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SOURCE ARTICLES

1873-17 – In The Line Of Fire

JOHN W. ASHFORD

MAY 24, 1874 - CASE # 1874-HM01

Troubles between relatives (and neighbors) Samuel Leeper and John Ashford were coming to a head late in 1873 when "Samuel Leeper Made Complaint on oath charging that on the 7th day of October, 1873 in the County of Harvey, and State of Kansas, one John Ashford did then and there, unlawfully, feloniously Threaten to shot and kill him the said S Leeper Jr. and he the said Leeper has reason to fear and does fear that the said John Ashford will shoot and murder if he is not apprehended. Warrant Issued, dated, directed, and delivered to C. A. Tracy, Sheriff of Harvey County, October 9, 1873, returnable forthwith. Warrant Returned and filed October 11, 1873 at 9 o'clock AM with the following return indorsed thereon, to wit: October 9, 1873. Received this writ, and according to the command thereof I have the body of the within named John Ashford now before the court. Fees \$3.60. C. A. Tracy Sheriff, by G. A. Hagerty, Deputy. The charge made against said defendant was distinctly read to him and he was required to plead thereto, and he plead not guilty. Verdict: After hearing the Proofs and Allegations of Parties, I do find: that the Defendant is Guilty of disturbing the peace as charged, and should be held to answer the charge in the district court." *1873 Court Register transcribed by Darren McMannis. Register Book provided courtesy of the Harvey County Historical Society & Archives, Newton, Kansas.*

Their feud culminated in the spring of 1874. According to Cutler's History of Kansas, the first death in Halstead occurred on May 25, 1874 when John Ashford "dies with his boots on," killed in a "difficulty over a claim in the vicinity of Halstead," Kansas. The death date, however, was actually May 24. Samuel Leeper was an early settler of the Halstead area and, even though he

admitted shooting his brother-in-law, he was acquitted of the murder. Ashford was buried north of Halstead in the Quaker cemetery.

HALSTEAD - A Cold-Blooded Assassination. The community about the peaceful neighborhood of Halstead, twenty-eight miles north of Wichita, in the Mennonite settlement, was startled on holy Sabbath morning last, about the house and near by where was assembled the village Sunday School, at the report of fire-arms and the blood curdling scream of an aged victim, who met his fate by violence from the unerring and death sealing bullet. At the assembling of the neighbors about the prostate form of the dead, it was discovered to be the body of Mr. Ashford, and several who had witnessed the fatal shooting said that for years there had existed a family grudge between the two, when, in some way had been revived a few weeks previous when Leeper ordered Ashford to discontinue his old habit of crossing a corner of his land in going to and returning from Halstead. It seems every Sabbath morning Ashford went to town and was warned by Leeper not to return over this land, at his peril. Ashford responded fiercely, even threateningly, and was crossing the land on his return, in defiance, when Leeper unhooked his carbine from its peg in the house and sent an ounce ball through the neck of his brother-in-law who fell mortally wounded, the ball having severed the jugular vein in a descending direction coming out of the shoulder blade, Leeper being above Ashford on the knoll on which his house stood. These are the particulars as far as we can ascertain. Ashford died immediately.

A coroner's jury were summoned and rendered a verdict of willful murder, in accordance with above facts. They also found upon the person of the dead man a flask of whisky (the most dangerous of the two) and an army revolver. Both men are reported as being desperate, as well as bad characters, and they have been held in fear by the neighborhood. The termination of this terrible affair is yet to be written. *The Wichita Beacon, Wichita, Kansas. Reprinted in The Atchison Daily Champion, Atchison, Kansas. Friday, May 29, 1874. Page 4.*

HALSTEAD - Fatal Shooting Affray. Rev. J. Harris informs us of a fatal shooting affray at Halstead. A difficulty existed between John Ashford and Samuel Leper, arising from a claim which the latter occupied. On Sunday Ashford drove across Leper's garden. On Monday Leper made some endeavors to have Ashford arrested. Ashford, who was a large and desperate, hearing of this, said he would give Leper just twenty minutes in which to leave that claim; and going to Leper told him the same.

