



the **Prairie Tales** podcast

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Compiled by Darren McMannis

SOURCE ARTICLES

1882-22 – Why Was Nellie Naughty?

NAUGHTY NELLIE

“The case is attracting much interest here, and while circumstances justify the detention of Miss Bailey, she has some sympathy and there are those who firmly believe in her innocence.”

The Leavenworth Times, Leavenworth, Kansas. Friday, November 2, 1883.

CLEMENT BOTHAMLEY

OCTOBER 7, 1883 - CASE # 1883-HM01

The tale of Nellie Bailey and Clement Bothamley has been widely distributed, but remains a fascinating mystery to this day. Clement was a resident of Harvey County, as was his 2nd mistress, Nellie, before he died in Oklahoma Territory. Clement had left his wife in England, coming to America with his 1st mistress. She died in childbirth in Newton. They are buried in Greenwood Cemetery. Clement’s headstone was later destroyed by a falling tree.

CALDWELL - Probable Murder. Deputy U.S. Marshal Hollister received word that a man had been shot on Sunday night, Oc. 7th, on the Hackberry near Skeleton Rancho, in the Territory. Inquiring into the matter, Mr. Hollister ascertained the report to be true, and that the man killed was C. Bothamley, who formerly resided at Newton, and was, at the time of his death, on his way to Texas with 2000 head of sheep.

It was also ascertained that he had some friends at Newton, and a telegram was sent notifying them of the affair. In answer to the telegram, A.W. Carr, representing the British Association of Kansas, of which Bothamley was a member, came down, and at his solicitation, Hollister went down to Skeleton, exhumed the body, and brought it up to this city, from whence it was forwarded to Newton.

Hollister also arrested a man and woman, whose names were ascertained to be W. Dodson and Nellie C. Bailey. A boy, who was along with them, was also taken in charge. The woman claimed that she and the deceased were brother and sister and that Dodson was working for the deceased. That on the night of the 7th, the boy went out to where the man was taking care of

the sheep, and while he was gone Bothamley shot himself. Afterwards Dodson claimed that the Bailey woman was his wife. We did not learn the name of the boy, but understand that his parents live at Newton. The boy's story is to the effect, that Dodson was out with the sheep, while the woman, the deceased, and himself were at the camp. The woman told him to go out and help Dodson with the sheep, and he started to do so. He had only gone a short distance when he heard a pistol shot, and on returning found Bothamley lying dead. The three were taken to Wichita where the man and woman were locked up. The boy was taken charge of by Mr. Carr, who took him to Newton.

We presume an examination of the persons will be held before the U.S. Commissioner at Wichita, when all the facts in regard to the parties will be brought out. *The Caldwell Journal, Caldwell, Kansas. Tuesday, October 16, 1883. Page 1.*

WICHITA - A Dark And Bloody Deed. Mr. C. Bothamley, of Harvey county, started some three weeks ago from his farm south of Newton with two thousand head of sheep, overland, through the Territory for Texas. He was accompanied by a woman named Nellie C. Bailey, the ex-banker's wife. At Sedgwick City, Bothamley hired a man named William Dodson to help drive. Last week Sunday Bothamley was shot by himself or some one else and buried south of Skeleton ranch. The woman and man kept right on with the sheep and teams. C. M. Holister, United States Marshal at Caldwell, hearing of the facts followed them up and arrested them arriving with them in this city Monday evening. He took a metallic case with him and brought the remains of Bothamley back to Newton and buried his body beside that of his deceased wife. Then man was shot close to the left eye, the ball ranging downward, which is a circumstance showing that it was not a suicide. The parties will have their examination before United States Commissioner Shearman. The affair has every appearance of a dark and bloody deed. *The Wichita Eagle, Wichita, Kansas. Thursday, October 18, 1883. Page 3.*

NEWTON - Foul Murder. Mr. Clement Bothamley, a former resident of this city, but of late years upon a section of land which he owned a few miles north of Sedgwick City, in this county, was murdered in the Indian Territory, some sixty miles south of Caldwell, on the night of Sunday the 7th of this month, from the effects of a shot received under the right eye, and which passed through his head, coming out behind his ear, causing instant death. At the time of his death he was en route to Texas, with 2,200 sheep, and had with him a woman, whom we shall notice further on, a man named William Dodson, who resided near Sedgwick City, and young Wesley Vetter, son of Nick Vetter, of this city, and aged about sixteen years. Young Vetter had been with Bothamley since last spring, and acted as herder of the sheep, and seems to have been assisted in this capacity of late by Dodson. The party left the farm in Sedgwick township August 23d, and traveled from six to nine miles a day. A box car or house was built upon a wagon, in which they lived, where Bothamley and the woman slept, and in which the ill-fated man was shot. At the time of the killing there is supposed to have been no one in the wagon but B. and the woman. The boy and Dodson are supposed to have been with the sheep, some distance away. In the morning after the deed she notified the herders as also some cow boys near by of what had happened, and a courier or ranchman came along with a buckboard wagon, and he with the woman conveyed the corpse back to Skeleton Ranch some nine miles north, where the body

was buried in a box, with two blankets around it. The woman and herders remained where the murder had taken place a couple of days, during a rain storm, and then proceeded on their way towards Texas.

In the meantime word was sent by the ranchmen, some freighters and cow boys to C.M. Hollister, U.S. Marshall for the district who resides at Caldwell, of what had happened, and Hollister at once telegraphed to friends of Bothamley here of the transaction, and asked for advice in the matter. They answered for him to go at once and arrest the parties, learn all the particulars and bring back the body. Taking two men with him to guard the sheep, Hollister started, arriving at the place Saturday, where he captured the entire outfit, single handed before they had the least idea of what was up. Returning to the ranche he took up the body of Bothamley, and with this and prisoners arrived at Caldwell Monday, in time to take the train north. The man Dodson and the woman were sent to the Wichita jail, and where they now are to await trial before the U.S. District Court, while young Vetter and the dead body were brought to this city. Tuesday morning at 10 a.m., as per previous announcement, funeral services were held in the Arcade Building under the auspices of the British Association of this city, of which Mr. Bothamley was a member, and his body carried from thence to the city cemetery and laid beside that of his once beautiful and accomplished wife and innocent babe who died in this city some three years ago. Mr. Clement Bothamley, the deceased, was about 43 years of age, and with his wife, came to this city from England some three and a half years ago. They purchased the elegant residence now owned and occupied by S.T. Marsh. Some months afterward Mrs.. B. died from sickness contracted by childbirth, and in a few months Mr. B. finding his home rather a lonesome place disposed of the property and moved to his sheep ranche before referred to. He was a good hearted, jolly man, though apparently most too confiding in his ways and associations for a western man, destined to roam about upon the outskirts of civilization. The woman above referred to as the supposed murderer, and who is now in the Wichita jail, is said by those who know her and have seen her, to be none other than Mrs. Nellie C. Bailey (nee Nellie C. Benthusen, daughter of Mr. and Mrs. G.W. Benthusen, of Halstead township) the former and for all we know, present wife of S. Bailey, a land and loan agent who resided here a few years ago, and afterwards in Canton, leaving the last named place for parts unknown. Few children in this world can boast of a pleasanter home, or kinder father and mother, than Mr. and Mrs. Benthusen has given and been to their children. As it appears Bothamley, having been in correspondence with Nellie brought her here from the east about a month before their departure south, and at once took her to his farm.

She wore glasses and went heavily veiled to avoid detection, and B. passed her off as his sister, lately from Florida. While very believed this story, and notwithstanding she was well known in the county, none seem to have known her in her disguise until her present arrest. She is a good looking young woman, whose apparent ambition has been to have plenty of money and good clothes. That her last adventure will prove a sad lesson to her there is hardly a doubt. The preliminary trial will be had in Wichita to-day.

The day after the news reached here of Bothamley's death, a deed to the section of land in Sedgwick township, came to the Register of Deeds here, signed by Mr. Bothamley, and

witnessed before D.A. Mitchell, a notary public of Wichita, deeding the land to one Sarah A. Laws.

The fact was soon made known, suspicions aroused and the matter at once placed under investigation. On the day of the funeral Mr. Mitchell, the man who acknowledged the deed, was present and upon seeing the corpse declared that Bothamley was not the man who swore to the deed before him, but that it was a tall, dark complexioned man, etc. Yesterday parties from here with Mitchell and an officer visited Mrs. Bailey in the Wichita jail, and she confessed to them that Bothamley was forced to make the deed to her, she assuming a fictitious name. She thereupon yesterday deeded back the land to C. Bothamley and his administrators. Young Vetter was also placed in jail, lest as a valuable witness he might disappear. *The Newton Kansan, Newton, Kansas. Thursday, October 18, 1883. Page 3.*

TOPEKA - Awaiting Preliminary. Nellie Bailey and William Dodson have not had their examination yet, owing to the absence of witnesses. Commissioner Shearman, who has been on a visit to his home in Columbus, will be here to-night and the examination will take place tomorrow or Monday.

The evidence is sufficient to hold them for trial at the next term of the United States Court, a year hence. *The Daily Commonwealth, Topeka, Kansas. Thursday, November 1, 1883. Page 4.*

WICHITA - Naughty Nellie. A New York Society Girl Held On The Charge of Murder. Nellie Bailey, the young woman charged with the murder of Clement Bothamby in the Indian Territory on the seventh of last month, had a trial to-day before United States Commissioner Herman, and was held for appearance at the next term of the United States circuit court at Wichita. Nellie C. Bailey is twenty-one years old. She is a handsome brunette, and is well educated. She moved in the best society in New York City and New Jersey for years. She first met Bothamby, who was a rich Englishman, and member of the British Association at St. Louis, in which city she arranged with him to go to Texas, where they were to start a sheep ranche. Previous to starting on their journey Miss Bailey succeeded in obtaining from Bothamby a deed to land belonging to him in this State valued at \$20,000, and while passing through the territory to Texas it is alleged that she shot Bothamby through the head, killing him, and that she then took possession of his trunks, containing diamonds and other jewelry said to be worth about \$7,000, together with his outfit, which consisted of sheep stock worth \$10,000. The body was buried at Skeleton Ranche. She then started south, but was arrested about nine miles from where the murder was committed. The case was worked up by United States Marshal Hollister, who was assisted by Charles Hatton, a United States attorney. The case is attracting much interest here, and while circumstances justify the detention of Miss Bailey, she has some sympathy and there are those who firmly believe in her innocence. *The Leavenworth Times, Leavenworth, Kansas. Friday, November 2, 1883. Page 1.*

WAUKESHA, WI. - A Thorough Adventuress. The Unsavory Record of Nellie C. Bailey, Under Arrest For Murder. A Waukesha, Wisconsin, dispatch of November 2 to the Chicago News says:

The girl Nellie Bailey, who was arrested in Indian Territory and held to the United States District Court at Wichita, Kas., for murdering her English lover and stealing his jewels and money, came to this place last winter as the guest of Eugene Sweet. April 12 last she was privately married by Justice Spencer to a young man named Reise. In June she left here, but has corresponded with her husband ever since her departure. It seems, however, that Reise has begun proceedings looking to a divorce. During her stay here Nellie Bailey always wore the best clothes and was accustomed to the best society. Her letters to Mr. Reise were of what might be termed a loving nature. She frequently alluded to a Mr. "B." who was continually giving her trouble, and what made matters worse was that her parents sided with him.

Reise was seen to-night, and said: "I became acquainted with Nellie C. Bailey shortly after her arrival here. We were married as you have it in April, or about one month after our first acquaintance. Now, I will tell you something that will astonish you and every one in Waukesha. My first attention was to marry the girl, but, upon hearing certain facts, I began to weaken. Upon one occasion I even went so far as to see Justice Spencer about our marriage. She finally became anxious, and insisted on the marriage taking place immediately. I again tried to delay it. But one evening when I was with her, she said 'Let's take a walk.' While strolling through one of the parks she pulled out a bottle and said, 'Let's have a drink.' I complied with the request. She went through the form of drinking, and I suspected at the time that it was feigned. From the time of taking that drink until early the next morning I remember nothing. It was on this evening that we were married. I did not find out we were married until three days after the ceremony, when she showed me the certificate and laughed triumphantly. This is the solemn truth as I can illustrate to any court. I have never lived with her. *The Detroit Free Press, Detroit, Michigan. Sunday, November 4, 1883. Page 2.*

TOPEKA - A Gossipy Letter From Wichita. The examination of Mrs. Nellie Bailey and William Dodson, charged with the murder of Clement Bothambly, in the Indian Territory week before last, and mention of which was made in The Commonwealth at the time, was concluded here last night, having lasted three days. The case has created a good deal of interest on account of the youth and good looking appearance of the woman. Messrs. Stanley and Wall conducted the defense, and Major Chas Hatton, Deputy United States Attorney, appeared for the Government. The evidence in the case created much doubt in the minds of all who heard it as to whether there was any crime committed at all. The case was concluded last night, and this morning United States Commissioner Shearman rendered his decision, binding the defendant, Mrs. Bailey over in the sum of \$4,000 to appear before the grand jury. He said: "I confess that I have had great difficulty in arriving at a conclusion in this case. I want it understood that notwithstanding the argument of council that the inferior officers of the department of justice have hearts as well as others; that as for myself I sympathize with defendant in common with others. I think that there is sufficient evidence to warrant me to hold her to appear before the grand jury. Although murder in the first degree is unreliable under the U.S. laws, I shall admit defendant to bail. I do this for three reasons: First, because the defendant is a woman; second, because the jail is unfit for confining her; and, third, because there are grave doubts in my mind as to her being guilty of murder in the first degree. I shall leave the city immediately and endeavor to secure an adjourned term of court for the purpose of disposing of this case."

Commissioner Shearman has gone home, but will return next week, when bail will be furnished by Mrs. Bailey. It is the prevalent opinion that the woman is not guilty of the murder of Clement Bothambly. She is a brunette, of excellent form, well-set features and finely balanced head. She gave her testimony with remarkable coolness. She is only twenty-one years of age, and her strange and fascinating career surpasses any fiction. *The Daily Commonwealth, Topeka, Kansas. Sunday, November 4, 1883. Page 2.*

MILWAUKEE, WI. - Divorce Wanted From an indicted Murderess. Proceedings for a divorce have been commenced by Robert Reise, son of the proprietor of the Park View House, under somewhat peculiar circumstances, the defendant being Nellie Reise, the Nellie Bailey, now under indictment for the murder of her English lover while on the road to Texas. The lady arrived here last winter, claiming to have come from Rockford, Illinois. She had \$18,000 and was considered a big matrimonial prize. Young Reise soon saw her, and not long after the marriage was consummated. She soon left him, however, saying she was going to visit her parents. Her first husband was a Black Hills miner. From him she secured her \$18,000. He has been following her for months, swearing never to give up and declaring if, he could not get her alive, dead would do him. The ground of the divorce proceedings is bigamy. *The Daily City News, New Castle, Pennsylvania. Tuesday, November 6, 1883. Page 2.*

WAUKESHA, WI. - Racy Extracts from Letters Written to Him After Her Desertion. In connection with the facts of Robert Reise's story that Nellie Bailey, who is now under indictment for murder in Kansas, drugged him and married him against his will, some interesting gossip about the young woman's career is obtained. She seems to be one of those bonanza women who can be satisfied only by great wealth, and who have the recklessness and daring to carry out any scheme to attain an object.

Historical. Up to about eleven years ago, when they went to Newton, Kansas, her people lived in Rockford, Ill., where she has relatives who occupy good positions in society. When she came here, Feb. 5 last, she had been living in Newark, N.J. She claims to be 23 years old, but she is really 25. She said she was married three years ago to Shannon Bailey, a Kansas banker, who was then in the Black Hills looking after his mining interests.

Forming A Theatrical Company. One of her first moves after she arrived here was to attempt to form a theatrical troupe. She said they would go to the Black Hills and then go to California and would make a heap of money. The members of this company were two boys, Rob and Hugo Reise, a man from Milwaukee named B. Davis, and Jean Perkins. There were no women. They practiced six or seven weeks. In this way her acquaintance with young Reise began. He was with her every day and night.

She Marries Young Reise. She declared she was getting a divorce from Bailey. She thought Reise was rich. One day she said she had married Reise, and said she had got her divorce, but wanted to keep the fact a secret because of a large amount of money that would come to her this fall. Her conduct was finally such that she was turned out of her aunt's house, where she was visiting.

Nellie was not handsome, but nevertheless attractive. She had beautiful hair, dark eyes, a fine figure, and weighed about 103 pounds. She was well skilled in the art of painting and decorating herself. She had a magnificent wardrobe and jewelry.

Deserts Reise For Bothemly. There seems to be little doubt that she married Reise for money, as she had Bailey, and when she found she had made a mistake left evidently to join Bothemly, of whom she had spoken as a wealthy foreigner who wanted to marry her. When Reise read the news of Bothemly's murder he said: "She wanted to play me the same way."

As to the story that the girl drugged Reise and married him against his will, it seems to have been invented by the young man to excuse himself. Bailey appears to have been the subject of much comment during the courtship, as her letters show.

Letters To "Dear Rob." In a note to "Dear Rob" she says: "Don't be afraid of getting in trouble. So far as Bailey is concerned, I won't go with him, because I don't love him." In the same letter she tells Reise she has picked out herself for him. In a note dated Waukesha, May 2, she forbids Reise to go to a dance with his cousin Will, and says: "Will know how it is when he is married under difficulties, as we are." She then reminds him she has a mortgage on him for life and ninety minutes over. Then she went away suddenly, and her movements are traced by her letters.

At Chicago, June 5, she writes a postal to "Darling Rob," sends him a kiss, declares she "will ever be loving and true," and says he must not forget her.

From Springfield, Ill., she writes she "will never forget the trips by the clear flowing river in Waukesha. You old darling, don't you be scared."

