



the **Prairie Tales** podcast

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IN THE LINE OF FIRE

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KNOWLEDGE PACKET

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This episode summarizes a series of violent incidents that occurred in and around Harvey County, Kansas, between late 1873 and late 1877, as detailed in the provided Newspaper sources. The cases highlight personal feuds, suspected robberies, and accidental/attempted shootings, painting a picture of a frontier area grappling with conflict and limited law enforcement effectiveness.

Main Themes:

- **Interpersonal Disputes Escalating to Violence:** Several cases demonstrate how existing feuds or arguments, often over land or personal slights, rapidly escalated into fatal or near-fatal confrontations.
- **Lack of Effective Law Enforcement/Justice:** Despite some arrests and investigations, the sources reveal instances where perpetrators were acquitted, escaped, or remained at large, suggesting a challenging environment for securing justice.
- **Frontier Dangers and Vulnerability:** The incidents highlight the inherent risks of life in the developing frontier, including the prevalence of firearms, the threat of robbery, and the relative isolation of homesteaders.
- **Alcohol and "Bad Characters" Contributing to Violence:** At least two incidents explicitly link alcohol consumption to violent behavior, and some individuals involved are described as "desperate" or "bad characters" held in "fear by the neighborhood."
- **The Struggle for Land and Resources:** Underlying some disputes, particularly the Ashford-Leeper case, is the competition for land claims, a common source of conflict in newly settled areas.

Most Important Ideas/Facts:

1. The John W. Ashford Murder (May 24, 1874 – Case # 1874-HM01)

- **Long-Standing Feud:** The conflict between John Ashford and his brother-in-law, Samuel Leeper, was deeply rooted, described as a "family grudge" that had existed "for years."
- **Initial Threat and Arrest (October 1873):** Samuel Leeper initially filed a complaint against John Ashford for "Threaten to shot and kill him." Ashford was found "Guilty of disturbing the peace" but was to be held for district court, indicating prior aggression.
- **Land Dispute as Catalyst:** The immediate cause of the fatal confrontation was Leeper's demand that Ashford "discontinue his old habit of crossing a corner of his land." Ashford defiantly crossed the land despite warnings.
- **The Shooting:** On May 24, 1874 (contrary to the initial newspaper report of May 25), Leeper shot Ashford with a carbine. The bullet "severed the jugular vein in a descending direction coming out of the shoulder blade," resulting in immediate death. Leeper was positioned "above Ashford on the knoll on which his house stood."
- **Acquittal and Controversy:** Despite admitting to the shooting, Samuel Leeper was "acquitted of the murder" after an examination before a magistrate. This acquittal sparked significant controversy.
- **Victim's Character and Possessions:** Ashford was found with "a flask of whisky (the most dangerous of the two) and an army revolver." Both men were "reported as being desperate, as well as bad characters."
- **Allegations of Hired Murder (January 1875):** An anonymous letter from "Jack Markham" in Fort Worth, Texas, sent to G. W. Sweesy and Leeper, alleged that George Sweesy "hired Sam Leeper to shoot J. W. Ashford" over a "tract of land that Ashford had put a man on by the name of Mace." Markham, claiming to be a "sworn friend" of Ashford, threatened to "make it very hot" for the alleged murderers and stated, "I care nothing about the law, but I am determined to have satisfaction."

2. The Ira Cook Shooting (September 10, 1874 – Case # 1874-HM02)

- **Attempted Robbery/Theft:** The incident, occurring late at night, is presumed to be an "Attempt to steal" cattle. Cook was awakened by barking dogs and a "commotion among his cattle."
- **Ambush and Injury:** Cook confronted an unknown man on horseback, who then cried, "Run boys!" Two men on the ground fired, striking Cook in the "right shoulder, near the arm joint."
- **Known Voice:** Cook "heard a well known voice speak, and who was one of the party," suggesting he might have recognized one of the assailants.

- **Escape by Wagon:** The perpetrators fled in a wagon pulled by "mules – as the tracks show them to have been – on a keen run."
- **Evidence Found:** A "large revolver was found next morning" within 75 yards of the house.
- **Victim's Reputation:** Ira Cook is described as a "quiet and peaceable citizen and highly esteemed by those who know him."
- **Hope for Justice:** It was "thought the parties can be identified and brought to justice."