He then went home and at once returned with a gun. He was met by Leper also armed with a gun, and who warned him not to come any nearer. Ashford replied that the twenty minutes were about up, whereupon Leper fired, shooting Ashford through the neck and killing him almost immediately. Leper was examined before a magistrate and acquitted. *The Peabody Gazette, Peabody, Kansas. Reprinted in The Emporia Weekly News, Emporia, Kansas. Friday, June 5, 1874. Page 2.*

HALSTEAD - An Anonymous Letter. The following letter was received by G. W. Sweesy, of Halstead, recently bearing no signature. The circumstances of the affair referred to are quite familiar to most of our readers, and which took place near Halstead last summer. We publish the letter by request:

From: Fort Worth, Texas. January 5, 1875. To: Mr. George Swayze and Leeper: I will write you a few lines to let you know that I was in Newton, Kansas, a short time ago to enquire into the particulars of a murder of John W. Ashford. I found some two or three there that told me it was a cold blooded murder. They also told me that George Swayze hired Sam Leeper to shoot J. W. Ashford; they also told me it was done on account of a tract of land that Ashford had put a man on by the name of Mace. One of these men says that he can swear that you loaned the gun to Sam Leeper, and told him to kill Ashford. Now, sir, I knew John when he lived in Kentucky, and he was a mighty good friend of mine, and I'll tell you that I am going to make it very hot for you. I understand that you and your brother are the cause of his death. Now, I care nothing about the law, but I am determined to have satisfaction out of that party that murdered Ashford. I understand that James Ashford has been out there to see something about it, but I have not seen him for several years, and I do not know whether he is going to have satisfaction or not, but I will tell you, the murderers of John Ashford shall suffer. Now, Mr. Swayze, I saw a piece that you published in the paper which is undoubtedly an infamous lie. I understand that you was a good friend to John's face, but a bitter enemy to his back. Now, sir, I don't know the Leeper family nor the Swayze family, but John and me were sworn friends and I intent to have satisfaction, and I will not slip on you to do it. Now, sir, if you want to see me you shall have a chance.

I am occasionally in a ranging company on the Texas frontier, if you see fit, sir, to write to me, you can direct your letter to Fort Worth, Texas, to Jack Markham. You can tell old Leeper that I will hunt him if it is 10 years from now; his gray head, if he is gray, won't save him. *The Newton Kansan, Newton, Kansas. Thursday, February 4, 1875. Page 4.*

IRA COOK

SEPTEMBER 10, 1874 - CASE # 1874-HM02

HALSTEAD - Shot And Wounded. Last Saturday night Ira Cook, a married man and homesteader, living seven and a half miles northwest of this place, was shot and wounded by some unknown parties between 12 and 2 o'clock, under about the following circumstances.

Being awakened by the barking of his dogs, and hearing a commotion among his cattle which were not far from the house, he quietly and unknown to his wife, got up and went to see what was the matter. While at the cattle yard he heard steps of a horse near by, but it being very dark

could not distinguish anything at the distance, and only supposed it was his own. From the cattle yard he passed to his oats bin near by, and from there observed a man on horse back about four rods from the bin; approaching him he said, "What are you doing here?" to which the rider made no response, but cried, "Run boys!" At this two men sitting on the ground near by fired at Cook, one shot striking him in the right shoulder, near the arm joint.

At this Cook hallowed, and after that heard a well known voice speak, and who was one of the party – Cook then ran to a hay stack near by, when another shot was fired; from this he ran to the house, when another shot missed him but a little. From this the murderous party were heard to leave by a wagon, which shortly afterwards passed within sixty yards of the house, the mules – as the tracks show them to have been – on a keen run.

Word was immediately sent to neighbors and Doctor Boyd called to attend Mr. Cook, who we are glad to know is doing well. Within 75 yards of the house a large revolver was found next morning. It is thought the parties can be identified and brought to justice.

Mr. Cook is a quiet and peaceable citizen and highly esteemed by those who know him, and they will try and see that such acts do not go unpunished. Attempt to steal is the supposed cause of the affair. *The Newton Kansan, Newton, Kansas. Thursday, September 10, 1874. Page 3.*

ANDY LONG

OCTOBER 15, 1875 - CASE # 1875-HM01

PARK CITY - Murder Most Foul. We learn from Mr. R.F. Anderson that on Friday morning last, a man was found lying under a wagon, on the Wichita and Hutchinson road, near the old site of Park City, with a bullet hole through his head. When discovered, the man was still alive, and able to speak; but his mind was so shattered, that he was unable to give any intelligible account of himself, or of the person or persons who shot him. He was taken to the residence of Mr. George Thrush, in Sedgwick County, where he lingered until Sunday morning, when he died. Sometime previous to his death, he was able to identify as his own two horses that were tied to the wagon at the time he was found, and could count from one to ten, as if he were enumerating money or cattle. He also inquired for "the boys," but was unable to disclose his name, or to give any account of himself or the transaction by which he lost his life. There were no papers found upon him by which he could be identified.