From the Planters' Hotel, St. Louis, she writes the evening of June 6, after a feast on ice-cream. She declares she would dare do anything, but she will save Reise trouble if she can, and adds: "I will warn you if you are in danger; detectives are on my track to see what I am doing. Pa and ma side with Bailey. How does my boy feel? Lonely, I'll bet."

From Wichita, Kas., June 14, she writes: "Dearest Bob: I am full of business, but your image is constantly before me. In my dreams I have been with you again, wandering through the woods and down by the flowing river. Mr. B. thinks I am in New York. I have sold my farm and house and my business is all settled up. Bailey is likely to be back any minute. If he doesn't go to Waukesha all will be right, but if he does God only knows what will become of the country. I think I shall go to Europe Aug. 10. Perhaps I can meet you in Milwaukee before that time. Oh, Bob, shall we ever meet again? But for Heaven's sake take care of yourself. Whatever you do be a good boy, so if we never meet on earth again, we can meet in Heaven. With thousands and millions of kisses to you, my only love. I still and ever shall be your loving and faithful Nell. Forget me now. Yours for life."

From the same place, fifteen days later, she writes, "I start for California tomorrow. I must fly from here. A million kisses." This is the last heard of her until the news of the murder. Another Reported Marriage. Another sensational feature has developed here in the Nellie Bailey case. From her last husband, Reise, it was learned that she was married to Eugene Sweet, a young lad, at whose mother's house here the young woman visited last winter. A severe newspaper article on Reise, emanating from Mrs. Sweet, caused Reise to squeal on her son. *The Chicago Daily Tribune, Chicago, Illinois. Wednesday, November 7, 1883. Page 3.*

WICHITA - Basis For A Romance. Nellie Bailey, the New York society belle who is under arrest for having murdered and robbed Clement Bothamby, a wealthy Englishman, while the two were traveling through the Indian Territory to start a cattle ranch in Texas, seems so full a realization of dime novel heroines that readers of that grade of literature may well claim it to be an accurate portrayal of American character and adventure. *The Ottawa Daily Republic, Ottawa, Kansas. Monday, November 12, 1883. Page 2.*

WICHITA - A Letter From Bothamley's Family. A sister-in-law writes us a letter with reference to the death of Clement Bothamley. All the facts in our possession were sent to her. We believe the probate court of Harvey county has appointed an administrator of Bothamley's estate who has taken charge of all his property. The following is the letter:

We were awfully shocked to see in last week's paper an account of the murder of my husband's brother, Clement Bothamley, from England, of which I enclose you the paper. We would be much obliged if you would favor us with all the information in your power, and we will remunerate you for it. There is another of his brothers in Florida, and the rest of his family are in England, that is, his mother and other relatives. Perhaps you will kindly tell us how best to proceed in the matter. My husband is the next to him in age, there being only thirteen months difference in their ages. Yours Truly, C. E. Bothamley, Bracebridge, Musbrabra, Ontario, Canada. *The Wichita Eagle, Wichita, Kansas. Thursday, November 22, 1883. Page 3.*

WICHITA - Her Story of the Death of Clement Bothamley. The following letter has been received with a request for publication. Although written at Wichita, it was mailed from Halstead, and is undoubtedly Nellie Bailey's own story, and as such, will be read with interest.

Nellie C. Bailey, the young, handsome and trim brunette who is held for the murder of Clement Bothamley, and who is allowed bonds in the sum of \$10,000, is in good spirits, notwithstanding so many false reports in regard to her. It is one of the most remarkable cases that has ever been known. Charged with murder, as Nellie is, she has never given way nor been heard to utter one word of complaint, but bears it all bravely and like a heroine. Bothamley was not the rich Englishman that the papers have said he was but on the contrary he was heavily in debt. His ranch in Harvey county is worth \$16 an acre. It contains 640 acres, Bothamley has a mortgage of \$5,000 on this ranch. He also owed \$1,200 which parties now hold his note for. He had 2,200 head of sheep that are worth \$1.50 and \$2 per head. Bothamley had \$3,500 of Nellie Bailey's money a year ago, which was in the stock. The big Saratoga trunk that was in Nellie's possession belonged to Nellie, and all its contents. The jewelry and diamonds were a part of them given

Nellie by her former husband, Bailey. The rest was given her by Bothamley a year ago, when Nellie and Bothamley made the marriage contract between themselves. Nellie and Bothamley were to be married as soon as they reached Texas and Bothamley got his divorce.

B. had a wife living in London, England, whom he never had a divorce from. The lady who accompanied B. from England was not his lawful wife. She died in Newton about four years ago. B. was supposed to be a widower. He induced Nellie to go with him as his sister and keep it all a secret from all her friends till they got to Texas and got matters settled. B. did not want to procure a divorce in Kansas, as he did not want people to know he had a wife living in England, and did not want Nellie's parents to know it. He told Nellie to go as his sister, and said he would treat her as such in every respect. B. told Nellie the trip would be a delightful one, and said he would provide her with all the comforts in his power (which he did by fitting up that fine car). They left the ranch for Texas on the 23d of August, with this car, two yoke of oxen, a cow, two horses, and twenty-two hundred sheep. Two boys went with them to drive the outfit. Bothamley was taken sick near Mt. Hope with rheumatism and was left behind under the care of Dr. Dwight. B. told Nellie to take the boys and get the sheep on a free range and then come back for him. Nellie took the sheep four miles south of Caldwell, in the Indian Territory. Then she went back, eighty-two miles, and brought B. back to camp, still in a helpless condition. B. did not seem to improve, but was worse by spells. Nellie wanted to take him back to Sedgwick to be doctored, but Dr. Dwight said it would do him no harm to go back to camp, providing he kept dry and did not expose himself. Nellie tended B. day and night, doing all in her power to restore him to health. B. had been up and walked around some the day before this accident happened and Nellie thought he was considerably better. Bothamley was a very careless man with his revolver, shooting out of the car window to scare the wolves away from the sheep, while the boys would be lying out with the sheep, and the bullet would go buzzing by them. A day or so before Bothamley started on this trip, he was in Wichita, and bought this revolver he killed himself with. While showing a clerk in Brown's store a revolver he wanted to trade for one he bought, he shot it off in the store, and if the clerk had not stepped aside the ball would have killed him. It was a Colt 45, and a self-cocker. We always had the car right by the sheep, so all hands could help keep watch and see that the wolves did not get in the flock. This night, the 7th of October, they could not get the car up with the sheep, as darkness had overtaken them, and they had a bad place to cross, so were compelled to camp in the road, three quarters of a mile from the sheep. The boys went to the sheep, and Bothamley and Nellie were all alone in the car. Nellie made B.'s bed on the floor, gave him his medicine and he went to bed. B. asked Nellie to hand him his revolver, which lay on her trunk. Nellie put the lantern on the outside of the car, on the seat on which the boy sat to drive. It was dark in the car. Nellie lay down on a cot that was in the car. Bothamley's head lay towards this cot. She never undressed, but took it as regular camp life. They had been in bed some time when they heard a noise outside like some one walking. Bothamley asked, "What is that?" Nellie said she would look and see, but Bothamley said no, he would see what it was. He got up, and Nellie heard him cock his revolver. He went to the window, and found it was only a calf that had followed their oxen. He said he thought it might be an Indian. Nellie told him to lie down and not worry about Indians. This was about twelve o'clock.

They had been asleep about two hours when Nellie was awakened by the report of a pistol near her head. She jumped up and called to Clement Bothamley, asking him what he was doing, but received no reply. She called the second time, "Clement, what on earth have you done?" but received no answer. She then became wild with fear and so frightened that she knew not what she was doing. She rushed out of the car into the dark, and in that wild and dangerous country surrounded by wolves and wild Texas cattle, she tried to find those two boys to come and see what was the trouble. She wandered for some time before she found them, calling loudly for them. When they heard her at least they came running toward where her voice sounded, and found her almost crazy with fright. She told what had happened and they went at once to the car, found Bothamley lying on his right side, his pistol close by his cheek with the muzzle almost against his cheek, and a bullet wound under the right eye near the nose. The cheek was badly torn. The ball went directly through his head. Nellie was almost wild, crying and wringing her hands and saying, "Oh, what shall I do! What shall I do!"

One of the boys went and got a camper, who passed there that night. He came and assisted them. All the evidence they have against Nellie is that she was the only person in the car when this happened. And Nellie said she was, and told everyone what she knew of the accident. They were seventy miles from Caldwell at the time. What woman would know what to do, placed in a position Nellie was? She realized that if she went back she would be known. Her parents would find out that she was with this man. She could not go on, for her protector, her lover, was cold and still in death.

Oh was woman ever placed in such a position before? Out in that wild and dangerous Indian Territory, surrounded by cut-throats and highwaymen, all alone, her protector beyond her reach; the man for whom she had forsaken home, father and mother and friends had been taken away. She went to Mr. Collins', who was there and who had a store twenty-five miles from where they were, and asked that strange man, "What can I do?" Collins told her to get the sheep down to his ranch and he would help her and assist her. Nellie was on her way to this ranch, and was only eight miles from it when the accident happened and they were all arrested. They had only traveled one day.

Bothamley was killed on the night of the 7th, and they were arrested on the afternoon of the 13th of October. Who could think that this innocent young woman, twenty-two years old, could take up a big Colt's 45-calibre pistol, at the dead of night, place it to the face of her only protector, pull the trigger, and send the fatal bullet crashing through his head, sending his soul into eternity, leaving her at the mercy of strangers and in a strange wild land unprotected. Such an idea is absurd. With no motives, no object, to do such an act, impossibility.

Her eyes, which are of a deep blue, with long drooping eyelashes, tell to the world she is innocent. Nellie is one of those little beauties who captivate the heart of any man. She surpasses even Mrs. Langtry, the Jersey Lily. She has a small pretty foot, and lovely shaped hands. Her hair is of a dark chestnut hue. She weighs 115 pounds, and is well educated. Her trial will create the biggest sensation in Kansas that has been here for many a day. Nellie has already received loud calls for the stage from all over the United States. She talks but little, and no one

knows what her future intentions are, whether she will answer any of the stage calls or not, or whether she will retire to some quiet resting place.

This is a sad blow to her; to have all her hopes blasted and scattered to the four winds of the earth without a moment's warning; but her many friends hope that some spirit and unseen power which has kept her up so bravely, will continue to assist her through life. She is most too young to give up the joys of this life, and become sad and demented as some are afraid she will. Her trial will not come off until next September. She is the only daughter of G. F. Benthusen, of Harvey County, Kansas, a well respected family, and well connected. They have the sympathy of the whole country. *The Daily Commonwealth, Topeka, Kansas. Saturday, November 24, 1883. Page 2.*

WICHITA - Nellie C. Bailey's Life. Having received several letters of inquiry touching the identity of both Nellie C. Bailey and her supposed victim, Clement Bothamley, and as many of our people who heard the examination had before United States Commissioner Shearman are convinced of her innocence, we, at her own solicitation, visited her one afternoon last week at the jail in this city where she has been confined since the arrest. Of the charge, the result, and the history of this unfortunate young woman our readers are already acquainted. In an upper room of the jail, carpeted and comfortably furnished with a single bed, dressing bureau, chairs and stove, we found a lady dressed in rich black but without ornaments save a pair of bracelets. She is of fine figure, delicate or sylph-like in movement, fair-faced, dark hair, strongly-marked eyebrows, thin lips, and taken altogether would be set down as a pretty woman, a steady proud head and a large, open, frank eye adding to her charms. She met us cordially and after Mr. Webster had withdrawn she said she had sent for us, not only with a desire to speak to one who would listen without prejudice, but to show us some letters which would remove from our mind and the mind of the public, unjust impressions, the thought of which burthened and weighed her down daily. If the world only knew all, they might say she had been very thoughtless and indiscreet, but not intentionally wicked, much less vicious. While her career had been one of romance and very eventful for one so young, as it came from her own lips it seemed to us that it all could be logically traced back to the mistake of a mere girl marrying a man of money, her fancy for whom she, in her ignorance, took for love. When we told her that we had received among others a letter from Judge Asa Howard, of Oakland, California, who wrote us that his family's interest in her was marked, she talked of the pleasurable recollections of her life on the Pacific coast and at the home of Judge Howard. Touching the letter we published last week from Bothamley's sister-in-law, she said that Clement did not know his brother was still in Canada, but thought that he had gone back to England. She said Bothamley held no communication with his own family save his aged mother to whom he wrote two or three times a year. As to the deed for the land in Harvey county, Bothamley had made it to her without reservation, so far as she knew. She loved the man for his own sake and had started with him to a land where they had counted on being peacefully happy and unknown. Of the tragedy of that dark night in the Indian Territory, she had already given her testimony. She had got, it seems, about \$4,000 of Bailey when he left her, and the jewelry, about which so much has been said, showed for itself, as her name was on much of it. Hers and Bothamley's reasons for wishing their relations to each other to be kept from the world are now well understood. She had made a foolish blunder at

Waukesha, and he had back of him ties which he had not acknowledged to any but her. Further in the conversation she expressed the conviction that she would be bailed within a few days in which event she should go direct to the home of her father and mother in Harvey county and there remain until her trial.

Below, we publish two documents, one, a letter written by her before starting south with Bothamley, and which was sent back, and the other a letter to us from a man at Waukesha who offers abundant reference as to his standing and credit from bankers and others. We submit that this letter and communication, taken together with other letters received by us dove-tail in with her testimony in such a way that preclude the idea of false testimony. The letter and communication are as follows.

Wichita, August 16, 1883. Dear Friend: Yours of the 18th of last month was received and its contents perused with a pleasure. I presume you began to think I had forgotten you by neglecting to answer your letter earlier. But such is not the case; on the contrary, my thoughts, many times a day, fly back to your home, where I spent so many pleasant days. My time has been wholly occupied in preparing to start for our trip across the country to Texas. It is quite a task, Mrs. Austin, to get ready for such a journey, but we are now already and expect to start on the 21st of this month. I wish you could see our outfit. Clement has spared no pains nor money in fitting it up. It is a nobby one, I tell you. We have a "car" built on wheels with one room. It is fitted up in fine style. We have two yoke of oxen to draw the car which will only be in use when we camp. We have a cow with us, also. Clement and I each have a riding horse and I will ride horseback all the time. We have 2200 sheep. Two young boys will accompany us, one to drive the car the other the sheep. We expect to have a delightful time and it will be so romantic. We will go right through the Indian Territory. I want to visit the Indian camps and see how they live. I will write you a description of Indian life when I visit them, and give an account of our trip in general.

Mrs. Austin no one has recognized me yet in Harvey county, notwithstanding I am well known. I am only fifteen miles from where father lives and have not seen any of our family. That seems hard, I know, to be so near pa and ma and not let them know I am in the country. But I have reasons for doing so which I can not explain; not on my own account, but Mr. Bothamley's. There are some things connected with Clement's affairs that requires this to be kept a secret for a while. No one knows where I am but you, Mrs. Austin, and I trusted and confided in you, feeling assured you would keep the matter to yourself, till we were ready for the world to know we were married. If pa and ma knew where I was and what I was going to do, they would raise an objection at once. And Mrs. Austin, no one on this earth can prevent me going with Clement. I can trust him and know I am safe, and I have all the confidence in the world in him, feeling assured all will come out right in the end. Clement acts so honorable with me in every respect that I am willing to risk all with him. Clement says he will come with me next summer and make you a visit. You and Mr. Austin will like him I know, for he is splendid company, and is lively and is so nice. He is real good-looking and is stylish and highly educated. Of course, I think he is perfection. He is very fond of traveling. We will not live on our ranch but put a family on it to look after the stock. We expect to make lots of money when we get started in Texas and

Clement expects quite a sum of money from England in the spring. I am not afraid but what Clement will always make me a good home and be good and kind to me. I think by the first of January we will have everything settled up so I can write to pa and ma and tell them I am married, and who to and where I am. Clement says so, providing we get through to Texas as soon as we expect, and I think we will.

Mrs. Austin, I told Clement about the marrying affair in Waukesha, and told him how it happened. I told him about going with Robert and he said he didn't expect me to not go out in company any. He said he wanted to go in company and try to enjoy myself while I was away. He said he had all the confidence in the world in me and could trust me anywhere. Clement laughed when I told him and said the worst of the joke was on the young man. He said if it was really legal I could easily get a divorce in Texas. Clement said he would consult a lawyer when we get there. I declare, Mrs. Austin, that was such a foolish trick for me to do, even in fun. But I did not know Spencer was a justice of the peace when we went in. I am always doing something in fun that turns out to be serious. But now I am going to settle down to the stern reality of married life, no more flirting for me.

I have had an awful restless disposition, and been dreadfully discontented for the last four years, notwithstanding I have been traveling so much and had everything money can buy. But, Mrs. Austin, money can't buy contentment nor happiness in this world alone. No one has ever known what made me so discontented, nor ever shall. But now I am perfectly contented and happy, and will enjoy life. Clement has a disposition like my own and is a man I can live happily with. When we once get settled, so pa and ma can know where I am and can come and see me, I shall expect you and Mr. Austin to come and see us, as you promised me you would. We will be there to see you next summer, Clement and I, sure. Do not worry about me, Mrs. Austin, for I am in safe hands with Clement. There is no danger in going through the Territory. I will write to you as often as possible.

Did little Florence receive the ring we sent her? Clement thought she would be pleased with it and so I got it. He selected it. Does Robert ever ask where I am? If he does, Clement says tell him Nellie is married and gone to Europe, or some other seaport. This is the last you will hear from me till we are down in the Territory, so we will start in a day or two now. Give my kind regards to all inquiring friends. Clement sends his best respects to Mr. and Mrs. Austin. With my love to you and Florence and kind regards to Mr. Austin, I am, as ever, your loving Nellie.

