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Compiled by Darren McMannis

SOURCE ARTICLES

1878-19 – On The Mean Streets with a Horse

BENJAMIN BALL

NOVEMBER 2, 1878 - CASE # 1878-HM02

NEWTON - Serious Affray. A cutting affray took place at Seaman's Livery Stable in this city, last Saturday night. James Wilson, a farm hand, living north of town, cutting Benjamin Ball, an employee in the livery stable, in the pit of the stomach and also on the neck and face. Mr. Ball appears to be getting better now, but the wound in the stomach is a serious one, and but little can be told of the results at present. The trouble between the men originated some days before over a load of corn which Ball refused to receive from Wilson and put in the stable without orders from Seaman. On Saturday Wilson came to town and got drunk, and like drunken men usually do, must have a fuss, and so called on Ball, and there was a fight, Wilson getting badly worsted. He then went off and came back after dark, while Ball was holding a lantern for some parties to hitch up their team by. Wilson spoke to Ball, and then knifed him. *The Newton Kansan, Newton, Kansas. Thursday, October 31, 1878. Page 3.*

NEWTON - A Cutting Affray. Last Saturday night a difficulty occurred between a man by the name of J. C. Wilson, and D. L. Ball, at Seaman's Livery Stable, which resulted in the latter being terribly cut up. Wilson brought a load of corn to the stable for another party. Ball being employed at the stable at the time refused to accept the corn in accordance with orders received from his employer. Wilson commenced to abuse him for refusing to accept it, and a fist fight was the result, Wilson coming out second best, a few minutes after. Ball was holding a lantern outside the stable for some parties to see to hitch up a team, when Wilson slipped up behind with an open knife, making a pass at him with it, evidently intending for his throat, but struck his face making a ugly cut, and another striking him in the bowels leaving a fearful gash several inches long the depth of the blade. He then started to run pursued by Ball, but escaped

in the darkness. Ball was taken to Seaton's Drug Store and his wounds were dressed by Dr. Seaton; while there the marshal brought Wilson in to get his arm set. He says he don't know how he got it thrown out of place. His preliminary trial was postponed until November 7th, to await the death or recovery of his victim. Meanwhile he is kept at Wichita for safety. *The Harvey County News, Newton, Kansas. Thursday, October 31, 1878. Page 1.*

NEWTON - Dies From Wounds. Benjamin Ball, who was stabbed some time ago in Seaman's livery stable in this city by James Wilson, died yesterday, 13th inst., from the stomach wounds received. A post mortem examination was had of the corpse, and it was found that the knife had penetrated the liver over an inch and that mortification had been going on in the same for some time past. Mr. Ball was about thirty years of age, unmarried, and his parents reside about fourteen miles north of here, in Marion county, where the corpse will be taken today for internment. We also learn that James Wilson who stabbed Mr. Ball escaped with two others from the Wichita jail Monday night of this week, and is still at large. *The Newton Kansan, Newton Kansas. Thursday, November 14, 1878. Page 3.*

NEWTON - Post-Mortem Performed. J. C. Wilson, the man who stabbed Ball escaped from the Wichita jail Monday night, with two other prisoners. No clue yet as to his whereabouts. Ball will probably die. Later - Ball died at 2 o'clock Wednesday afternoon. A post-mortem examination by Drs. Scanton, Coleman, and Steinmetz revealed the fact that his liver had been cut, and that he could not have lived. The next thing in order will be the capture of Wilson the murderer. Isn't it about time Harvey county had a jail of her own, in which to guard her prisoners? *The Weekly Commonwealth, Topeka, Kansas. Thursday, November 21, 1878. Page 1.*

NEWTON - The county commissioners met in special session last Monday, and after transacting some business, adjourned for one when, when plans for the jail will be presented for consideration. The Board has offered a reward of \$150 for the capture of James Wilson, the murderer of B. Ball, and who escaped from the Wichita jail. *The Newton Kansan, Newton, Kansas. Thursday, December 5, 1878. Page 5.*

NEWTON - Wilson Off For Kansas. Sheriff Henry McAdams, of Harvey Co., Kansas, having obtained a requisition from Gov. Collum for the removal of J. "Cal" Wilson, the murderer, arrested near Harristown, a few days ago, by Constables Oder and Edwards, left for Kansas this afternoon with the prisoner in custody. The governor of Kansas offered a reward of \$300 for the arrest and conviction of the murderer, and Harvey county offered \$150 reward for his return to the sheriff's office. The arrest, as we understand it, was effected through the management of Mr. Jacob Bear, of the county clerk's office. He learned that Wilson was in this county, and got Oder and Edwards to make the arrest. He rightfully claims the reward. The constables don't think so. They want the state and county rewards themselves. A little time must elapse before

any money is paid over, and doubtless the whole matter will be fairly settled between all parties. *The Decatur Daily Republican, Decatur, Illinois. Saturday, June 28, 1879. Page 1.*

COTTONWOOD FALLS - Murderer Found. J. C. Wilson, who killed a man in Newton, last winter, and was incarcerated in Sedgwick county jail, from which he escaped about two months ago, was re-arrested at Decatur, Illinois, last week, and was lodged in our county jail on Sunday night. *The Chase County Leader, Cottonwood Falls, Kansas. Tuesday, July 8, 1879. Page 1.*

