.J. Fitzpatrick in particular mocked him harshly and told him to take off his ridiculous looking hat, which he declined to do. Mr. Fitzpatrick then replied, “Well then, I’ll shoot that hat off your

head," and he pulled his pistol. Having been drinking, however, his aim was off; he shot the guest between the eyes and killed him instantly. There was no identification on the man, and he was buried in an unmarked grave in the Boot Hill cemetery. While relatives likely sought to find him at his planned destination, nobody would have known to look for his body at a small stop-over point in Newton, Kansas. This event was not reported in the Newton newspaper, but was whispered about town.

Very soon after this event, a train excursion for Kansas newspaper editors brought these men to visit the new towns in the Arkansas River valley. One editor recalled this plug hat matter when he wrote, "Newton was next reached. Now what will we say of this place. The train stopped here a short time and quite a number of the excursionists got out on the platform. We were not so brave, however. We had just been told a man had recently been shot at this place for wearing a plug hat, and as we had our plug we stayed in the car. Every one in the state has heard about Newton. It has been well advertised. While it remained the terminus of the road it became the abode of a dozen or more gamblers who performed their usual "leetle games," thereby injuring the town very much. None of those who ventured out were shot or hacked to pieces with a bowie-knife, so we were sorry afterwards we had not ventured forth. The respectable citizens have got the upper hand of the Rip-raps, Blood-tubs, Tigers and the Plug-uglies generally, who infested this place and order has been thoroughly instituted. With the proper exercise of energy and enterprise Newton will become "one of them." *The Wichita City Eagle, Wichita Kansas. Friday, June 7, 1872. Page 2.*

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