Waukesha, Wisconsin, November 17, 1883. After reading so many falsehoods about a Mrs. Nellie Bailey who spent the early part of last season here visiting her aunt, I cannot refrain from furnishing your readers a plain, truthful history of the lady's deportment while in Waukesha, (some four months) having enjoyed the pleasure of her acquaintance from her arrival to the day of her departure, a portion of which time she was a welcome guest at my house.

One of these reports says: "One of her first moves after she arrived was to attempt to form a theatrical troupe." The troupe referred to was organized early in the fall of 1882, and given several public performances in Waukesha and adjoining towns. I witnessed the second performance here, in Carney's opera house. The play on this occasion was entitled "The Social Glass; or, the Victims of the Bottle." At this performance, the troupe was under the immediate

management of "Geney" Sweet (a son of Mrs. Bailey's aunt) who seems to be impressed with the idea that he was born to shine in the histrionic art (?). The headquarters of this troupe were at the residence of his parents and just previous to the arrival of Mrs. Bailey, the leading lady had become disgusted with the affair, and utterly refused to take part in the next performance, which was to be a tragedy entitled, "Michael Earl, or the Maniac Lover," and so left the troupe temporarily paralyzed. A few days after her arrival she was persuaded by her uncle and aunt to take the leading part in the play, and did, I believe, appear in the rehearsals which took place in her aunt's parlors. From these rehearsals dissensions enough arose born to demolish the troupe and take the conceit out of its would-be Othellos. By this, your readers can judge how much of her energy was spent in trying to organize a dramatic company.

Another report says: "She undoubtedly married Robert Riese for money." As Mr. Riese was to play the "villain" in the tragedy, and attended all the rehearsals, Mrs. Bailey had abundant opportunity to learn that there was not a member of the troupe able to raise the price of two books of the play which would have cost about thirty-five cents each, or less, so you see what an exalted opinion she must have had of Mr. Riese's financial ability, and how anxious she must have been to marry a fellow worth about "two for a nickel." Just to know this young man would knock this theory of the marriage higher than Beecher's "Life of Christ" was knocked by the Brooklyn scandal.

The mock marriage of Riese and Mrs. Bailey was a one-sided affair and came about in this way: Mrs. Bailey's aunt manifested a determination that her son "Geney" should act as Nellie's protégé, to the exclusion of all others, during her sojourn in Waukesha, and having discovered that Mrs. Bailey preferred Mr. Riese, as an escort, to her own dear son, from this time on, the English language seemed inadequate to furnish her aunt with invectives sufficiently strong to heap upon Mr. Robert Riese's head. To appease her anger for the imagined wrong done her son, she notified Mrs. Bailey that Riese would not be permitted to enter her house again, and that she, Mrs. Bailey, "must cut him" then and forever, which, of course, Mrs. Bailey, woman-like, refused to do, and at the first opportunity informed Riese of her aunt's hatred for him advised him, to save himself humiliation at her aunt's hands, not to call at the house again, but come along Sunday afternoon (the next day) and she would take a walk with him, just to spite her aunt. On this afternoon they planned the "mock marriage" which was to, and did, come off at the residences of one of our justices on the 12th day of April 1883. That the affair was a reckless piece of business, and intended as a joke on Mrs. Bailey's aunt, and nothing more, all are only too willing to admit. Mr. Riese himself says that he intended it should be, and supposed it was, bogus from beginning to end; that he never received the slushy letters published in the papers and alleged to have been written by Mrs. Bailey; that he never received but one postal card and one letter from her since her departure; that he never expected her to return to Waukesha again; and among other things that he did not know he was married until he had consulted a lawyer, and to his utter astonishment and sorrow, learned that the mock marriage was really binding on him, and to remove all doubt he had better go through the form of securing a divorce and thus remove all doubts, in a legal point of view, from his further actions. Mr. Riese being engaged to an estimable young lady in Milwaukee, these foolish reports have placed him

in a rather peculiar position. Here your readers will be able to judge whether she married him for money or not.

Still another report says: "She became so bad that her aunt turned her out of her house." The facts are, that Mrs. Bailey's aunt made it so unpleasant for her because it was leaked out that she had been married to Mr. Riese, that Mrs. Bailey came to my house to live until the first of June when she said she intended to go to St. Louis to join a "very dear friend." She having departed herself in the most lady-like manner during her stay here, we consented to admit her as a guest in our house and family circle. One Sunday evening, when Mrs. Bailey was in a talkative mood, she said she would tell us who the "dear friend" she was to join in St. Louis really was, upon condition that we would promise to keep it a secret from her relatives in Waukesha. Of course, we promised. She said: "Well, he is a handsome young Englishman; he lives out in Kansas; he is worth some money and will have a large fortune when he receives a legacy from the old country. But I do not care for his fortune, I love him for his dear self alone. I am going to be married to him, because he is the only man I ever loved. He says he loves me, too; and I know he does. He has already made arrangements to start a large sheep ranch way down in sunny Texas, and we will have everything fixed up in fine style to travel overland from Kansas to Texas. It will be a fine trip. I wish you would come with us – we'll have such a nice time. After we settle down, I shall have a nice home and a kind and loving husband, because I know he thinks the world and all of me. And then I shall settle down in sober earnest for the remainder of my life, and be a true and loving wife to him."

"But Nellie," said my wife, "you haven't told us his name yet." "Well," she said, "his name is Clement Bothamley. Now, don't you ever mention it, will you?" Upon her engagement finger she wore a beautiful and costly diamond ring, which she always alluded to as a gift from her handsome Englishman. She seemed to be fairly infatuated with this man Bothamley, and exhibited various pieces of jewelry as presents from him.

On another occasion, we asked her about her former husband, Mr. Bailey. She said: "Mr. Bailey and I parted up in Dakota one year ago. Since that time, I have heard he was dead, but I do not know anything definite about his death."

Mrs. Bailey had a fine wardrobe, when here, of silks and satins of the latest patterns, and various diamond rings, and quite a stock of jewelry of all kinds and designs, including a beautiful gold watch and chain. During her stay at my house her mail was sent in my care and most of her letters were received from Mr. Bothamley and were sealed with a signet ring bearing the initial "C.B." in old English. I speak of this from the fact of its being an old-fashioned style, and something uncommon now days.

Her aunt, Mrs. Eugene B. Sweet, denies in toto, the report in the Milwaukee Journal and says she never said to any one that she turned Nettie out of doors, but on the contrary was very sorry when she left her house. From this your readers can form an opinion of the correctness of their reports in similar journals.

And now, Mr. Editor, in conclusion, allow me to say that during Mrs. Bailey's stay in Waukesha no one can truthfully say she ever committed as unlady-like act, in word or deed. It is unnecessary for me to say, were I known in your vicinity, that I write this poor article unsolicited by any one, without fear or expectation of reward, or favor from any source whatsoever, but to vindicate a woman, not forgetting that my angel mother was a woman, and that we are all liable to err in this vale of tears. I remain yours for the right, G.O. Austin, Waukesha, Wisconsin. *The Wichita Eagle, Wichita, Kansas. Thursday, November 29, 1883. Page 3.*

TOPEKA - Mrs. Bailey was recently removed to Topeka, by order of Judge Foster, of the United States District Court, who finally decided to admit her to bail in the sum of \$10,000. As she has wealthy relatives it was thought she could easily procure bail. Her trunk, brought by the officers from the Indian Territory at the time of her arrest, contained more than \$6,000 in diamonds and other fine jewelry. This, however, is claimed by the administrator of Mr. Bothomley, in Newton, who claims that Bothomley leaves a wife and children, now living in England. *The Hutchinson Herald, Hutchinson, Kansas. Saturday, November 24, 1883. Page 1.*

TOPEKA - United States Marshal Simpson has ordered that Nellie Bailey, that little beauty who "captivates the hearts of man," now in jail at Wichita with a charge of cold blooded murder hanging over her head, be removed and given quarters in the jail at Topeka. *The Times, Clay Center, Kansas. Thursday, December 6, 1883. Page 4.*

TOPEKA - Nellie May Be Innocent. Nellie Bailey, the woman charged with killing Clement Bothamley, her lover, will be taken to Topeka. She claims that Bothamley killed himself, and there appears to be some evidence on her side. *The Barber County Index, Medicine Lodge, Kansas. Friday, November 30, 1883. Page 2.*

TOPEKA - Yesterday afternoon, Deputy U.S. Marshall Wade brought to this city Miss Nellie Bailey, who for several months has been entertained by the county authorities at Wichita. After dining at a Fifth avenue restaurant she was conducted to the court house where a representative of the Capital met her a few moments afterwards in the sheriff's office. Miss Bailey looked tired and stated that she would rather not speak concerning her case at that time. While her room in the jail was being arranged, she chatted pleasantly with the officers until Captain Curtis appeared and announced his readiness to conduct the fair prisoner to the keep, in the court house cellar.

In the evening the Capital scribe ambled down to the court house again, his mission being, if possible, to secure an interview with Miss Bailey, and learn what she had to say regarding her removal from Wichita to this city.

Readers of newspapers are perfectly familiar with the history of Nellie Bailey, her having appeared from time to time in the daily press, making her name a familiar object in print. A short review, however, of the crime of which she is charged will not be inappropriate. It will be remembered that Miss Bailey started from Sedgwick, in company with a man named Clement

Bothamley, an Englishman, at that time reported to be very wealthy, for Texas, where it was the intention to start a sheep ranche. They traveled together as brother and sister, occupying the same wagon. The wagon was more the nature of a car fitted up comfortably and drawn by four yoke of oxen. They took with them 2,200 sheep which were driven by a boy named Dodson. The party proceeded to the southern line of the State and crossed into the Indian Territory. When about seventy miles south of Caldwell, the car and the drove of sheep became separated, and on camping out for the night about three-quarters of a mile apart. The boy who drove the wagon had joined Dodson, and Bothamley and Miss Bailey were left alone. Towards midnight Dodson thought he heard Miss Bailey cry and he went immediately to the place where the car was located and found Miss Bailey almost paralyzed with fright. She told him that Bothamley had shot himself.

Investigation apparently proved the story true, and Dodson went back to a place about eight miles away, where they had passed an emigrant wagon whose occupants were encamped for the night. Securing the assistance of a man they returned to the car and remained till morning. At daylight they proceeded towards Texas.

After Bothamley's body was buried Miss Bailey retained possession of the herd and was about to accept an offer from a man named Collins to turn the sheep on his ranche, which was about ninety miles south of Caldwell and twenty miles away from the place of Bothamley's death, when Deputy United States Marshal Hollister, of Caldwell, arrested the party consisting of Miss Bailey, Dodson, and the boy who drove the car, and took them all to Wichita.

The above is substantially the evidence of the preliminary examination. The idea was advanced by the prosecution that a conspiracy was existing between Miss Bailey and the boy Dodson, to put Bothamley out of the way, and to go on to Texas. The youth of Dodson, at the trial however, exploded the idea and he and the other boy were discharged from custody, Miss Bailey alone being retained, charged by the prosecution of murdering Bothamley.

A Visit With Nellie. The Capital's representative succeeded by some arguments in overcoming the prejudices of Captain Curtis, and that gentleman acting in the capacity of an emissary, bore the pasteboard with the talismanic legend, "Daily Capital," to Miss Bailey. A few moments later the rotund form of the captain bowed toward the grated door and the pencil pusher was admitted.

The apartment of the jail occupied at present by Miss Bailey hardly partakes of the nature of a cell, the iron bedstead and grated windows being the only formidable reminders of what the place really is. The floor is covered with a matting and the walls are decorated with some cheap prints. The bed linen is as white as could be, and everything about the place is scrupulously clean.

Miss Bailey was found neatly dressed in black, and very much improved in appearance since her arrival. She was absorbed in a Lakeside library when the scribe entered, but arose and greeted him pleasantly. In speaking of her removal to this city, Miss Bailey said: "I really cannot

understand it, efforts are being made in Wichita to procure me bail, but there is no idea of a forcible release.”

Miss Bailey then spoke at length of the trip from Wichita to the Territory, and told in a particularly clear and straightforward manner of the facts connected with Bothamley’s death. There was no attempt to be dramatic in speaking of the affair, but the story was quietly told, without hesitation.

The sympathies of the people of Wichita are said to be with Miss Bailey and the necessary bond of \$10,000 will be raised in a few days. In her appearance there is nothing striking at first, but the impression gains as one watches her and listens to her speak. About twenty-five years of age, with a slight, graceful figure, dark hair and dark expressive eyes, is as accurate a pen-picture of the lady as can be drawn. She seems to be as comfortably situated in her present quarters as she could be under the present circumstances, and without the society of her own sex. She expresses a belief that her stay in this city will be limited owing to the efforts being made to raise her bond, at Wichita. *The Topeka Daily Capital, Topeka, Kansas. Sunday, December 2, 1883. Page 5.*

TOPEKA - A Midnight Mystery. Interview with Nellie C. Bailey. When the Santa Fe Pacific expressed arrived here yesterday afternoon on standard time, Deputy U.S. Marshal Spence P. Wade, accompanied by a small, rather good looking, though not attractively handsome, woman, alighted from one of the coaches, got into a street car and went direct to an up-town restaurant, where they ate a hearty dinner. Soon the word got noised around that Mr. Wade’s fair prisoner was the famous Nellie C. Bailey, who has been attracting such wide-spread attention of late as the alleged murderess of Clement Bothomley, and everybody in the vicinity, who could get any sort of chance exerted all their efforts to get a good look at her. She was dressed in a nice black silk Basque, with velvet skirt, made up fashionably, and so as to set off a nicely-formed figure to splendid advantage, but her face was partly hidden by the long rim of a jockey cap, pulled low down over the eyes.

No signs of jewelry were to be seen, notwithstanding many reports sent out have stated that she owns a large trunk full of diamond rings, bracelets and necklaces. After dinner Nellie was taken to the County Jail and made comfortable as possible under the circumstances. Jailer Curtis flew around, fixed up his office, which is carpeted, has pictures on the walls and is a daisy place, with the exception that iron doors and grated windows are constant reminders to the occupant that liberty is out of reach.

When a Commonwealth reporter was admitted to Nellie Bailey’s prison quarters last evening he found her reading a Lakeside Library story and trying to make the best of her situation. Her greeting to the reporter was: “I feel blue here, and am a little tired from traveling. I was not treated as a prisoner at Wichita, because there the Sheriff lives in the jail and my room was upstairs with the family’s quarters. Here I shall be sad and lonely.”

Nellie C. Bailey is a woman 22 years of age, 5 feet 4 inches high, weighs 114 pounds and talks very intelligently. Her beauty, however, has been considerably overestimated, but still a pair of large dark blue eyes, that look out from beneath heavy black lashes, carry with them a sort of innocent expression that must create a feeling of sympathy upon the part of any person who talks with her. She has an intelligent face, fair complexion, regular features, and black hair, and is evidently a lady of refined tastes. Her story of the tragedy was related in a straightforward and simple manner. It was on the night of October 7th, twelve miles from any habitation, and out amidst the solitude of a broad, open prairie, down in the Indian Territory, that Clement Bothomley lost his life. Whether by accident, suicide, or murder remains to be proven. The only person near at the time was Nellie C. Bailey, and she now lingers in durance vile with the charge of having committed a dark deed hanging over her head. As is already known, she and Bothamley were traveling to Texas, where they expected on their arrival to become husband and wife. On the night referred to, it is said that Bothamley got up with his revolver to shoot at something on the outside of the wagon. After he had lain down again, and all was "still as the grave," a shot was heard and Mr. Bothamley never spoke again. His body was buried next day at Haynes' Ranch, twelve miles from where the accident occurred, but was subsequently exhumed and removed to Newton. Under the evidence given, Judge Foster held that he could not prevent the young lady from giving bail, but he raised the amount to \$10,000. Her father and friends at Wichita are doing all they can to raise the bond, and she feels very confident that they will succeed. She was brought here for safe keeping. *The Daily Commonwealth, Topeka, Kansas. Sunday, December 2, 1883. Page 4.*

TOPEKA - A Visit With Nellie. A correspondent of the Chicago Tribune visited Miss Nellie Bailey, now confined in the jail at Wichita, Kansas, on the charge of having murdered Clement Bothomley, a prominent and wealthy cattle dealer with whom she was traveling through the Indian Territory. All efforts to procure the \$10,000 bail have failed and she will probably remain in jail until her trial, which takes place in September, 1884. She is stout in person, about twenty-two years of age, of pleasing manners, and has dark hair and eyes. Miss Bailey shows evidence of good breed and some education. She talks without reserve and protests her innocence. *The Independent Record, Helena, Montana. Saturday, December 8, 1883. Page 6.*

WICHITA - The Bailey Trial. The U.S. court will convene in this city next Monday. There are enough cases on the docket, continued from the last term, to occupy the attention of the court for about a week, after which it is expected that the famous trial of Nellie Bailey will take place. The case promises to be very interesting and will be tried for all there is in it. Nellie Bailey will probably be brought here Saturday night from Topeka. *The Wichita Eagle, Wichita, Kansas. August 27, 1884. Page 4.*

TOPEKA - Nellie Bailey, the "beautiful prisoner" now in Captain Curtis' care, has about concluded that the \$10,000 bond required to release her from jail will not be forthcoming. Her Wichita friends seem to be making very poor headway towards getting her out, but she appears to have become well contented here. Yesterday Captain Curtis took her down to his house, where she remained nearly all day, sewing on some wrappers for herself. Nellie is quite a stylish

young lady, likes to dress well, and takes great pride in making her own clothing. *The Daily Commonwealth, Topeka, Kansas. Tuesday, December 11, 1883. Page 2.*

EMPORIA - Wichita is plunged in sullen gloom over the removal of Nellie Bailey, the murderess, to Topeka. The Emporia News, Emporia, Kansas. Wednesday, December 12, 1883. Page 2.