From facts that have since transpired, it is supposed that he was a large cattle dealer; that he disposed of his stock at Great Bend; left Great Bend, in company with two young men, for Wichita, via Hutchinson, where he purchased himself a fine suit of clothes; and that he was murdered by his companions for his money. Two young men, answering to the description of

those who were with the murdered man, as near as could be ascertained, were in Sedgwick City a day or two after the murder, seeking employment. We hope they may be arrested, and, if guilty, swing under a cross beam. *The Harvey County News, Newton, Kansas. Wednesday, October 20, 1875. Page 1.*

SEDGWICK CITY - The name of the man murdered near the old Park City site week before last, of which an account was given in last week's News, was Andy Long. The names of the supposed murderers are known, but, for prudential reasons, have not been revealed. *The Harvey County News, Newton, Kansas. Wednesday, October 27, 1875. Page 8.*

SEDGWICK CITY - A Sickening and Dastardly Crime. The news of a sickening and dastardly crime, committed about twenty-two miles up the river, between this place and Hutchinson, reached us Sunday morning. From all we can learn it appears that three Texas cattle men, returning from Great Bend in a wagon, and destined for their southern home, went into camp near S. A. Moffet's, last Friday evening. Saturday morning two travelers, in passing the camp, noticed a man lying upon the grass covered up. Thinking it strange they removed the cover, when the startling discovery was made that an attempt had been made to murder the man, who, though not dead, was senseless, with a bullet hole in his head. He was carried to a house near by and a physician called. The wounded man, after being made as comfortable as possible, although not regaining his consciousness, called for his money. The two men who went into camp with him had fled with the ponies. There was not a paper or mark left by which the wounded man could be identified. The toe next to his big toe on his right foot is gone, which may lead to his identification. That he was murdered for his money there is not the least doubt. M. Meagher, our city Marshall, who furnishes us with the above information, says he was still living Saturday evening with no hopes of his recovery. He also says there is a rumor that a Texas man left Great Bend last week with such a company, who had on his person about \$6,000. The authorities have a full description of the ponies and men. We sincerely hope the murders may be caught. P.S.: A party of gentlemen went up day before yesterday for the purpose of identifying the wounded man. Upon their arrival they found him dead and buried. His property was immediately recognized by Mr. Jewett and Hughes. His body was taken up and found to be that of Andy Long who had left Wichita with about \$700 in his pocket. Many facts were obtained among them the names of the supposed murderers Kansas who are well known but we are desired to withhold all names for the present. *The Wichita Eagle, Wichita, Kansas. Thursday, October 21, 1875. Page 3.*

PARK CITY - Mr. Lewis Lockert, who discovered the murdered man, Andy Long, of which we made note last week, called upon us yesterday. Mr. Lockert says when they first discovered him, they aroused him sufficiently to get a few intelligent replies. The wounded man asked first if there was any loose money scattered around; and further stated that there had been no fight or

trouble and that the last thing he remembered was lying down and going to sleep. Mr. Lockert further says Long had some six or seven hundred dollars on his person when he left Great Bend. As yet nothing definite is known of the whereabouts of the murders; they have not been arrested. *The Wichita Eagle, Wichita, Kansas. Thursday, October 28, 1875. Page 3.*

DANIEL DAUGHERTY

JULY 3, 1877 - CASE # 1877-HM01

NEWTON – Shot And Killed. Last Tuesday evening about 8 o'clock, a man named Daniel Daugherty, aged about 24 years, shot and killed himself just south of the railroad round house in this city, and west of what is known as the two water tank tubs. As to the apparent intent of the deed, we find a difference of opinion; some of those who were near by at the time claiming that it was a suicide, while others claim that it was purely accidental, and that he being somewhat intoxicated at the time, in attempting to get a large navy revolver, with which he killed himself, into his right breast or side pocket, discharged the same. At any rate he shot himself in the right breast, and died so suddenly that he never knew what hurt him.

Daugherty was a comparative stranger here, but had a few comrade friends, who say his home was in Nashua, New Hampshire. He was a day laborer, and is said to have worked recently in the country near town, and to where he is thought by some to have been en route at the time of his tragic death. *The Newton Kansan, Newton, Kansas. Thursday, July 5, 1877. Page 3.*

CHUNKY PAXTON

NOVEMBER 22, 1877 - CASE # 1877-HM02

NEWTON – A shooting affray took place near the “gambling hells” on Broadway, last Saturday. Monroe Paxton had been indulging in that which, when taken into a man’s mouth, steals away his brains, and after quarrelling with his brother Al Paxton, alias Chunky, drew a pistol and shot at him.

Al saw him draw the weapon just in time to throw out his hand and turn it to one side, and thus saved his life. The would-be fratricide fled and is at large. *The Harvey County News, Newton, Kansas. Thursday, November 22, 1877. Page 2.*

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