3. The Andy Long Murder (October 15, 1875 – Case # 1875-HM01)

- **Discovery and Injury:** Andy Long, a "large cattle dealer," was found on the Wichita and Hutchinson road "under a wagon, with a bullet hole through his head," still alive but "senseless" and unable to give a clear account.
- **Theft as Motive:** It was quickly suspected that he was "murdered by his companions for his money." A rumor circulated that he had "about \$6,000" on his person, though a later report stated he had "about \$700."
- **Identifying Marks:** The "toe next to his big toe on his right foot is gone," a key detail for identification.
- **Victim's Last Recollection:** Upon briefly regaining some lucidity, Long asked about "loose money scattered around" and stated "there had been no fight or trouble and that the last thing he remembered was lying down and going to sleep," implying he was shot while unconscious or asleep.
- **Suspects Identified but Names Withheld:** Two young men fitting the description of his companions were seen seeking employment shortly after the murder. The names of the "supposed murderers" were known to authorities but were "withheld for prudential reasons."
- **No Arrests Made:** As of the last report, "nothing definite is known of the whereabouts of the murders; they have not been arrested."

4. The Daniel Daugherty Death (July 3, 1877 – Case # 1877-HM01)

- **Self-Inflicted Gunshot:** Daniel Daugherty, aged 24, died from a gunshot wound to the "right breast."
- **Dispute Over Intent:** There was a "difference of opinion" among witnesses regarding whether it was a "suicide" or "purely accidental."
- **Intoxication as a Factor:** Some believed he was "somewhat intoxicated at the time" and discharged the "large navy revolver" accidentally while attempting to pocket it.
- **Immediate Death:** He "died so suddenly that he never knew what hurt him."

- **Stranger in Town:** Daugherty was a "comparative stranger" from Nashua, New Hampshire, working as a day laborer.

5. The Chunky Paxton Shooting (November 22, 1877 – Case # 1877-HM02)

- **Fratricide Attempt:** Monroe Paxton "drew a pistol and shot at" his brother, Al Paxton, also known as "Chunky."
- **Alcohol as a Cause:** Monroe Paxton had "been indulging in that which, when taken into a man's mouth, steals away his brains," directly linking alcohol to the attempted violence.
- **Victim's Quick Thinking:** Al Paxton "threw out his hand and turn it to one side, and thus saved his life."
- **Perpetrator at Large:** The "would-be fratricide fled and is at large."

Conclusion:

These cases collectively illustrate the challenges of maintaining order and delivering justice in a rapidly developing frontier society where personal disputes, criminal intent, and even accidental actions could quickly turn deadly.

Moral: *"Get rid of all bitterness, rage and anger, brawling and slander, along with every form of malice" (Ephesians 4:31)*

Thought-Starters

Who was John Ashford and what led to his death?

John Ashford was an early settler in the Halstead area of Kansas who was killed on May 24, 1874. His death stemmed from a long-standing feud with his brother-in-law, Samuel Leeper. The conflict escalated in late 1873 when Leeper accused Ashford of threatening to shoot and kill him, leading to Ashford's arrest and a finding that he was "guilty of disturbing the peace." The final confrontation occurred over Ashford's habit of crossing a corner of Leeper's land, despite warnings. Leeper shot Ashford through the neck, killing him instantly.

What were the circumstances surrounding John Ashford's murder, and what was the legal outcome for Samuel Leeper?

According to various reports, John Ashford was shot by Samuel Leeper on May 24, 1874, after being repeatedly warned not to cross Leeper's land. One account states that Ashford "responded fiercely, even threateningly," before attempting to cross the land, at which point Leeper shot him with a carbine. Another report mentions Ashford driving across Leeper's garden on Sunday, leading to Leeper attempting to have him arrested. Ashford then threatened

Leeper and returned with a gun, only to be met by Leeper, also armed, who then fired. A coroner's jury initially rendered a verdict of "willful murder" against Leeper, but he was subsequently "acquitted of the murder" after an examination before a magistrate.

Was there any suspicion of a conspiracy in John Ashford's murder?

Yes, an anonymous letter sent from Fort Worth, Texas, on January 5, 1875, to George Swayze and Leeper, alleged a conspiracy. The author, identifying himself as Jack Markham and a close friend of John Ashford from Kentucky, claimed to have learned in Newton, Kansas, that Ashford's death was a "cold blooded murder." He specifically stated that "George Swayze hired Sam Leeper to shoot J. W. Ashford" and that the motive was a "tract of land that Ashford had put a man on by the name of Mace." Markham further threatened to "make it very hot" for Swayze and Leeper, stating his intention to "have satisfaction" outside of the law.

What happened to Ira Cook, and what was the suspected motive for the attack?

Ira Cook, a married homesteader living northwest of Halstead, was shot and wounded by unknown parties between 12 and 2 o'clock on a Saturday night. He was awakened by his dogs and a commotion among his cattle. Investigating, he encountered a man on horseback and, upon asking "What are you doing here?", was met with the cry "Run boys!" Two men on the ground then fired at him, one shot striking his right shoulder. Cook managed to escape to his house after further shots were fired. A large revolver was found near his house the next morning. The supposed cause of the affair was an "attempt to steal." Ira Cook was born in Canada and homesteaded near Halstead with his father and 3 brothers, later moving to Wichita where he died and is buried.