TOPEKA - Mrs. Nellie Bailey, the United States prisoner who has been sick with malarial fever, is improving. She is in the care of Dr. Early, who attends all government prisoners when sick. *The Daily Commonwealth, Topeka, Kansas. Tuesday, December 25, 1883. Page 4.*

TOPEKA - Nellie C. Bailey, the lady in the county jail awaiting trial in the United States District Court, had a visitor in the person of her husband's brother yesterday, Willis M. Bailey, of Marysville, Ohio. The gentleman is the youngest brother, being but 23, and the missing man was his guardian. The woman has always maintained that Bailey left her while they were traveling in Dakota, and that he gave her some \$4,000. In answer to the enquiry of the brother who was here yesterday, she told the same story, but it failed in convincing him. The gentleman only remained with the prisoner twenty minutes, but promised to return. He went out on the noon train, however, without doing so, and last evening Mrs. Bailey was very despondent, and indulged in a weeping spell, something very uncommon with her. *The Daily Commonwealth, Topeka, Kansas. Wednesday, February 13, 1884. Page 2.*

TOPEKA - Nellie Bailey, the United States prisoner in jail here, now has company, Ella Stiles having been locked up with her Saturday night. Ella tarried so long with prohibited poison that she got snakes in her boots, and was disturbing more peace than the law would allow. *The Daily Commonwealth, Topeka, Kansas. Tuesday, July 22, 1884. Page 4.*

WICHITA - Nellie Bailey In The Court. How She Looks and How She Acted. It was plain from the first that there was no intention to try the case, but the defendant being in court, it was decided to arraign her and hear her plea. The clerk read the indictment charging Nellie C. Bailey, alias, Nellie C. Reese, alias, Bertha L. Bothemly, alias, Sara A. Laws, with the willful murder of Clement C. Bothomly in the Indian Territory. The defendant is a brunette about 30 years old, rather brazen in appearance. Before the reading of the indictment she sat beside her counsel and chatted, and smiled; during the reading of the indictment she smiled and blushed by turns, and when Judge Foster told her to stand up a deep blush suffused her cheeks. Judge Foster said: "You have heard the charge, are you guilty or not guilty?" She replied in a firm tone, "Not guilty." The judge ruled that as this was the first time the case was presented that a continuance was justifiable. This arrangement was agreeable all around, and Nellie Bailey with all the aliases left the court. The Wichita Daily Eagle, Wichita, Kansas. Friday, September 12, 1884. Page 1.

WICHITA - Nellie C. Bailey, charged with murder, trial continued until January. One of Nellie Bailey's former husbands were in attendance at the U.S. court. Few people knew it, however. *The Wichita Beacon, Wichita, Kansas. Friday, September 12, 1884. Page 4.*

TOPEKA - A Jailor's Room. ...Opposite this apartment, in the northwest corner, with only a hall and two iron doors separating them, is where the notorious Nellie Bailey stays, when she is at home. Nellie keeps her room in nice order, has a bird, flowers, books, and tries to make her

miserable life as cheerful as she possibly can, under the circumstances. *The Daily Commonwealth, Topeka, Kansas. Wednesday, October 22, 1884. Page 5.*

WICHITA - The United States Court. After the "passing" of Nellie Bailey's jury, the challenging began and the list of jurors was changed entirely. The challenging occupied two hours. The attorneys for the defense had four challenges to one; or twenty to four, and they utilized all of their privileges under the law. The questions "Have you read anything in the papers about this case?" and "Do you believe what you read in the newspapers?" were often put to the jurymen, and the attorneys did not seem to hold newspaper statements as all wool and a yard wide, we notice here in parenthesis; however, that a "talented, able, eloquent lawyer" dotes on a puff in a newspaper about as much as any humble citizen.

The entire venire was exhausted by the challenging, and the court adjourned until 9 o'clock this morning to resume the arduous work. To the outsider the rejection of so many intelligent, earnest, fair appearing gentlemen seemed bosh – simply an exercise of legal prerogative, but perhaps the attorneys have practiced mind-reading and know their business best.

The defendant surveyed every gentleman called to the jury chairs with as close mental calculation as her attorneys. Her father, Mr. George M. Benthussen, sat beside her during the proceedings and watched the process of selecting a jury with deep interest. Her mother was prevented from being present by sickness. The family reside near Halstead, Kansas. Three aunts of the defendant were in the court room – Mrs. D.L. Dichenor, of New York; Mrs. James Taylor, of Elgin, Illinois, and Mrs. Eugene Sweet, of Waukesha, Wisconsin. Her brother-in-law, Mr. Anthem Bailey, of Ohio, is also present.

A large number of witnesses, officials, and spectators argue forcibly for a new court house, while the lack of room and facilities are simply annoying. Prosecutor Hallowell desires to know what third-class restaurant donated the county tables around which the attorneys and reporters huddle.

At 9:20 this morning the court convened, and the following jurymen occupied the chairs: R.C. Maurer, W. Schofield, C.D. Hutchings, George M. Keene, W.W. Hays, C.J. Dagin, Uri Coy, William Whutt, Levi Gunn, T.W. Lynch, C.H. Goodyear, and W.F. Henderson.

The attorney for the government and for the defendant in the Bailey case, made their statements as to what they would prove. Charles Hatton, for the prosecution, said the government reviewed the ground to be followed in the prosecution: He said that Nellie's first marriage was to Bailey, of Newton; that she went to Dakota with Bailey; that they fell out and separated, Bailey giving her \$4,000; she visited her home in Harvey county and made the acquaintance of Clement C. Bothamly, a wealthy man of that county; and then visited friends in New York, Illinois, and Wisconsin. While at Waukesha, Wisconsin, she married Robert Reese, but kept writing to Bothamly; that she wore jewelry belonging to Bothamly's deceased wife, of which he had, together with fine clothing, an amount valued at \$7,000; that Nellie told Reese that she would return to Kansas and transact some business which would net her \$18,000, and

then return her new husband in Waukesha, that she returned to Harvey county, joined Bothamly in his expedition to Texas; passed herself off as his sister under the name of Bertha Bothamly; joined him in deeding his ranch in Harvey county to Sarah A. Laws, the deed being executed in this city; then represented herself as Sarah Laws to Mr. Strong, a notary public here. The deed was not recorded before they departed for Texas overland in a sort of car, accompanied by Dodson and Vettors, herdsmen, and 2,500 head of sheep. At Mt. Hope, this county, Bothamly was prostrated with rheumatism and left in care of a physician. The car and the outfit proceeded for several days, and Nellie returned to Mount Hope and took Bothamly forward to the camp; they proceeded into the Indian Territory, and one night the herdsmen – half a mile distant from the car – were approached by Nellie, who said something dreadful had happened; the herdsmen went and found Bothamly dead in the car, with a bullet hole in his brain. Hatton spoke of the funeral at Skeleton ranch, and Nellie's grief, and statements to strangers that she was Bothamly's sister, here from England, with no friends in this country; and said while the funeral was going on she wrote to the register of deeds in Harvey county, to have the deed made to Sarah A. Laws and recorded, Her arrest, &c, &c.

Mr. Stanley, for the defense, said there were so many false statements in what had been said that he would not attempt to refute them in detail. The jury would find a sad lack of truth in them when the evidence came from witnesses. He referred to Nellie's marriage with Bailey; their travels; separation; her visits east; she learned Bailey was dead; became acquainted with Bothamly, who was then living with a mistress in Newton; arranged with him to go to Texas; he wanted to get away from the woman in Newton and away from the British Association there, to which he belonged; he would pass her as his sister, and they would go to Texas and eventually be married. Bothamly told Nellie the secret of his life – the fact that he had a wife and two children in England, and to escape any trouble from that source he called her his sister – planned it himself; planned the transfer of property himself, and said he'd get a divorce in Texas and marry Nellie. Her representation that she was Sarah Laws was at his request. As to the marriage of Nellie in Wisconsin, it was a joke perpetrated at a social party, as would be shown by Robert Reese himself on the witness stand. Nellie told a friend of hers here before starting for Texas that she had full confidence in Bothamly and affection for him; told this friend her plans for a happy life in Texas after she and Bothamly should be free to marry. She could have had no motive in causing his death, as the jewelry she had was her own, and \$3,500 of her money had been advanced to Bothamly in purchasing the large herd of sheep. Mr. Stanley referred to the fact that Bothamly was afflicted in mind and body and told the doctor at Mt. Hope that he often felt inclined to commit suicide; that this fact, Stanley contended, went to show that he took his own life in the car on the gloomy prairie that night. Nellie was awakened, almost deafened by the report of the pistol, and horrified at what Bothamly had done, made her way to the herdsmen. The sending of the deed after the funeral was only a part of Bothamly's plan, as he had intended to send it back from Caldwell, prior to leaving there. The above is but a crude and hurried outline of the statements by the attorneys. We forego fuller reports to get at the facts of the witnesses gave them. Judge Foster, when the court convened this afternoon, said: "I am reliably informed that this building has been condemned, and I don't wish to take the responsibility of holding court with such a throng of people present. I don't object to your being present, but all those not witnesses who cannot get seats must retire." A

throng filed out, leaving a large audience seated, and bailiffs were placed at the doors. The government called a long list of witnesses.

Wesley Vetter, a boy of nineteen was the first witness. He lives at Newton. He knew Bothamly and knows Nellie Bailey; got acquainted with Bothamly at Doty's ranch; went to work for Bothamly two miles northwest of Sedgwick City; Bothamly had a section of land and about 2,500 sheep; worked for him a month, beginning in November, and then began work for him in May '83, and worked on till Bothamly's death. Nellie Bailey came about two months after he hired to Bothamly the second time. Nellie occupied a bed room in the house after she came; she was there until we left for Texas; she ate at the table with Bothamly; sometimes Bothamly was sick; Nellie stayed about the house; sometimes took walks and rides; witness never talked to her much; we left for Texas near the first of October; Bothamly went from his farm in June to meet Bertha Bothamly, as he called her; he brought her to the farm. When we left we had three yokes of cattle and ponies, about 2,500 head of sheep, cooking utensils.

At Mt. Hope he took sick, we went on with the sheep south toward the Territory; at near Caldwell I and Nellie went back to Mt. Hope for Mr. Bothamly, I returned to the camp; we stopped at Polecat until Nellie and Bothamly came up. The night of Bothamly's death we went into camp at 4 p.m., the car stood in the road and we went on with the sheep a mile or more; Nellie and Bothamly slept in the car that night. The beds in the car were thus – he lay on the floor and she had a spring cot up across the car. At between 2 and 5 o'clock in the morning Nellie came to us crying and said something was the matter at the car; called for Bothamly, but could not get an answer. I returned, and Dodson went over and came back; said Bothamly was dead. I stayed there with the sheep; Dodson went after Donaldson, who had passed us and camped not far away; Dodson was sent by Nellie after Donaldson.

About this time Mr. Collins came along. Nellie went over the car with Collins. Collins was going toward Caldwell when he stopped; don't know who stopped him. I went over to the car after the body had been washed and laid out. I glanced at the wound, was in the face on the side of the nose; I don't know which side. I saw the pistol with which Bothamly was shot. It was out in the grass, all over blood and loaded except one barrel. I found the ball in the car afterwards; rolled it up in the blankets, but it got shook out and lost; I saw Nellie and Collins in the car talking. Nellie had her dress and shoes on when she came to us. She had no hat. She carried a small pistol with her – a small Smith & Wesson. I took it, took the cartridges out, and put it in my pocket. I stayed with the sheep when Bothamly was buried. In the evening before we camped, we could not see the car, and Bothamly fired two shots out of the window of the car, where he was lying in bed. Nellie, who was with us, fired two shots in answer to Bothamly's shots. Witness identified Bothamly's revolver in court. Witness here examined a diagram of the road, location of car, sheet, etc., and said it was correct so far as he knew, but he could not remember distances.

Skeleton ranch, said the witness, is about fifty miles down in the territory, and the car was about twelve miles from Skeleton ranch the night of Bothamly's death, October 7th.

There was no one else in or around the car that night except a spotted steer. We left the car after dark to go to the sheep. I drove the car during the day. Nellie rode horse back, sometimes by the car and sometimes with the sheep. I found Nellie's pistol belt the next morning after the death. I don't know where I found it.

Vetters cross ex'ned – Bothamly was sick with rheumatism while I worked for him; he was sometimes in bed. He was crippled in the legs and feet. He was a nervous, excitable man and would fly up when things went wrong. He was particular about his bargains, particularly so. He told us he was going for his sister when he left us, and when he brought this defendant he said she was Bertha Bothamly. Bothamly occupied the parlor at the old home near Sedgwick. He represented her as his sister on all occasions. He told me about going after his sister the first month I worked for him. He complained of people crowding his grazing ground in Harvey County; said he could not get along with the people, he had to pay damages so often. He was taken sick before we reached Mt. Hope. He had to be carried into the house there. After we had gone on, I was sent back to see how he was. She wanted him sent by rail to Caldwell if possible. I went back from Kalamazoo the first time. The second time I went back from Deer Creek. When Nellie and Bothamly caught up with us we were at Deer Creek; he and she came in a buggy. Bothamly was so lame he could not proceed for two days. At Polecat, Nellie and Dodson went back to Caldwell for provisions and to forward a deed to Newton at Bothamly's command. When they had gone it was discovered that they had forgotten the deed, and Bothamly said it would have to be sent back from Ft. Reno. We stayed at Polecat quite a while on account of Bothamly's sickness. From Polecat we traveled several days – a distance of fifty-five miles – before he was shot. We went slowly on account of Bothamly's sickness, and he was afraid the sheep would get footsore. I heard Nellie twice persuade Bothamly to go back and go by train with her and let us go on with the sheep. He was determined, and said he would go on through overland. I sometimes gave Bothamly medicine. He used St. Jacob's oil and took morphine. I saw her beg him not to take morphine; saw her crying about him, and his condition. After the death of Bothamly, we heard Nellie hollowing "Boys!" in the distance, and a shepherd dog was running back and forth. I was awakened by her, and went to meet her. She was crying, and when she approached, she fell down, and repeated, "Go to the car quick! Something awful has happened!" I got her a blanket to rest on, and went to the car. I rode up to the car, and rode around it. I was excited, and had no gun, and did not want to risk my neck in there. She made me go back a second time, but I was afraid to go in. When I returned to them the second time, Dodson got on the poly and went to the car. He said Bothamly was dead. Nellie cried all the time. Nellie said for Dodgson to go on and find Donaldson, and if he could not, to go on and carry the news to Skeleton ranch. Nellie always slept with her dress and shoes on. She slept in the car sometimes, sometimes in the buggy, and sometimes under the car. There was no light in the car; no evidence of a light, but there was a lantern out on the front of the car; it was kept burning every night. Nellie came to us after Bothamly's death, through the grass; she did not follow the road; there were many wolves in that part of the country. On the night of the death, Nellie wanted Bothamly to move the car up to where the sheep were; Bothamly was sick, and refused to move any further; said he had enough jolting up coming that far. Then Nellie wanted us to drive the sheep back to the car, but they were lying down, and we couldn't get them up. Bothamly didn't want to cross the creek. He always carried the big revolver. I heard Nellie beg

him to put the pistol away in the trunk. On that trip Bothamly would get excited, and once he put the pistol to his face, and Dodson took the revolver from him; on another occasion he had his own and Nellie's pistol in bed with him, fooling with them, and Dodson put them out of his reach. I heard him once say, "Give me that pistol – I'll kill myself!" I said, "What the devil's the matter with you? Are you cracked?" He got mad at me for asking him that question.

Re-direct – Had received some letters from Nellie at Topeka, but they did not refer to his testimony. I have testified before on this case; never referred to driving the sheep back, at other examinations. It has been a year since I received a letter from Nellie. I never testified about Nellie crying before.

Re-cross-examined – "I never had anyone ask me about Nellie crying at other examinations." A.C.H. Donaldson, of Indian Territory was examined. Lived in Osage reservation, moved from Oklahoma in October, 1883, to Caldwell; was stopped, while moving, three miles from Bothamly's car; went back with Dodson' saw Bothamly's body lying in the car on his back, his left hand on his breast and his right with index finger nearly straight, he was shot under the right eye; the ball passed through his head; right side of his face was mangled somewhat and a little powder burnt; the pistol was lying to the right of him near his thigh, (witness identified the pistol as the same or one of the same make – Colt's double-action 45.) There was some blood on the pistol – on the muzzle. The blood flowed considerably from the face, but not much on the back of the head. Bothamly was undressed; I washed him, laid him out in a little tent which Dodson put up, Dodson helped me carry him out. I asked Dodson how the thing happened. I threw the bed clothes out of the car. Had no conversation with Mrs. Bailey. She was not present when I washed the body. Collins came up after I laid the body out in the tent. Collins examined the body and afterwards had a talk with Mrs. Bailey in the car. I took the body to Skeleton Ranch, and Mrs. Bailey went with Collins in a buggy. At the funeral Mrs. Bailey seemed very much distressed. Dodson, myself, and two or three others dug the grave. We made the coffin out of dry goods boxes. I don't know who selected this place for the grave. Mrs. Bailey came and looked at the grave after we dug it. I had no conversation with Mrs. Bailey, only she thanked me for my services. I went on to Caldwell. The body was cold and stiff, and so were the limbs when I dressed him.

Witness described the car. It had a rear door and a window in the side. The beds were a spring mattress across the front end of the car, and a bed on the floor lengthwise, near the center of the car. The cot above had the appearance of having been made up for a person to occupy. The camp was about sixty miles from the state line. There was one chamber of the revolver empty when witness saw it.

Cross-examined – It was sun-up when I got to the car. It was shut and, I believe, locked. Dodson opened the door. Bothamly's right hand, with index finger partially extended, was pointing toward his face. I told Dodson to put up the tent. It was very warm in the car.