COTTONWOOD FALLS - Cal Wilson the murderer is spending the heated term in the quiet and shady retreat of Cottonwood Falls jail, Chase County, Kansas. He will not get sun burnt in this hot weather. *The Decatur Daily Republican, Decatur, Illinois. Tuesday, July 8, 1879. Page 3.*

NEWTON - At the Harvey County Court last week Judge Peters sentenced the following: William Benthusen, for stealing a cloak from the Howard House, also cattle from Dan Lehman, five years; J. C. Wilson, for killing Ball, fifteen years; David Bennett, for horse-stealing, four years; Frank True, horse stealing, three years. *The Daily Commonwealth, Topeka, Kansas. Sunday, October 5, 1879. Page 2.*

TOPEKA - Pardon Requested. We learn that an application for pardon has been made to the Governor for J. C. Wilson, who was convicted of murder in the second degree and sent to the penitentiary from this county four years ago. Since the trial, as we learn newly discovered evidence has come to light, and sworn to by credible persons, which if produced at the trial would have made the crime of Wilson not more than manslaughter in the third degree, for which the penalty could not have exceeded three years. His pardon under the circumstances has been requested by the Judge, nine of the jurors who tried the case, the attorneys prosecuting the case, the county and city officers, and nearly every business man in Newton. Under these circumstances it seems to us but just that the pardon should be granted, and especially as Wilson has been punished by confinement in the penitentiary for more than four years, and made a good report for behavior as to entitle him to one year's remittance. *The Newton Kansan, Newton, Kansas. Thursday, October 4, 1883. Page 1.*

Benjamin L. Ball was born in Kentucky in 1847 to Nelson & Sarah J Ball. In 1875 he was living in Branch Township, Marion County, Kansas. He was living between his parents and his younger brother, all of whom were farmers. (1875 Kansas State Census). In 1879 Nelson Ball was appointed administrator of Benjamin's estate. Dr. Seaton claimed he was never paid for his services when Benjamin died and continued to pursue payment through 1882. Nelson Ball, Benjamin's father, had been a Sergeant during the Civil War, and died August 8, 1886 and is buried in the Doyle Valley Cemetery in Marion County, Kansas. It is assumed that Benjamin Ball is buried next to his father in an unmarked grave. This, however, has not yet been confirmed.

J. C. Wilson entered the State penitentiary at Lansing on September 27, 1879 under the charge of Murder in the Second Degree, as prisoner number 2001 (Series 1 Volume A Page 547). His whereabouts after 1883 are unknown at this time.

“FRAIL WOMAN”

1879 - CASE # 1879-HM01

OMAHA, NE - He's The Man. And He'll Go to Omaha to be Tried For Murder. Sheriff Miller, of Omaha, Douglas County, Nebraska, arrived in St. Paul yesterday afternoon and took into custody William Gazolo, the Italian who was arrested in this city by Officer Boerner last Monday, on the charge of killing Louis Zerga, an Italian scissor grinder in the city of Omaha on July 6, 1880. Gazolo was fully identified as the murderer of Zerga, and according to the story of Sheriff Miller he is a desperado of the meanest description, and the trouble which resulted in the killing of Zerga arose from a dispute over the division of money won by the men at gambling. It appears that Zerga refused to give Gazolo his full share of the gains when the latter drew his revolver and shot him. After the shooting Gazolo fled from the scene of his crime, and traveled over all sections of the country, drinking and leading a life of debauchery and dissipation.

Previous to the killing of Zerga he was in prison at Newton, Kansas, for shooting a frail woman from Wichita, who had assisted him in stealing horses. At the time of the shooting of Zerga, a reward of \$200 for his arrest was offered by the State, and \$200 by an Italian named Martin, of Chicago, the latter being afterwards withdrawn. Gazolo travelled under the aliases of William Gazello, Fred Miller, Abram Miller, and Staguino. He will be taken back as soon as the papers are perfected. *The St. Paul Globe, St. Paul, Minnesota. Friday, May 16, 1884. Page 2.*

MARSHAL SAWYER

AUGUST 10, 1882 - CASE # 1882-HM01

NEWTON - Last Friday afternoon, just as the afternoon exercises of the circus had closed, Claud Wilson, a young man who had been residing with J. Kelly, in Emma township, while under the influence of liquor drove a team over a little son of D. R. Swan, of this city, seriously bruising him. A special policeman who was near by at the time arrested Wilson and started with him and the injured boy to Dr. Coleman's office.

On the way they met city Marshal Sawyer, and Wilson was turned over to him. After the condition of the boy was learned, and observing that Wilson was still under the influence of liquor, Sawyer told him that he would have to take him to jail for the present, whereupon

Wilson struck at him with a large knife which he had concealed in his coat sleeve, and had he not dodged the same would have either cut his throat or injured him seriously. For which Wilson will reside at hotel d' Wafer until next term of court, unless some person goes his \$500 bail. *The Newton Kansan, Newton, Kansas. Thursday, August 10, 1882. Page 3.*

NEWTON – District Court sentenced Claud Wilson, who attempted to kill city marshal Sawyer last summer, to one year in the penitentiary; William Lynch, of Halstead, for horse stealing, two years in the penitentiary; and J.R. Matthews, for horse stealing, one year in the penitentiary. Sheriff Wafer escorted these men to Leavenworth last Sunday. *The Newton Kansan, Newton, Kansas. Thursday, October 19, 1882. Page 3.*

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