Who was Andy Long, and how was he found?

Andy Long was a large Texas cattle dealer who was found severely wounded under a wagon on the Wichita and Hutchinson road, near the old site of Park City, on a Friday morning. He had a bullet hole through his head and, though alive, his mind was shattered, preventing him from giving a coherent account of himself or his assailants. He lingered until Sunday morning before dying. Two horses were found tied to the wagon, which he identified as his own. There were no papers on him for identification, but a missing toe next to his big toe on his right foot was noted as a distinguishing feature.

What were the suspected circumstances of Andy Long's death?

It is strongly suspected that Andy Long was murdered for his money. He was returning from Great Bend with two young men, described as companions, and was believed to have disposed of his stock there. One report mentioned a rumor that a Texas man left Great Bend with a similar company, having about \$6,000 on his person, while another stated Long had about \$700. He was found to have been shot in the head. The two young men who had been with him reportedly fled with the ponies. A witness, Mr. Lewis Lockert, who discovered Long, stated that Long remembered "no fight or trouble" and that the last thing he recalled was "lying down and going to sleep," suggesting he was attacked while vulnerable. His burial location is unknown.

What happened to Daniel Daugherty in Newton?

Daniel Daugherty, a 24-year-old day laborer from Nashua, New Hampshire, died on July 3, 1877, from a gunshot wound to his right breast. There was a difference of opinion regarding the cause of death; some believed it was a suicide, while others claimed it was accidental. He died so suddenly that he "never knew what hurt him." His burial location is unknown; perhaps he was buried in Newton's Boot Hill Cemetery where no records were kept.

What was the incident involving Monroe and Al "Chunky" Paxton?

On November 22, 1877, a shooting affray occurred near the "gambling hells" on Broadway in Newton. Monroe Paxton, while intoxicated, quarreled with his brother, Al Paxton, also known as "Chunky." Monroe then drew a pistol and shot at Al. Al saw him draw the weapon in time to deflect it with his hand, saving his life. Monroe Paxton, the "would-be fratricide," fled and was at large.

Study Guide:

Quiz

1. What was the initial legal accusation Samuel Leeper made against John Ashford in October 1873, and what was the outcome of that initial case?
2. Describe the circumstances surrounding John Ashford's death according to "A Cold-Blooded Assassination" and "Fatal Shooting Affray" reports. What was the purported motive?
3. Who was Jack Markham, and what was the content and purpose of his anonymous letter to George Swayze and Leeper?
4. What was Ira Cook doing when he was shot, and what was the supposed cause of the attack?
5. What was found near Ira Cook's house the morning after he was shot, and what did authorities hope to achieve with this discovery?
6. How was Andy Long discovered, and what were his initial actions or statements before he lost consciousness?
7. What distinguishing physical characteristic did Andy Long possess that authorities hoped would aid in his identification?
8. What did Andy Long tell Lewis Lockert about the circumstances of his injury, contradicting the presumed motive?
9. What was the conflicting information regarding Daniel Daugherty's death, and what was the general consensus on his status in Newton?
10. What happened between Monroe Paxton and Al Paxton (Chunky) on Broadway, and what was the outcome for Al?

Answer Key

1. Samuel Leeper initially accused John Ashford of unlawfully and feloniously threatening to shoot and kill him on October 7, 1873. The court found Ashford guilty of disturbing the peace and held him to answer the charge in the district court.
2. According to the reports, John Ashford was crossing Samuel Leeper's land on his return from Halstead, despite Leeper's warnings. Leeper shot Ashford through the neck with a carbine from a knoll above him, severing his jugular vein, leading to immediate death. The motive was a revived family grudge and a dispute over land access.
3. Jack Markham was an acquaintance and "sworn friend" of John Ashford from Kentucky. His anonymous letter, sent from Fort Worth, Texas, accused George Swayze and Sam Leeper of a "cold blooded murder" of Ashford, claiming Swayze hired Leeper. Markham vowed to seek "satisfaction" outside the law.
4. Ira Cook was awakened by his dogs barking and commotion among his cattle. He went to investigate and was shot near his oats bin by two men on the ground after he approached a man on horseback and asked what he was doing there. Attempted theft was the supposed cause.
5. A large revolver was found within 75 yards of Ira Cook's house the morning after he was shot. Authorities hoped that this discovery would help them identify the parties involved and bring them to justice for the shooting.
6. Andy Long was discovered lying under a wagon on the Wichita and Hutchinson road with a bullet hole through his head. He was still alive and able to speak, though his mind was shattered. He could identify his horses and count, and inquired for "the boys."
7. Andy Long had a distinguishing physical characteristic: the toe next to his big toe on his right foot was missing. This detail was noted by authorities as a potential aid in identifying him since no papers were found on his person.
8. Andy Long told Lewis Lockert that there had been no fight or trouble leading to his injury. He stated that the last thing he remembered was lying down and going to sleep, which contradicted the initial assumption that he was murdered by his companions for his money.
9. There was a difference of opinion regarding Daniel Daugherty's death: some claimed it was suicide, while others believed it was accidental due to intoxication while handling a revolver. He was a comparative stranger in Newton, a day laborer from Nashua, New Hampshire.
10. A shooting affray occurred near the "gambling hells" on Broadway. Monroe Paxton, intoxicated and quarreling with his brother Al Paxton (Chunky), drew a pistol and shot at him. Al managed to throw out his hand and deflect the weapon, saving his life, and Monroe fled.