Witness described the car, location of beds, etc. The car was closely built, so that the wind would not affect it. The circle of the powder-burn extended to the eye-brow. Could not say how far the pistol must have been from Bothamly's face.

Re-direct – It was a star-light night; not stormy, but the wind blew after 11 o'clock. Witness took the pistol and showed how far it must have been from the face when fired to make the powder mark – about 8 inches. Some time was taken up in illustrating how a revolver might be held, &c. L. P. Collins – He well remembered the death of Mr. Bothamly; stopped that night a few miles from the car camp; described the wound as did the previous witness; described the position of the arms as Donaldson did; tried to straighten the right arm down to put on Bothamly's coat but could not; saw Mrs. Bailey on her cot in the car; had a conversation with her in the car; she said only they were brother and sister; they were going to Texas with the herd of sheep; they were from England; they were to be joined in Texas by her mother and conduct a ranch; she asked what she should do. I said she had better telegraph to her folks in England; she said they had no friends nor relatives in this county, and no place to take the body; she said she would rather bury the body near there so she could return for it some time. I suggested that we could take it on the stage back to the settlement, but she had the body buried at Skeleton Ranch. She did not wish to telegraph to her mother in England, as the news would shock her, she would write to her. She said she had no friends nor relatives in this country.

Dr. Allen, Secretary of State of Kansas, was called, and Collins was temporarily taken from the witness stand. Dr. Allen described the effect of a ball fired through a man's brain – instant death; thought if a man shot himself as described in this case the arm would fall limp at his side; his opinion would be when death was produced in the manner described, the elevation of the arm would be unnatural; the fingers would assume their natural position, he thought; witness thought a pistol would fall down from the hand of a suicide.

Cross-examination – Never examined a suicide's wound who had used a 45-calibre; had never seen a pistol still grasped in a suicide's hand, yet such a thing might be; had seen several men who died instantly from gun-shot wounds; did not remember of seeing a man die in a sitting posture from a gunshot wound; had heard of cases where there were peculiar attitudes in death, but his observation was that as a rule the fingers relaxed. The defense drew authorities to show their position, but they were not read.

L. P. Collins recalled – He went to the funeral with Mrs. Bailey in his buckboard wagon; their conversation on the road was about the same as they had in the car; witness gave Mrs. Bailey a blank check and she gave him \$1.50; she put the check in a letter and he directed it to the register of deeds at Newton. This was after the funeral. Did not know when she wrote the letter. We made the coffin out of an old stable door and a dry goods box; I asked her if she wished to see the body before it was buried; she went and looked at the body and also viewed the grave; she expressed grief and regret that the body should be buried in that rude manner; I went from there to Caldwell; never saw the defendant after that time till in court; he saw the sheep – they were a good lot worth between \$1.50 and \$3.00 per head in witness' judgment. A lady at the ranch invited us to stay there all night, but Mrs. Bailey thought she had better go back to the car camp and look after the sheep. When I talked to Mrs. Bailey in the car she was lying at full length on the cot; she was dressed in an old dress, such as a woman would wear in camp life. When she told of having no friends in the country she was crying most of the time.

Cross-examined – I told her I thought I couldn't find a purchaser for the sheep; she did not know what to do; she said she had put her means in with her brother in the business of starting a ranch. Mr. Donaldson said to me at first that morning the man had killed himself. In talking with her I told her I had a ranch and if she would go there I would give her all assistance in my power; she seemed inclined to go on to Texas, but started to my ranch and was arrested.

Re-direct – My ranch is on the direct road to Texas from the car camp.

Wesley Vettters re-called by the prosecution – There was only one entrance to the car – in the back end.

Cross-examined by the defense – An old gentleman in the court room had visited witness in Newton to take down his evidence. He also took witness to the Territory to examine the ground and paid him for it.

A.C.H. Donaldson was recalled at the night session. He saw no blood on Bothamly's hands. There was a pool of blood on the floor of the car; did not know what direction the pistol was pointed; saw no blood on the stock of the pistol, but was sure it was on the muzzle.

Robert Reese – I reside in Waukesha, Wis.; am 25 years of age; occupation, selling pianos and organs. Am acquainted with Nellie Bailey; first met her at her aunt's, Mrs. Sweet's house, in Waukesha; there was a dance there; saw her often after that; called to see her after that; that was the first part of February; she left on the 5th of June; can't tell how often I visited her; finally married her on the 12th of April; married by Justice of the Peace Spencer, at the squire's house; a certificate was issued of the marriage. [Hatton produced certificate, which witness said looked like the certificate issued by Squire Spencer;] Spencer's wife and another lady witnessed the marriage. [Certificate read to the jury.]

Before defendant left Waukesha, she said she would go to Newton to look after some property – a house and lot, there; she didn't say when she would return; can't say that she promised to bring back any money with her; I testified once before a grand jury; I said then that she said that with what jewelry she had, and the property in Newton, she would have about \$18,000; witness could not remember of her saying she was going to bring \$18,000 from property she had in Newton, or Kansas; witness received letters from the defendant for quite a while; I had a conversation with defendant in the jail since I came here; talked with her twice at the jail; and you, Mr. Hatton, told me to go there and talk to her if I wanted to. [Laughter].

D. A. Mitchell, of Wichita – Am a resident here; am in the collection and loan business; saw Nellie C. Bailey on the 16th of August, 1883; she was then under the name of Bertha L. Bothamly; she came alone; she had a couple of blank warranty deeds; wished me to convey some land in Harvey county; was particular about my getting the names of Clement L. Bothamly and Bertha Bothamly correct; the land was in Harvey county, near Sedgwick city; [witness was shown the deed; he made part of it;] defendant named the consideration as \$8,500; she made it in favor of Sarah A. Laws; there were mortgages amounting to \$5,000 on the land; she said her husband would be in the office in an hour or so; they came in soon after that and they signed the deed; don't know which I gave the deed to; she paid the bill for making out the

deed. [Mr. Hatton read the deed.] Mr. Bothamly had few words to say; Bertha seemed to be the business manager. Bertha did not bulldoze Bothamly into signing the deed; he did it of his own will and accord.

George C. Strong – Was assistant cashier in the Kansas National Bank in 1883; on August 16th, 1883 I took the acknowledgement of a deed of Sarah A. Laws to Bertha L. Bothamly; Mr. Lewis made out the body of the deed; I don't remember the date exactly, but this (looking at the deed) is my hand writing of the date.

Cross-examined – No one came in with the defendant; I told her she must get some one to identify her; she went out and came in with Mr. Fred Stackman; witness could not remember that Mr. Bothamly was there, and wanted to identify defendant as Sarah A. Laws. [Mr. Hatton read the deed conveying the land from Sarah A. Laws to Bertha L. Bothamly.]

W. H. Phillips, of Newton, Kansas – Was acquainted with Bothamly; he came to my house at Florence with his wife; he stayed there three or four weeks; he had about twenty-one trunks in baggage; he left in my absence, and the next I saw of him was at Newton; he bought a fine residence in Newton worth \$8,000 or \$10,000; paid \$7,000 for it and sold it for \$5,000.

Bothamly had land near Sedgwick. I first learned of the death of Bothamly from a special from Caldwell. Bothamly was a member of the British Association of Newton; I was administrator of Bothamly's estate – 640-acres of land. There were jewelry, a car, 1,500 sheep, a pony and an old buggy turned over to me as administrator. I was present when a trunk was opened and Mrs. Bailey took out a dress. The trunk contained watches, rings, bracelets, silverware, wearing apparel, etc. I took the trunk in custody. There were some very nice satin and velvet dresses in the trunk. They were worn at Florence by Mrs. Bothamly. Most of the jewelry was manufactured in England, as shown by the imprints of the makers. Nellie claimed everything in the trunk. I sent her some things she sent for. Bothamly was an Englishman. I never knew him to be sick; I know little of his temper; I only saw him in Newton once. I presume the contents of the trunk cost \$2,000 or \$3,000.

Cross-examined – The British Association is for the benefit of British people who come to this country. At Florence the woman who was represented as Bothamly's wife was not his wife; I now know the woman was not Bothamly's wife. His legal wife resides in England; I have taken much interest in this case; have furnished witnesses for the prosecution. The British Association took steps with the British minister at Washington to have the sheep turned over to me; the British Association did not take steps to have this case prosecuted with vigor. The woman who was reputed as his wife, died in child-birth, from fright. Have heard Bothamly was a very punctilious man; I do remember I told you the articles in the trunk were really not worth more than \$400; I remember sending the marshal after the trunk, but don't know that he took it by force; she was told when she wanted clothes out of the trunk, that she could take a change of clothing, but not the fine dress. Bothamly had no bank account when I got hold of the effects. I now know that Bothamly has a wife and two children in England.

Re-direct – The poorest dress in that trunk was of silk, satin, or velvet; I know Mr. Terrill was employed to hunt up evidence in this case, but the British Association was not instrumental in

getting him appointed. The articles in the trunk have all been replevined from me by suit of the defendant.

Mrs. Phillips was examined – Wife of preceding witness. Knew Bothamly at Florence; knew the lady who lived with Bothamly at our hotel in Florence; Bothamly was very kind to her; she wore very fine diamond rings, and told witness she had still finer articles; I saw them – laces with gold, diamonds, pearls, opals, and the finest of silverware; these were marked “Miller;” her first husband was named Miller. [Mrs. Phillips described this grand finery so fluently that reporters could do nothing but grin and scratch their classic brows and skulls.] Witness had not seen the trunk, but saw one dress worth \$150.

Cross-examined – All the dresses in the trunk, after its return, were badly worn; did not recognize them as the dresses worn by Bothamly’s reputed wife at Florence.

Saturday, January 17. The court convened promptly at nine o’clock.

William Darrow – I reside near Sedgwick City, Harvey county; I know the Bothamly ranch near Sedgwick City. I have resided on the ranch since 1883. I knew Bothamly in his lifetime; he was on the place when I moved on it; I know Mrs. Bailey; saw her at Bothamly’s before I moved on the place July 5th, ’83; did not know who she was; heard Bothamly say she was his sister; Bothamly and Mrs. Bailey left on the 22d of August for Texas; while on the ranch I saw Mrs. Bailey leave the house sometimes; she came out to see us clip sheep; she went horseback riding with him; I can’t remember how she dressed; she wore no veil over her face, but the day they left for Texas with the outfit she wore a cloth mask; it was of cloth with a place for her eyes to see through. I don’t remember when Bothamly bought his herd of sheep. When they left for Texas Nellie had a pistol in a belt. They were all armed.

Cross-examined – In speaking of the sheep Bothamly would say “ours” always.

Capt. R. M. Curtis, jailor at Topeka, Kansas – Nellie Bailey has been in my custody nine months; talked with her often. In regard to the killing of Bothamly she never said she killed him; she and I had a little trouble once in regard to cleaning up the rooms. I locked her up and she got mad and said if she had a revolver she would blow some one’s brains out; I said it would not be an Englishman this time, she said it would be an Irishman. [Laughter.] I locked her in a dark room once and she tore up some clothing. The last two or three months Nellie was in the jail I had trouble with her about various things.

Cross-examined – I did not keep Nellie closely confined; I let her go down to my house often without a guard, and on one occasion she went down town and bought her a hat. She stayed at my house several weeks when she was sick; my wife would often send for her; she was kind for the first six months, but being there so long I suppose she got restless. The first trouble I had with Nellie was about letters she sent out without me seeing them. She wrote to Judge ---- at Atchison; she wrote to prisoner Jones; in a cell near her; Jones was a yellow man; I intercepted several notes from her to Jones, there might have been a hundred notes; another prisoner stole the notes from Jones and gave them to me. I wrote to Nellie’s father that she was a very good girl.

Pat E. Terrell, of Topeka, a special agent of the treasury department: was appointed to work in this case by the department of justice. I began on the case in January 1884. I examined the contents of the trunk referred to here last night; there were several pieces of Nellie's hand writing in the trunk. [Witness identified a memorandum in a small book, and Nellie and her attorneys examined it critically.] Hatton read it: "Met Clement August 22, '81; pledged myself to be his wife till death does us part."

John C. Johnson – Live at Newton. I saw a letter directed to the register of deeds in Newton. [Hatton explained that he was mistaken in his statement that the letter was dated at Ft. Reno. It was dated at Caldwell. Witness shown letter and identified it.] It was read: "Register of Deeds, Newton, Kansas: Enclosed find deed and \$2; record and send deed to me at Fort Reno, Indian Territory. Sarah A. Laws."

Mrs. Wells, of Skeleton Ranch, Indian Territory – My husband is now proprietor of the ranch; I was there when Bothamly was buried; saw defendant there; also saw her after her arrest on Oct. 14th.

Mrs. Hans – Resided at Skeleton Ranch when Bothamly was buried. Mrs. Bailey was at the house and wrote some during the day of the funeral; she seemed to be very sorry. Witness did not see Mrs. Bailey converse with Dodson at the ranch; witness asked defendant to remain over night after the funeral, but she said the boys would not like to stay there alone; thought it her duty to go to the camp. Witness was with Mrs. Bailey when we went to view the remains. Mrs. Lou Haynes – I reside at Caldwell; resided 26 miles below Caldwell in October, 1883; saw the Bothamly outfit pass our supply store; defendant stopped at our place; we talked but I can't tell what he said; she was dressed in a six shooter, belt, gentleman's hat, fair sort of a dress. She spoke something about trading jewelry with the Indians, but I can't remember what she said; she wanted to trade jewelry for ponies. I said it was dangerous to trade with Indians, but she said she could protect herself; defendant did some shooting near the ranch; she was on horse back practicing, and her brother, Bothamly, was with her, also riding horse back; defendant seemed to be handy with a pistol. Thought defendant dressed unusual; never saw ladies wearing six shooters before. The gent and lady were driving the sheep, and two men were with the car, driving their cattle and afoot.

O. G. Wells – I reside at Skeleton ranch; resided at Caldwell in 1883. I was at Skeleton ranch the day Bothamly was taken up; defendant was there, at the house while we took the body up; she seemed to be quiet, but willing to talk; she and Dodson were under arrest; I helped to guard the prisoners during the night; the body was taken up on the 14th of October; there were no manifestations of grief by defendant; next morning she made efforts to talk to Dodson; I saw her whispering; I stopped them from conversation twice that morning. Skeleton ranch is on the old cattle trail leading to Texas. [Witness located Skeleton ranch.]

Cross-examined – I have been in the territory several years; Hollister, McMillen and another man came to the ranch the evening before the disinterment of Bothamly's body. The marshal and posse were armed; they all slept in the same room under guard, defendant in a bed to

herself; she did not converse with Dodson during the night; witness thought it strange that defendant should whisper to Dodson. Hollister was not oppressive and rude with the prisoners; Nellie's hands were not tied that he knew of; witness was of Sioux Indian blood.

Re-direct – Hollister treated defendant kindly, so far as I saw; she was not restrained from talking openly to any one.

Anderson Haines – Resided at Skeleton ranch when C. L. Bothamly was buried; saw the Bothamly party there, and Collins, Carr, Donaldson, and an old German. Witness got the material for the coffin; noticed defendant writing that day at the house; saw the Bothamly car a day or two before the death; Bothamly was at the car which was stuck in a ravine; offered to help him get it out, but he said he had a jack-screw and could raise it and go on. He then complained that he had been very sick but was getting better. Defendant showed much grief at the funeral, but did not cry when she and Dodson left that evening; she asked me what I charged for my trouble, and I said nothing for such services as that, and she smiled and thanked me.

John W. Weaver – I reside at Newton; knew C. L. Bothamly from 1880; he was sick at that time. He afterwards stayed at my house from July, 1880, to February, 1881. I am an Englishman; Bothamly was an Englishman; Lizzie Taylor was housekeeper for Bothamly before he came to my house. I got acquainted with defendant at Newton in 1879, before she married Shannon Bailey; while Bothamly was at my house defendant was introduced to him there; after her marriage to Bailey she and Mr. Bailey visited Bothamly at my house once or twice; I knew the herd of sheep Bothamly owned in 1880; Bothamly told me he had 1,768 head; in 1880 he bought 506 sheep at Dodge City, and paid \$1,000 for them. These sheep made a herd of 2,000 in all. He bought 21 rams and other sheep in Wichita that fall. Bothamly told me he arrived here with \$10,000; he bought the Marsh house in Newton for \$5,350, and sold it for \$7,000; he owned a farm near Sedgwick City; he owned some sheep when he owned the Marsh house, and bought the other sheep after he sold the house. Witness did not remember when defendant and Shannon Bailey were married.

Cross-examined – Bothamly was not a great deal of trouble to me. He often walked with a stick; had rheumatics in his knee; he got me frequently to go down to the ranch for him, as he was not able to attend to the ranch. Witness never saw the deed given to Bothamly in the purchase of the Marsh property. Bothamly told witness he paid cash for the Marsh house. When he sold it he got \$2,000 cash. Bothamly bought the sheep after he bought the ranch. Mrs. Bailey and her mother, Mrs. Benthussen, visited my house once. I don't remember of having told them that Bothamly was a mean man and over-rated his possessions.

Re-direct – Don't know how long the Benthussens lived in Newton before moving to their place near Halstead.

Mrs. Weaver, wife of the preceding witness, testified to the substantial facts given by her husband.

Abraham Rhodes – I reside at Caldwell; know the road running between Caldwell and Ft. Reno; defendant was arrested October 12, 1883. I found bed clothes at Hackberry creek where the car camp was. I found a pillow on the south side of Hackberry creek while I camped there; found the tick of the pillow in a little valley. There was a hole in the tick; one end was torn about six inches from the end. I left the tick on the prairie. The hole was about as big as a five-cent piece, and the fabric was stained with blood.

Cross-examined – I went there with Hollister, the marshal, as a posse. The pillow tick was saturated with blood. I threw the pillow tick down on the prairie and left it. Didn't think anything about its importance as evidence in this case.

Re-direct – I was censured by Hollister for not bringing it to town; my duty was only to remain with the herd.

Dr. Fabrique – I reside in Wichita; am a physician and surgeon; in my opinion a person shot as Bothamly is said to have been, would die instantly; a ball passing through the base of the brain produces death at once. Witness was given illustrations, as was Dr. Allen, yesterday, and asked how the hand would fall. He thought the hand would fall limp at his side; thought the raised hand in death would be rather unnatural, but sometimes the rigidity of the muscles causes an arm or limb to remain in peculiar attitudes. Rigor mortis sets in at various lengths of time after death.

Cross-examined – I am not a graduate of any institute, but have practiced nineteen years; have seen men in the army killed instantly by gun shot wounds; never studied about attitudes of the hands of suicides, as to clutching weapons, &c.; the hand of a person shot as Bothamly was, might remain elevated toward the face.

Robert Reese re-called – Nellie left Waukesha June 5th; think she went by way of Chicago; I received a telegram from her at Chicago. [Shown telegram and identified it.] Before leaving Waukesha she said she was going to Newton to attend to her house and lot there; she said some one had some money of hers out here; she did not say when she would return; it was not understood between her and myself that she would return at all. I never knew of such a man as Clement L. Bothamly till I read it in the papers. [Witness identified a postal card written by Nellie on the train, and one written at Chicago; also letters written by her at Chicago, St. Louis, and other points. There was a whole bundle of letters and postal cards written by Nellie to Reese. These were obtained from Reese by detective Terrell, who was working up the case.] In her postal cards in referring to "B" she meant Bailey. I never heard the name of Bothamly before I read it in the papers.

Cross-examined – Nellie and I were married at the home of a justice of the peace. We had been to a party and went from there to a justice's residence, did not take any one with us; had no license; thought it was not serious at the time; it was done more for spite work than anything else. I learned afterwards from a lawyer that I was tied as tight as I could be. I tried to get a

divorce, but got sick of it and dropped it. I did not understand that she was to come back to Waukesha – I didn't intend to be there if she did. [Laughter.]

Re-direct – I proposed to Nellie to get married, and we went to the squire and got tied up. We were interested in a small theatrical venture at Waukesha.

Re-cross – I did not find out before Nell left Waukesha that I was married for sure.

Mr. Hattan proceeded to read the letters. Mr. Ady objected to the reading of any letters that did not throw light on the case in court.

Addressing Reese in a card she called him "Dear Bob" and wished she were with him, she regretted their separation and signed herself, "Your ever loving and true Nell." In another she called him "Darling Bob," told him to cheer up and take the bitter with the sweet. Let us live in hope of the better day coming. No one can prevent us from remembering the pleasure we have enjoyed. Shall we ever meet again? This parting is so sad I pray God I may never go through it again. If we never meet again on earth there is a home in Heaven, let us meet there. Take care of yourself. Take care of my darling babe. Thousands of kisses. Don't forget me. I will take a good cry. It will do me good in my heart broken condition. Your ever loving and true Nell."

Another letter says she had a dream at night on the train. Thought she was with Rob fishing, and it rained, "O, so hard!" The dreams made her sad. There was much sweetness in this letter. "I must look out for Mr. B. and not let him go to Waukesha. I may be away so you can't hear from me, but don't grieve nor lose courage" etc.

From St. Louis she wrote as follows – She met her brother in St. Louis. He took her to a hotel. Referred to Mr. "B." again. Willie said Mr. "B" thought something was wrong, and if he knew the man who was at the bottom of it, he would kill him. "Willie said "B." would put detectives on my track. He'll have a nice time finding me."

One from Liberty, Missouri, said: Willie and her were on their way to Kansas City. She would stop nine miles out in the country from Kansas City: expected "B." would find her, but he would not gain anything by it; she, was so weary with her troubles; she would go to Europe no doubt, to protect Rob; she would die to protect him. She was sick to return to Rob &c.

One letter from Wichita, Kansas, said much had taken place since she wrote to "Rob." Her mind was occupied with much business, but she remembered "Rob." "B." had gone to New York to hunt her. Willie and her would go to San Francisco; Willie was in Denver, Colorado; her parents wanted her to make up with "B." and quit acting foolish; she expected to go to New York and to Europe in August, etc. "Thousands and millions of kisses," "meet me in Heaven," etc. "Direct to Bertha L. Bailey, Wichita, Kansas."

Another letter from here said she was in trouble. Mr. "B." would not free her, Willie and her would soon depart for San Francisco; wished "Bob" was here to go to California with her, and across the great ocean. Her burden was a hard one to bear, &c. A letter to Reese from the jail at Topeka, told Bob the government had all her money and property; her bond was \$10,000, and

she expected it would be raised. She said poor Mr. Bothamly shot himself accidentally; she did not think he committed suicide. She told "Bob" not to write except one letter that would be to her advantage in Kansas; to say that their marriage was in fun, &c.; told him to be careful or they would implicate him when he "knew nothing about it."

Robert Reese recalled – I did not go through with the proceedings for divorce. The "babe" that Nell referred to was Mr. Austin's child in Waukesha; witness passed a lady as his wife in Waukesha; cohabited with her.

Hallowell – "As you did with Nellie!" Witness – "I never did with Nellie," emphatically. The prosecution here rested their case. Stanley said the prosecution resting their case here took the defense by surprise; the prosecution had many witnesses they had not used. The defense had not secured some important witnesses here; they had telegraphed for one important one, but he is not here. M. Stanley thought it would save time to allow a suspension of court until 9 o'clock Monday morning, and this was granted by the court. The Wichita Beacon, Wichita, Kansas. Friday, January 16, 1885. Page 4. Continued Saturday, January 17, 1885. Pages 1 & 4. WICHITA - Her Trial For Murder In The U.S. Court. Monday, January 19. Judge Foster, on the adjournment Saturday afternoon, said he would continue to hold court in the same place (Russell Hall), but Saturday evening he reconsidered the matter and said court would be held in the opera house. At 9 o'clock this morning there was quite an audience in attendance. J. F. Sherman, U.S. Commissioner, was placed upon the stand by the prosecution and testified as to evidence taken by him in '83, in which Nellie Bailey testified that she separated from her husband in Dakota and had not seen him since that; witness could not remember what time Nellie said they separated in Dakota.

Detective Terrell was placed on the stand by the prosecution – Defendant told me in the jail in Topeka, while he was acting as a detective, that she and Bailey separated at Desmet, Dakota, in May, 1882.

Testimony For The Defense. Mr. Stanley read a list of witnesses, and some who were absent had to be sent for.

Fred Stackman – I reside in Wichita, Kansas, knew C. L. Bothamly; about the 16th of August, 1883, he came to me to get me to identify him at the bank, and I went with him and we met this defendant whom he introduced to me as his sister.

Mrs. Taylor, of Elgin, Illinois – I know Mrs. Bailey; she was at my place from June to August, 1882. She had considerable money in the folds of her dress; there was quite a large amount. Cross-examined – I am Mrs. Bailey's aunt; defendant was not at my house all the time, she visited other relatives about; defendant told witness that Bailey was in the mining district. [Objected by Stanley.] While with me she had a trunk come there and told me that it was from Marysville, Ohio; when defendant left me she said she was going west. She left her trunk with me, it was old and of no service; she left the money with me for three or four days, but I did not count it; did not open the napkin in which it was folded.

Mrs. Sweet, of Waukesha, Wisconsin – Defendant came to my house in February, 1883, and left in June; I am a relative of the defendant; while at my house she had three or four diamond rings, lockets and silverware – almost enough to start a store; two rings had seven diamonds in each setting; she had two trunks – one large one and one small one; her clothing was fine – of satin, silk, and velvet; she wore the jewelry while at our place. [Witness relieved for the present.]

Dr. Dwight – I reside at Mt. Hope, Sedgwick county. In 1883 Bothamly and his sheep outfit came by my place. I went out a mile and a half and treated him for sciatica, and next morning he came along in his car and stopped with me. [Witness described the Bothamly outfit.] The others of the party stayed a day or two, and went on; defendant returned for him on September 25th, and I heard her say he should go to Caldwell by train. Bothamly's mental condition I did not consider sane; he used opiates; he asked me repeatedly to take his revolver and shoot him, or give him something to put him out of the way. If he thought he would never get over this disease from which he had suffered so long, he would put himself out of the way. He was sometimes out of his head by reason of opiates.

Cross-examined – He was hardly well when the defendant came back and took him forward. He was anxious to go on with a livery rig to where the sheep were. He insisted on going with defendant to the "front."

Mr. J. Rich – I reside in Wichita; was in business on north Main street in 1883; was acquainted with C.L. Bothamly; saw him and this defendant in my store in '83; he had a package of jewelry; I opened the package for him, and there was a watch, chain, jewelry, etc.; in the meantime defendant came in; while Mrs. Rich and defendant were looking at the jewelry defendant said the jewelry was worth from \$1,000 to \$2,000.

Cross-examined – Bothamly requested me to open the package; I had been acquainted with Bothamly a year and a half; he introduced defendant to me, but I can't remember what name he gave her, as introductions are daily occurrences in the store.

Mrs. J. Rich – I am the wife of the witness just on the stand. I saw the jewelry – a bracelet with inlaid diamonds and rubies, a watch inlaid with diamonds, and a heavy, long-linked chain.

B. K. Brown – Resided at Wichita in 1883; C. L. Bothamly was known to me; he bought a revolver of me in 1883; [witness was shown the revolver on the table, and identified it as the one sold to Bothamly]; just before he bought the revolver he discharged it accidentally and came near striking one of my clerks; he told me about it as I came into the store just after the accidental discharge of the weapon.

Mrs. Sweet recalled – Mrs. Austin lived near me in Waukesha; she and Nellie were very intimate while the latter visited me. [Witness was shown a letter written by Nellie to Mrs. Austin before starting on the trip.] Cross-examined – Nellie went to Austin's in the middle of May; I objected to Reese coming to our house, knowing that Nellie had not been divorced from Bailey. She went to Austin's to stay, and was married to Reese. It was a sham marriage, and was to spite me and

others; I never heard her mention the name of Bothamly; defendant received letters frequently from Sedgwick, with a seal with the letters "C.B." in old English letters; while Nellie was receiving these letters she was all the while on intimate terms with Reese; she told me, and I heard her tell Reese, that she had no divorce from Bailey; she told me she would never live with Bailey, and that she had considerable money; she told me she had been in California, but I can't say when she said they separated. The letter above referenced to was offered in evidence. The prosecution objected. Mr. Ady read Greenleaf, showing that it was proper to prove the kindly feelings toward Bothamly entertained by Nellie. Hallowell argued against the offering of the letter. Stanley contended for the reading of Nellie's letter to Mrs. Austin. Hatton argued to refute Stanley. The judge considered the matter, and was inclined to think the letter admissible. The prosecution tried hard to keep the letter out of evidence, but Stanley read it. It was dated at Wichita; it referred to the pleasant time she had at Mrs. Austin's; described the car, the outfit, the convenience; they would have a romantic time; she would visit Indian camps; she regretted that she could not visit her parents, being so near them, but Clement's interests prevented her from doing so; expressed her confidence in Bothamly, and her love for him; described him as quite handsome, and good company; referred to her foolish marriage in Waukesha; said she was always doing something in fun that turned out serious; she did not know Spencer was a justice of the peace when she and Reese married; described the trip anticipated, and the joy she would have when she got a divorce in Texas and married Bothamly.

Miss Nancy Hull – I resided with Dr. Dwight, at Mt. Hope, in 1883, when C. L. Bothamly was stopping there for treatment; I and Mrs. Dwight waited on him; he seemed discouraged and down hearted; he said if he didn't get better soon he'd put a bullet through his head; he said this to me. He suffered a good deal. I was there when Mrs. Bailey came back; she coaxed him to go through by rail, and he was bound and determined to go through in a buggy; when he got well they would both go by rail to Texas; she would hire another man to help take the sheep through. He had a revolver while sick at Dr. Dwight's and while he talked of putting a bullet through his brain he was handling the revolver. This defendant wanted me to go through with the outfit to Texas, and offered me two dollars per week. Defendant seemed to think everything of Mr. Bothamly.

Cross-examined – Bothamly's joints were swollen and he suffered a great deal. It looked as if they'd have to abandon the trip. He was some better when he left, but was not well. I remember he stood in the door one day and shot at a mark; he said he had taken considerable morphine before he came there but I don't know how much he took while there. Bothamly was there about four weeks; when he handled the pistol he would whirl it around and hold it up. Mrs. Packer – I reside in Wichita; resided here in 1883; saw defendant in my dress-making establishment in 1882; I made over some silk and satin dresses for her; they were medium in quality; I got some new material and put in them in making them over. I got something like a hundred dollars for my work on the dresses and the new material I got for them.

Mrs. Dwight – I reside at Mt. Hope; am the wife of Dr. Dwight; C. L. Bothamly was at my place in August 1883; Miss Hall was with me at that time. Bothamly seemed to suffer a great deal of pain; was down-hearted and worried about not being able to go on with the sheep. He spoke

several times of shooting himself; his life was worthless anyhow, and when he heard the Doctor out shooting at a mark he said, "I wish to God the doctor would use me for a mark and shoot at me." Before he left our place he could barely walk across the room and when he did so he would say, "That's as far as I can walk, doctor." I didn't place a great deal of weight upon what he said when he wanted to be used as a target.

Miss Hull recalled – I heard him say the outfit belonged part to him and part to Nellie; said she had put in thirty-five hundred dollars; he called her his sister, "Birdie;" witness never heard Bothamly say how old he was.

William Dodson – I reside at -----, I was engaged in the driving of the herd for Bothamley. On October 7, 1883, I was with the outfit when we went into camp the evening before Bothamley's death. She came to us in the morning from the car, scared and excited; said something terrible had happened at the car; to go to the car quick. I asked her what had happened? She didn't know. I went to the car and found Bothamley dead on his back on the bed made for him; his left hand was on his breast, his right raised, the revolver lying on the bed near his hand; the pillow was stained with blood; when I returned to Nellie at the herd she was crying. [Witness described the scenes at the funeral, and said that Nellie seemed greatly distressed.] When she came to us she said the side of her face and her ear were hurt and she thought she was shot. I lit a match and looked at her ear to see if it was hurt. There were wolves howling around that night and it was cloudy and dark.

Cross-examined – I began work for Bothamly when we started on the trip; I had worked for him a day or two before we started. In speaking of the trip before we started, he said his sister was going along. When we left Bothamly had a pistol in a belt; don't remember whether defendant had or not. [The witness detailed the marches day by day during the first part of the trip. Nellie slept in the car and Bothamly in a buggy, but they occupied the car together when they wished to.] At Hackberry creek the car was further from the sheep than any time previous. I heard the signal shots, Vettors told me they were signal shots; do not know where Nellie was when the shots were fired. I took supper at the car; Nellie was at the sheep, and the rest of us at the car. Bothamly was in the car. Bothamly and defendant both rode on horseback along about Pond creek; they did some shooting along there. It was a dark cloudy night; I did not testify before Commissioner Sherman that it was a moonlight night; I might have said there was a moon, but it was cloudy. Defendant came to us that morning half an hour before day; she came to us over the prairie a little east of north; Vettors and I were asleep when defendant came to us; we were awakened by her hallooing three or four times; sometimes we both slept at once, and sometimes one staid awake; defendant did not know what was the matter at the car; said she had heard the report of a pistol or gun at the car and it had scared and deafened her; said she had got out of the car some way, she did not know how; I sent Vettors to the car first and went there soon after myself; Vettors got a blanket for her to sit down on; Vettors went twice to the car before I did; he started first and I let him go on. I sent him a second time; he had the horse and was on the horse and I said to see what the matter was; on his second return he said he could get no answer. I then got on the horse, went over to the car, got off the horse, saw Bothamly lying dead. [Witness here described the position of the body, the nature of the

wound, &c.] It was light when I returned to where Nellie was; she was crying; I saw her shed tears. [The prosecution led the witness, who was a slow one, through all the details of the burial; how defendant acted, &c.; the return to the car camp, &c.] Remained at the car camp three days; Vettors and me worked under the direction of Mrs. Bailey; I cleaned up the car; I don't recollect what was done with the pillow which was under Bothamly's head; I washed some of the blankets; think I emptied feathers out of a pillow slip soiled with blood; don't remember where I threw it; defendant did not want to clean the blankets and empty the feathers; don't think defendant helped to wash the things; I washed the things at the creek. At the afternoon session of the U.S. court to-day the opera house was crowded, floor and gallery, the front seats being occupied by ladies. The examination of Dodson continued. William Dodson - We returned from the funeral on the night of the 8th of October; I did the washing up of the bed clothes on the 10th; we were there three days. When we left we went south, following the road; Vettors drove the car and I drove the sheep; I don't recollect that defendant helped me to get the sheep started; she rode horseback; think we made only one day's drive - six or seven miles - when we were arrested; Hollister arrested us; I was at the car with defendant when we were arrested; I don't know where Vettors was; I did not push the door in the officers' face; did not say to defendant, "Be still, Birdie, they'll not hurt you;" we were not doing anything in the car when the officers came in; I was sitting down; defendant was sewing; I did not know at that time that she was not Bertha Bothamly; I had seen defendant before we started on the trip; I knew Bothamly before we left for Texas; I did not communicate with any one after we left the car camp that Bothamly was dead. I was in Commissioner Shearman's office a year ago in this city, and talked to Mr. Shearman and Mr. Terrell, but did not tell that it was a bright, moonlight night when Bothamly was killed. [Witness withdrawn to allow Mrs. Tichenor, who is in feeble health, to testify.]