Essay Format Questions

1. Analyze the role of contemporary newspaper reports in shaping public perception and understanding of violent crimes in 19th-century Harvey County. Discuss the potential biases, conflicting details, and sensationalism present in the provided excerpts.
2. Compare and contrast the motivations and circumstances surrounding the deaths of John Ashford and Andy Long. How do the various accounts of each incident shed light on the nature of conflict and crime in the region during this period?
3. Discuss the legal responses and outcomes for the perpetrators in the cases of John Ashford and Ira Cook. What do these outcomes suggest about the application of justice in Harvey County during the 1870s?
4. Examine the themes of frontier justice and vigilante sentiment as evidenced by Jack Markham's letter and the community's desire for the perpetrators of Andy Long's murder to "swing under a cross beam." How did these sentiments interact with formal legal processes?
5. Based on the provided sources, describe the challenges faced by law enforcement and authorities in identifying and apprehending suspects in these 19th-century cases. What specific details in the texts illustrate these difficulties?

Glossary of Key Terms

- **Acquitted:** Declared not guilty of a criminal charge. Samuel Leeper was acquitted of John Ashford's murder.
- **Apprehended:** Arrested or caught. Leeper feared Ashford would shoot him if he was not apprehended.
- **Carbine:** A short, light rifle. Samuel Leeper used a carbine to shoot John Ashford.
- **Claim:** A piece of land, especially one staked out by a miner or settler. The dispute between Ashford and Leeper involved a claim.
- **Coroner's jury:** A group of citizens summoned by a coroner to determine the cause and circumstances of a death. A coroner's jury found Ashford's death to be willful murder.
- **Defendant:** An individual, company, or institution sued or accused in a court of law. John Ashford was the defendant in the initial disturbance of the peace case.
- **Difficulty:** A dispute or quarrel. Ashford and Leeper's feud was referred to as a "difficulty."
- **Feloniously:** In a manner that is characteristic of a felony (a serious crime). Ashford was charged with feloniously threatening Leeper.
- **Fratricide:** The act of killing one's brother or sister. Monroe Paxton was referred to as a "would-be fratricide."

- **Gambling hells:** A derogatory term for establishments where gambling took place, often implying a disreputable or dangerous environment. The shooting affray between the Paxtons occurred near "gambling hells."
- **Intoxicated:** Drunk; affected by alcohol or drugs. Daniel Daugherty was described as "somewhat intoxicated" at the time of his death.
- **Jugular vein:** Any of the three large veins in the neck, carrying blood from the head and face. Ashford's jugular vein was severed by the bullet.
- **Magistrate:** A civil officer who administers the law, especially one who conducts a court that deals with minor offenses and holds preliminary hearings for more serious ones. Leeper was examined before a magistrate.
- **Mennonite settlement:** An area settled by members of the Mennonite Church, a Christian denomination known for its emphasis on pacifism and community. A Mennonite settlement was located in Halstead and nearby areas, having immigrated from Russia.
- **Oats bin:** A storage container for oats, typically used as feed for livestock. Ira Cook was near his oats bin when he was shot.
- **Prostrate:** Lying stretched out on the ground with one's face downward. Neighbors assembled about the "prostrate form of the dead" Ashford.
- **Returnable forthwith:** A legal instruction for a warrant to be returned to the court immediately. The warrant for Ashford's arrest was returnable forthwith.
- **Round house:** A circular building, typically found at railroad yards, used for housing and repairing locomotives. Daniel Daugherty was shot south of the railroad round house.
- **Verdict:** A decision on a disputed issue in a civil or criminal case or an inquest. The court's verdict was that Ashford was guilty of disturbing the peace.
- **Warrant:** A document issued by a legal or government official authorizing an arrest, search, or other act. A warrant was issued for John Ashford's arrest.
- **Writ:** A form of written command in the name of a court or other legal authority to act, or abstain from acting, in a particular way. Sheriff Tracy received the "writ" for Ashford's arrest.