Mrs. Tichenor - I live at Newark, N.J., defendant was at my house in 1882, and left in 1883; she had very handsome bracelets, one large and one small, set with diamonds and precious stones, cameo brooch, diamond rings, watch, and some silk and velvet dresses, a black velvet Basque; don't remember of her buying any clothing except a black satin cloak, fur-trimmed, quilted lining and an ornament on the back; she had some silverware also. She came to my house the 3d of October 1882, and left the 14th of February, 1883.

Cross-examined - Defendant said she came from the west; I didn't know Nellie was married until she came to my house; she said her husband's name was Bailey but she had not seen him since in the spring; defendant received many letters; they bore a seal, but I don't know what letters were on the seals. I had the jewelry in my possession. Defendant told me that her husband, Mr. Bailey, gave her the jewelry. I never had any trouble with Nellie, only she was rather noisy sometimes when I was nervous. I did hear she was intimate with some man at a hotel; I told her if she was going west I wished she would go. I was alone and it was a burden to me to keep her. I did not send her away on account of the report against her character. I did not give it credence.

William Dodson recalled - I don't remember any conversation with Mrs. Bailey while we were on our way back from the funeral. When we were going down to a ranch down there - Collins

ranch, I believe. When we were arrested we were fifteen miles from Collins' ranch and from what I heard we intended to stop at Collins' ranch and remain a day, I don't know what the intention was after that.

Mrs. Dr. Dwight recalled – I had frequent conversations with Bothamly at my house. He said he received money from defendant and they owned the sheep together. Defendant begged Bothamly to go by rail and let the men go on with the sheep.

Nellie Bailey - The defendant was sworn in amid a buzz of excitement. I am defendant in this case; was 22 years old last September; was first acquainted with Bothamly in 1880 at Newton; met him at Mrs. Weaver's; we had sold our property in Newton and Mr. Bailey was going to Canton to start a bank. I never went to Mrs. Weaver's to see Mr. Bothamly; I went to see Mrs. Weaver. I next saw him on the train at Emporia in 1882. I was going home, near Halstead at that time; I next met him the last week in August, in St. Louis. I had been to Elgin, Ill.; I went from St. Louis to his home near Sedgwick; he had a ranch of six hundred and forty acres; I stayed there three weeks; corresponded with him after I went to Elgin; was represented as his sister at the ranch; was here at Wichita with him several times before we started for Texas; represented me as his sister and I represented I was; thought he was a widower; he had me to disguise as I was well known in this region; before I went east he presented me with a pair of diamond bracelets, with pearl and emerald, and opal rings, and several small pieces of jewelry; also dresses; Mrs. Packet, of this city, changed the dresses for me which were given me by Bothamly. I let Bothamly have \$3,500 of my money to buy sheep with. These articles that Mrs. Tichenor described were the same ones. Bothamly and I corresponded regularly. I bought all except the bracelets, watch, and chains; I got some money on them and went to the other relatives in the west. I received the jewelry here, sent by express from Newark. I wrote the agent at Newton and told him I had been married and to send the jewelry to Clement L. Bothamly. Bothamly got the jewelry out of the express office. [Witness here described the process of conveying the land to her just as has been stated in other testimony.] Her representations as Bertha Bothamly and Sarah A. Laws.

Mr. Bothamly offered to identify me as Sarah A. Laws before Mr. Strong. Mr. Bothamly went after Mr. Stackman; took the deeds back to the ranch and they were in his possession when they left for Texas. I recognized Mr. Brown on the stand this forenoon; I went with Bothamly when he went to trade for a pistol at Mr. Brown's store, and I saw the accidental discharge that nearly killed a clerk. I believed Mr. Bothamly was a widower because he lived with a woman there until she died. He told me he had a wife and two children in London, England, but did not intend to live with her again and did not intend that she should have any of the property. The deeds were made by Bothamly with this intention. When we left the ranch, I wore a mask of white cloth, with eye holes. I was in my own section of the country and didn't wish to be recognized if we met any one on the road, and I didn't wish to get tanned. [Witnesses here described the stopping of Bothamly at Mt. Hope; her return for him; her suggestion of his taking a train; his refusal; the journey by her and Bothamly till they overtook the sheep; the visit to Caldwell to get provisions and mail the deed.] Mr. Bothamly wanted the deed to Sarah A. Laws put on record at once, but not the other one; I forgot the deed and left it lying on the table in

my haste. The evening before Bothamly's death we stopped at a ravine, and Dodson came back and said we'd better not stop there as the sheep would go on two miles further. I took care of the sheep while Dodson was at dinner. When Dodson came up I went back and found Veters in a bad place in the road; I asked him why he didn't drive the oxen across; Veters said the oxen behaved bad and Bothamly was screaming in the car; he was very nervous, as he had been jolted and a lot of tinware in the car made a great noise. He said he was so racked by the jolting on the cot he wanted me to fix his bed on the floor. I gave him his medicine and painted his ankle with iodine. He asked for his six shooter and insisted on having it, and I handed it to him in the scabbard; he threw the scabbard aside, and I don't know what he did with the revolver. I laid down on the spring cot with my shawl on. We talked about the journey; I begged him to go back to Caldwell as the weather was getting damp. At about 10 o'clock we heard something outside, and wondered what it was. He raised up to the window. I heard the click of his revolver. He looked out and saw it was a spotted calf. He said his limb hurt him so he could hardly get down to bed again. He said "Dash it! I thought it was Indians prowling around." I told him to lie down and rest; that there were no Indians around. I said I was very weary. He said he was dreadfully worn out too, and those were the last words I ever heard him speak.

I got to sleep and about 2 o'clock I was wakened by a loud report of a pistol. I was so confused when I arose that I did not know for an instant where I was. I realized that it was a shot, and I exclaimed, "Clement, what on earth was that?" I got no answer from him and became so scared that I got out of the car somehow and wandered about hunting for the herd, and calling for the boys; I met my shepherd dog and thought it was a wolf. I was sure it was a wolf until it barked and came to me. It then ran off in a direction which I followed and found the boys. They met me, and I had such a pain in the side I could scarcely talk or stand, I said to go to the car quick. Veters ran and got on a pony and rode to the car; sent him the second time, and then Dodson went. Dodson came back just at day light; he knelt down on the grass by me and said, "Now don't be excited at what I will tell you – Clement is dead!"

Cross-examined – I was born in McHenry county, Illinois; came to Kansas in 1871, and settled with my parents four miles from Halstead. My maiden name was Nellie Benthussen. I married Mr. Bailey, of Newton, on the 9th of August, 1879. He was then in the money loaning business. In the course of a month we went to keeping house. I first met Clement at Mrs. Weaver's in 1880; Mr. Bailey was settling up his business to start a bank in Canton, McPherson county. [Witness described the visit to Mrs. Weaver's and her talk with Bothamly.] Think the woman reputed to be Bothamly's wife died in June. In July 1881, Mr. Bailey sold out in Canton. He went to Kansas City and I went home and visited; he came for me; took me to Kansas City; went from there to California, traveled over Oregon and Washington Territory, and from California they went to Salt Lake, Denver, Kansas City, Chicago, and thence to Dakota; [Witness described the several places visited in Dakota]; we kept house at Desmet in April, 1882. We traveled nearly all the time after we sold out in Canton, Kansas, but I never met Bothamly nor wrote to him. In May Mr. Bailey left Desmet; I don't know where he went; I left a week later for Kansas; I never expected to rejoin him; I stayed at home two weeks; as I reached Emporia I saw Mr. Bothamly in the train; he shook hands with me and sat by me; Bothamly inquired about why I returned, and as he knew Mr. Bailey and I had had some trouble, we talked about it; he asked me to come to

see me on the following Sunday; I said my parents were very strict, and he could not see me at home. He learned I was going to Elgin, Ill., and he wanted me to write to him; I promised to do so, when he took off a ring, which I now wear, and gave it to me. I wrote to Clement constantly while I was at Elgin; I got letters from him, and our letters were affectionate. I went from Elgin to St. Louis; he met me at the depot, and we came direct to Sedgwick City and to his ranch, arriving on the 31st of August or 1st of September. At the Planters House in St. Louis we didn't pass as anything – didn't have occasion to. [Witness was shown some memoranda of hers; said was simply some of her scribbling; didn't know what it meant, but she knew she was in love with him when she wrote about "being pledged to Clement for life." The jewelry Clement gave witness was that which he bought for the woman who died at Newton – the woman with whom he ran away from England.] I went to New York on the last of September, leaving Halstead at night; was taken there by Clement; he knew I was going to visit friends there, and desired me to go. I got to New York on the 3d day of October. [Witness here described her visit at Newark; her stay at her aunts; her courtship with Robert Reese.]

I married Robert Reese, as has been shown here. I did not love him, but I made him think I did. [Laughter.] The endearing letters I sent Rob were simply taffy – a made up yarn; the letters I sent to Clement Bothamly were of a different kind; I sent no soft stuff to Mr. Bothamly, for I meant what I said to him; I wrote to Rob after I got back with Mr. Bothamly, and he (Bothamly) knew all about it; I wrote Reese I was going to California, because Mr. Bothamly said Reese would be fool enough to follow me out here; [witness described her second visit to the Bothamly ranch; how she was met at Valley Center by Bothamly]; he was to get a divorce when we got to Texas and we were to marry; I did not intended to get a divorce in Texas; did not consider that I had been married but once; I would have contemplated a divorce, but I got a letter at Newark, written in San Francisco, saying Shannon Bailey was dead; it was signed by W.H. Bailey; I consulted a clairvoyant about the letter but got no information; did not know when I married Reese that people could marry in Wisconsin without license; the way it came he dared me to go, and I would not take the dare. We left Clement's ranch on the 22d of August; prior to that time he had been afflicted with rheumatism; when he told me about the wife and children in England, I let him have his own way; I raised no objection; he said they were well provided for; that they had abundance; [Witness was shown a cowboy hat and a straw hat]; I wore the light wool hat most of the time when we were journeying toward Texas; thought the trip would be quite a change; and when we got settled we would live in better style; I was willing to give up all frivolity and settle down in life; thought it was about time. [Witness described the first part of the journey again, the stopping at Mt. Hope, the doctoring of Bothamly, the effect of the medicine, etc., the return of witness for Bothamly, etc., etc.]

The witness faced the court, the attorneys, and the vast audience, and no amount of cross-questioning caused her to change color or lose her presence of mind. She was cool, collected, and spoke in a musical voice, with clear articulation and air of contempt for the efforts to tangle her up. She described a time they had at Pond creek where the party got to shooting at a number of polecats. Witness was in danger of the men's bullets and galloped away, but ran right into another "mess" of polecats. She drew her pistol and went to shooting polecats too. After this excitement, which was the only time Mr. Bothamly rode horseback, he became very pale

and deathly sick. Witness described manner in which they slept. She occupied the car for awhile and Bothamly the buggy of nights; when Bothamly got sick she let him take the car and she took the buggy; then when he got so bad sick she slept on the floor of the car and Bothamly on the spring cot. He desired to change beds after riding on the spring cot all the day previous to his death. Witness described the car inside; how she always slept with her clothing on; referred to Clement's signal shots and her answer; the reloading of his empty pistol chambers while she fixed his bed; told how she painted his ankle, wrist, and breast with iodine; her confusion at the loud report late in the night; it was in a close car and the sound was startling; when she didn't get an answer she was horror stricken and got out of the car, she didn't know how; didn't know which way she started; paid no attention to road; didn't know she was near the boys till met by her shepherd dog; the boys seemed to her so long in getting anything through their heads, as they were sleepy, confused, and scared; they were all scared; told about sending for Donaldson; how the boy rode at great speed; the appearance of Collins and her talk with him. She did not know how much morphine Bothamly took; she often cautioned him against using it; but he said he could not stand the pain; the doses looked large to the witness, for she thought only a little of it was powerful; the night of his death he had taken his ordinary large dose; Bothamly laid in a large supply of medicine and morphine at Sedgwick, \$20 worth. Bothamly had 1,600 head of sheep but with what we bought and the increase, we had 2,275 head when we started.

At the conclusion of the cross-examination the defense rested their case. The throng of spectators drew a long breath and Nellie stepped down to her place beside her attorneys. Mr. Shearman and Detective Terrell were recalled by the prosecution. These witnesses testified to some minor points, and the detective showed an old sheet, two cartridge shells, an old pocket book, and two hats – a cow-boy sombrero and a broad brimmed straw tile – worn by Nellie on the romantic trip. The court and attorneys arranged for the arguments, beginning this morning, and the attorneys were given two hours each. Our report of the defendant's testimony had to be divided, as the Beacon went to press before the cross examination was concluded.

During the trial we have refrained from an expression of opinion, but now that the evidence is in, and at this writing the attorneys are making their speeches to the jury, we do not hesitate to say that Nellie Bailey is innocent of the murder of Clement L. Bothamly, and will undoubtedly be acquitted. She went upon trial under a public suspicion of guilt that seemed crushing, but in our opinion, she has proven her innocence. Whatever may have been her career and character prior to the venturesome trip toward Texas, they do not figure when she is before the stern majesty of the United States court on trial for her life. She has refuted the accusations and defeated the combinations of those who wished her to be executed as a murderess, and has overcome a prejudice which clamored, "Crucify her! Crucify her!" The case is one that will be prominent in the pages of the history of Kansas and will carry with a moral – wait till you hear both sides of every question.

Tuesday, January 20. Mr. Hatton, for the government, opened the argument before the jury, and made a very forcible speech. Mr. Ady followed for the defense, and provide himself a dashing Ady camp for Nervy Nellie. In referring to the letters written by the defendant to Robert Reese, he said Nellie had acknowledged under oath that they were all stuff, taffy, etc. "Now," said Mr.

Ady, "if the writing of silly letters is to become a capital offense in this country, what in the name of God will become of our eminent statesmen!" A burst of laughter and applause followed this cutlass stroke, and the judge demanded silence. He told the U.S. marshal to appoint extra deputies and station them in the audience below and in the gallery above. If they caught any one making demonstrations, they should report to him, and he would make an example in the interests of order and decorum.

Mr. Stanley followed Mr. Ady with a characteristic effort, keen, searching and logical – leaving no point for the defendant untouched, and burnishing every one adduced until it was brightly visible. He closed his argument at noon. Mr. Hollowell, the prosecutor, began his argument for the government at 2 o'clock. He is so conversant with the case that his language flowed with forensic force, while his handsome physique and polished gestures were not without effect. To say that he and Mr. Hatton ably represented the government would be faint praise. We have devoted so much space to the trial that even a synopsis of the masterly speeches on both sides would over-crowd our columns. At half past three o'clock this afternoon, Judge Foster made his charge to the jury which then retired to its room for the final disposition of the case. When the jury retired, Judge Foster requested that there should be no manifestation of feeling on the announcement of the verdict. If persons present desired to make demonstrations, they could do so outside of the court room.

The jury had been out fifteen minutes when they rapped for admission to the court room, and having filed into their places handed the clerk a verdict of "Not Guilty."

The defendant fell back in her chair, as if the tension of her nerves had suddenly relaxed, and heaved a sigh of relief. She was kissed by her lady friends, some of whom shed tears, and Nellie's eyes were suffused as she went to the jury and heartily thanked each member for his decision. There was a pent up feeling of gratification in the vast throng in the opera house, and many men, only interested in seeing truth prevail, congratulated each other as if they had won a victory themselves. *The Wichita Beacon, January 19, & January 20, 1885, and The Wichita Eagle, January 23, 1885.*

WICHITA - Remnants Picked Up After The Nellie Bailey Trial. Nellie Bailey, after her acquittal yesterday afternoon, left with her father and three aunts for the Benthusen family residence near Halstead, Kansas. Mrs. Bailey was evidently happy, but her joy was not as demonstrative as was that of her relatives and new-made friends.

There were nearly two hundred people at the depot to see her depart on the train, most of them, of course, drawn thither by curiosity, and it was natural that people desired to see the woman who had defeated, in a fair contest, the United States, the British minister at Washington, and the British Association at Newton, Kansas – the woman who had "suffered the slings and arrows of outrageous fortune," and the prejudice of a feather-headed world. In saying this we are not lauding Nellie Bailey – we are simply hinting at the lack of cool judgment among people who jump at conclusions and cling to their first impressions with egotistical tenacity.

We learn to-day that the jury, after selecting a foreman, discussed the testimony briefly, and took a vote. Every one of the twelve ballots read "Not Guilty." Several things have cropped out since the trial that proved Bothamly a worse man than Nellie Bailey is a woman.

These things come from men who did not desire to be witnesses, and remained quiet until after the trial. Bothamly, after the death of his mistress in Newton, came to Wichita and had a monument erected to her memory, the inscription setting forth that she was his wife. This was "gall" enough, but a greater display of it was evinced when he refused to pay for the monument until he had been sued and stood a law-suit.

A letter was received during the trial from O. R. Hinson, of Quincey, Illinois, saying that he met the Bothamly outfit in the Indian Territory, near Caldwell, and in talking with Bothamly he described his sufferings and said sometimes if he had a pistol he would have ended his sufferings by blowing out his brains. *The Beacon, Wichita, Kansas. Wednesday, January 21, 1885. Page 4.*

WICHITA - Speaking Of Prejudice. A writer in the Sunday Morning Enquirer, speaking of the Nellie Bailey trial, criticizes the newspaper reporters for speaking kindly of the defendant, and gives a sanctimonious belly-ache groan about poor Bothamly's death away out in the wild Indian Territory. The writer also criticizes the jury for its prompt acquittal of the woman.

The article is a fair illustration of the tenacity of preconceived prejudice. The writer talks about the bad influence that will go out from the clamor of romance thrown around the career of the defendant, but we'd like to know if Bothamly's life and adventures would make a very elevating Sunday School story? *The Wichita Beacon, Wichita, Kansas. Tuesday, January 27, 1885. Page 4.*

JUNCTION CITY - The Wichita jury which acquitted Nellie Bailey is said to have been all blondes. The defense objected to all dark haired or dark eyed men, and won the case. Here is a new psychological idea. Are blondes more susceptible than brunettes to the attractions of the opposite sex? *The Weekly Union, Junction City, Kansas. Saturday, January 31, 1885. Page 2.*

IOLA - It is said that only blondes were allowed by the attorneys for the defense to sit upon the jury that tried the Nellie Bailey case. Mrs. Bailey is a brunette and this is probably the first time that the supposed attraction existing between the opposite styles of beauty has ever been legally recognized. It shows to what details a shrewd lawyer will attend. *The Iola Register, Iola, Kansas. Friday, February 13, 1885. Page 1.*

WICHITA - Pursuing Law Suit. Nellie Bailey is moving in her suit for the price of the sheep \$3,500, also for \$1,700 worth of jewelry and \$380 she says she gave Bothamly before they rubbed on their war paint and started for the territory. Nellie ain't on the "ragged edge" any more. She will make things lively at Newton. *The Wichita Daily Eagle, Wichita, Kansas. Wednesday, January 28, 1885. Page 4.*

WICHITA - Stanley's Tears. One of W.E. Stanley's old clients, upon hearing that the gentleman shed tears during the Nellie Bailey trial, took occasion to remark that Stanley must have got considerable money to make him shed tears. He had employed Stanley on a case himself and

could gauge his crying capacity pretty correctly. *The Wichita Eagle, Wichita, Kansas. Wednesday, January 28, 1885. Page 4.*

WICHITA - Writing A Biographical Sketch. Nellie Bailey is writing a biographical sketch of her eventful life. She certainly has material at hand for an interesting book, and some of the scenes incidental to the trip in the Territory would be thrilling without much coloring. As a contrast with the romantic recitals, the battle with the skunks would make an aromatic chapter. *The Wichita Beacon, Wichita, Kansas. Monday, January 26, 1885. Page 4.*

TOPEKA - Nellie Bailey, the heroine of a late mysterious affair in which one Clement Bothamley went to join the angels, is now sojourning in this city and we are told that Miss May Jackson has commenced to write a biographical history of the young woman's life. *The Daily Commonwealth, Topeka, Kansas. Tuesday, April 14, 1885. Page 8.*

TOPEKA - The celebrated Nellie Bailey is having her criminal career written for publication by Miss Jennie Jackson, of this city. Mrs. Bailey contemplates publishing the photographs of her counsel who defend her, and also the picture of Hon. C.G. Foster, before whom she was tried for murder. To this end, Judge Foster was solicited for a picture yesterday, but the Judge declined to allow his photograph to adorn the pages of a book that is intended for railway-train circulation, on the grounds that Jesse James style of literature is not to his liking. Mrs. Bailey has, at the beginning of her career as a candidate for notoriety, gravely insulted the estimable gentleman whose duty it was to prosecute the lady, Col. J. R. Hallowell, by not calling on him for a likeness. The book will lack completeness without the prepossessing face of "Hal." This mistake ought to be remedied immediately, and a word to the wise is sufficient. The book promises to be exceedingly lurid, and will no doubt be the means of advertising Kansas, as the James boys succeeded in bringing our sister State, Missouri, into prominence. *The Daily Commonwealth, Topeka, Kansas. Sunday, April 19, 1885. Page 4.*

TOPEKA - We received a call yesterday from Miss Nellie Bailey. She says that there will be nothing "lurid" in the book she is having written, as our reporter stated, but simply a true history of her life and also of Mr. Bothamley, neither will it be a book particularly to sell on railroads. Those who know Miss Jackson's style, know very well that she would not write a book of the description given by our reporter. She has written several pieces for the Commonwealth and our readers know her style. *The Daily Commonwealth, Topeka, Kansas. Tuesday, April 21, 1885. Page 2.*

WICHITA - Nellie Bailey's Life. The advanced sheets of this new book have just reached us. The frontis-piece is a cabinet photograph of Nellie, the beautiful heroine of the fascinating story whose great sad eyes greets the beholder with the "look of a hunted deer." The work is from the hands of the authoress, Mary E. Jackson, printed on beautifully tinted paper and dedicated to Hon. W.E. Stanley and his associates, T.B. Wall and J.W. Ady. It is not often that we get a romance whose heroine not only actually exists, but into whose beautiful dark eyes we have looked. Few romances born of the brain can be found to equal the real life, the adventures, the tragedies and triumphs of this unfortunate, yet brave, right royal, and intrepid girl-woman. The

opening chapters promise a book of the loveliest interest. It will be sold only on subscription, we believe, and an agent will visit Wichita in a few days. *The Wichita Eagle, Wichita, Kansas. May 22, 1885. Page 1.*

WICHITA - Nellie Bailey is canvassing the city of Wichita in person for the sale of her Life, because this was the scene of her trial and her long and tedious confinement. In eleven hours' work she secured one hundred and thirty-six subscribers, among them we note nearly all of the leading business and professional men of the city. *The Wichita Eagle, Wichita, Kansas. Friday, June 12, 1885. Page 4.*

WICHITA - Miss Nellie Bailey has sold her book "The History of Her Life," to the amount of \$400 in Wichita. She has certainly a great many of the characteristics of pluck and energy about her. She is canvassing most of the large cities personally. *The Daily Commonwealth, Topeka, Kansas. Sunday, July 12, 1885. Page 3.*

WICHITA - Is It Possible? It is believed by a number of persons who have had superior opportunities for observation that Sorrells, the absconding painter and Nellie Bailey have eloped together. Whether Sorrells eloped with Nellie or Nellie with Sorrells is not known. Two or three parties report having seen them together in an upstairs room on more than one occasion and it is stated positively they left this city on the same train. Information has also leaked out which explains Sorrells incentive for skipping. It is said the Marshall has been receiving letters from parties in Indiana, and of late the tone of these letters indicated that this town would be made too hot for Mr. Sorrells. It is said, further, that his step-daughter has something to remember him by, and that in many respects he is a hard case. It is thought that Nellie Bailey is anxious to lay the plot for another book, and is off with Sorrells. Some think he will prove a match for her. The Eagle will not vouch for the correctness of any of these statements, but they come pretty good authority, and have the color of truth. *The Wichita Daily Eagle, Wichita, Kansas. Thursday, August 6, 1885. Page 4.*

WICHITA - Nellie Bailey called at the Beacon office to-day to say that the outrageous story published in the Eagle, Wednesday, that she had eloped with Sorrells, the painter, was false in every particular. She was in Wichita last Saturday, Sunday, and Monday. On Monday night she went to Halstead and remained over night at Green's hotel. The next morning she went to her father's, four miles north of Halstead, and stayed there until Wednesday afternoon, when she went to Newton and remained over night with Mrs. S.E. Davis. In answer to a telegram from her publishers she went to Topeka Thursday morning and returned to Newton last night, where she heard of the libelous article published in the Eagle. She immediately telegraphed the proprietors of that paper that she would be here this morning to demand a retraction and commence an action for criminal libel. *The Wichita Beacon, Wichita, Kansas. Friday, August 7, 1885. Page 1.*

WICHITA - Nellie Bailey has blood in her eye. She has cause to be hot. *The Wichita Beacon, Wichita, Kansas. Saturday, August 8, 1885. Page 4.*

WICHITA - Nellie C. Bailey feels much aggrieved over a local item in the Eagle by one of our force which connected her name with an absconding artist. While she was in her protestations very lady-like she says she never had but a passing acquaintance with the gentleman who boarded at the same house and who desired the state agency for her book for Indiana, offering her three lots in Wichita. Instead of going with him, she went from Wichita on Monday to Halstead, thence home next day.

The second day after that she went to Topeka to see her publisher. It was ridiculous to think that she would desert the field, her home and everything for one she does not even know only as a casual acquaintance, to say nothing of several thousand books, which are nearly ready to deliver. Besides, as she says, all her property, together with all her jewelry involved in her suits, would hardly be given up, even if she could make up her mind to so bad a step, which she could not. Among the jewelry which is involved in the suit is a pair of bracelets containing nineteen diamonds valued at one thousand dollars. Writers and reporters on daily papers are being continually liable to be imposed upon, but we are sure the writer of the article in question had no personal feeling in the matter, and was giving what he had reason to believe was a startling piece of news. The Wichita Daily Eagle, Wichita, Kansas. Sunday, August 9, 1885. Page 4.

WICHITA - Nellie Bailey is not satisfied with that pretense of an apology in the Eagle of yesterday. *The Wichita Beacon, Wichita, Kansas. August 10, 1885. Page 4.*

WICHITA - A Card From Nellie Bailey – Allow me through the columns of your paper to say a few words in regard to the false report in the Daily Eagle, that I had eloped with Sorrells the absconding artist. I desire to say that I barely knew the man, and that the article was written without cause or provocation. However, Sorrells called, sometime previous to the publication of the article referred to, and stated to me that he desired the state of Indiana for the general agency of my book. He also said he owned three lots in the north part of the city which he would like to trade me for books. I saw E.W. Wilhite, of this city, and asked him in regard to Sorrells, and Mr. Wilhite kindly told me he did not consider Sorrells a responsible party. I simply told Sorrells I could do nothing for him and did not desire to trade for his lots. He left and I saw no more of him nor thought no more about him that I would any other strange man, till I heard of my sudden elopement, on my return from Topeka, and I was as much surprised and shocked as the rest of the people were.

The tone of the article from the beginning to the end is of a low degrading character, and is an outrageous falsehood. I have endeavored to conduct myself in such a manner as to give no cause or provocation for any remarks to be made against my character, and until I do give a cause, and a just cause, I propose to defend myself against any false statements. The Eagle claims it was one of its reporters, who was misinformed and who wrote the article, and Marsh Murdock says he knew it was not so when he read it in his paper. All I have to say is the Eagle is responsible for that article and must clear it up to my satisfaction.

All the leading papers of the day have copied that article, and those papers are not so fast to copy a retraction and state to the world that it was a falsehood; but before this is settled the

world will know that the Eagle made a costly mistake. I am receiving daily telegrams and letters from various parts of the country asking if this report is true.

My agents left the field and quit canvassing to learn more of my elopement. So your readers can imagine the injury and injustice that article has done me, and no one can blame me for feeling as I do on the subject. I also desire to say for the benefit of Mrs. Sorrells, who is, so I am informed, crying and weeping bitterly over Nellie Bailey robbing her of her dear husband, that if I was in search of a man to elope with I should hope I would have better taste than to select such a looking specimen of humanity as her husband. It's too ridiculous and honestly disgusting to think about. Respectfully, Nellie C. Bailey. *The Wichita Beacon, Wichita, Kansas. Thursday, August 13, 1885. Page 4.*

NEWTON - Nellie Bailey was in Newton yesterday on business connected with the publication of her book. She informed a Democrat reporter that she proposed to make the Wichita Eagle come down handsomely in liquidated damages for the injury done her by the publication of a sensational report to the effect that she had eloped with a sporting character. *The Newton Democrat, Newton, Kansas. Saturday, August 15, 1885. Page 1.*

WICHITA - Nellie Bailey, she that has gained so much cheap notoriety within the past two or three years, is just now contemplating the advisability of weeping down upon the Eagle and devouring that bird, tail, feathers and all, for an alleged libelous article that appeared in that lively sheet a short time ago, in which her name was connected with one Sorrells, a painter, who had taken a rather sudden departure from Wichita, and who, it is claimed, left mourners in that city ranging from \$5 to \$150. Should Nellie undertake to swallow the Eagle, which she will never do, she will find that bird will sustain its reputation gained long ago, of being a desperate fighter. Its wings will flap loud and long, and its bill penetrate to the bone.

Wade in Nellie, there might possibly be some show for you to care an independent fortune out of the Murdock brothers, but ten to one they are not cared very badly over the proposed suit for damages. It might be stated that the article referred to, proved not to be published, and which the Eagle afterwards corrected and which should have satisfied her ladyship. So writes the Sedgwick Pantagraph.

In the article of which complaint is made the Eagle stated that it was only a rumor, distinctly saying that it would not vouch for its truth. The fuss and feathers alluded to had their inspiration and origin of envy, and therefore no farther notice was taken of the threats by us. *The Wichita Eagle, Wichita, Kansas. Friday, August 28, 1885. Page 1.*

NEWTON - Nellie Bailey Arrested. Nellie Bailey seems to have got herself into business again last week. It seems that she and another woman went to the old Bothamly farm and residence, and after frightening the woman of the house from the premises, carried off another lot of the furniture. Nellie & Co. were arrested on Wednesday last. *The Newton Republican, Newton, Kansas. Monday, September 21, 1885. Page 1.*

NEWTON - Nellie Bailey and her swift witness, Nancy Hull were arrested yesterday and taken to Newton, on a charge of stealing a shot gun and disturbing the peace. *The Wichita Eagle, Wichita, Kansas. Friday, September 18, 1885. Page 4.*

WICHITA - The Eagle is honored by another letter from Nellie Bailey who says that she went to the house and asked for some of her own things and that the arrest comes at the instigation of enemies who have been fighting her over the Bothamley case. W.E. Stanley, of this city, will go up and see that Nellie gets her rights, when we shall get the strait of the story. *The Wichita Eagle, Wichita, Kansas. Tuesday, September 22, 1885. Page 4.*

SEDGWICK – The trial of Nellie Bailey for disturbing the peace was called to-day at 10 o'clock in the justice's court, before Samuel J. Taylor. The prosecution was conducted by County Attorney Green, of Newton; Hon. W.E. Stanley, of Wichita, for the defense. The case attracted quite a crowd; so large, in fact, as to require an adjournment to the opera house. The case went to the jury at 4 o'clock, and terminated in a hung jury, standing nine for acquittal and three for conviction. The case is now set for next Monday at 9 a.m. *The Wichita Eagle, Wichita, Kansas. Thursday, September 24, 1885. Page 1.*

HARPER - A gentleman sends us a special dispatch from Harper, which stated that Nellie Bailey had taken the town by storm, whatever that means. It stated further that she had sold about seventy books in one day. *The Wichita Eagle, Wichita, Kansas. Sunday, November 15, 1885. Page 6.*

NEWTON - Nellie Bailey came out first best in the law suit last Thursday evening again, against the administrator of the Bothamly estate, and was awarded judgment for \$1,735.25, the full amount asked for. *The Evening Kansan-Republican, Newton, Kansas. Friday, November 13, 1885. Page 1.*

MEDICINE LODGE - We had not intended to give our neighbor away on this Nellie Bailey business but since he has been so free in publishing the confidential remarks of the lady, we feel that we are under no further obligations to keep back a plain and unvarnished truth. It has been noticed since Nellie's departure that Ed carried his head in a very upright manner, and gave out to the general public that it was on account of a sudden boil or carbuncle which had arisen on the back of his neck, but we are reliably informed that when his wife learned that he had been piloting the handsome brunette around the city for several hours, she came near unjointing his neck; hence, the necessity for the boil racket. We had intended to keep the matter a professional secret, but under the circumstances we deem it but just that the true reason for that neck being carried in a sling be known. *The Medicine Lodge Cresset, Medicine Lodge, Kansas. Thursday, December 3, 1885. Page 3.*

KINGMAN - Nellie Bailey, the heroine of the most sensational murder trial ever held in the State, has been in Kingman for nearly a week past, canvassing in person for a book giving a sketch of her young but eventful life. As a fair and bewitching defendant in a great murder case she was an immense success, being undoubtedly innocent.

As a quick witted and shrewd woman, she has downed the lawyers, and holds her own with the smartest of men. As the vivacious, persistent and fascinating agent of her own excellent book, she is simply irresistible, and captured the boys to the number of nearly a hundred in this burg. As pluck and energy and nerve never fail, Nellie's complete financial success is assured. *The Leader Courier, Kingman, Kansas. Thursday, December 17, 1885. Page 2.*

TOPEKA - Another Lawsuit For Nellie. Miss Mary E. Jackson, of this city, has brought suit in the superior court, through her attorney, L.J. Webb, against Miss Nellie Bailey for services rendered in writing the life of Miss Bailey. The contract was that Miss Jackson should receive \$500 as soon as Miss Bailey should receive a large sum of money due her pending the decision of the court. A few days ago she received the money, \$7,800 in all, but when she came to this city in the early part of this week she refused to pay the \$475 – the amount then due Miss Jackson. *The Daily Capital, Topeka, Kansas. Thursday, December 10, 1885. Page 8.*

TOPEKA - Letter from Nellie Bailey. Allow me, through the columns of your paper, to correct the statement in your issue of December 10, to the effect that I had refused to pay Mary E. Jackson, of Topeka, the balance due for writing my book (\$475), for which she has commenced suit against me in the superior court of Shawnee county. I settled with her, and received a receipt in full for all demands against me for her work on my book, on the 6th of last August. The settlement was satisfactory to her at the time; in fact, it was her own proposition to settle as we did. She requested me to allow her the right to have Robert E. Martin & Co., my publishers, print 1,500 copies of my book, she to pay the publishers for their work, and to sell the books and take the profits. Our written contract on that subject assigned her certain counties in the eastern part of the state, in which she was to have the exclusive sale of the book. It seems that Miss Jackson has not energy enough to get the books published and sell them; so she wants to throw up our contract and wishes me to pay her the \$475 in place of keeping the written agreement, which I certainly refused to do, as I am now under no obligations whatever to her. The following is a copy of the receipt which I hold for the amount claimed: "Topeka, Kansas, August 6, 1885. Received of Nellie C. Bailey, four hundred and seventy-five dollars, in full for writing manuscript for "Life of Nellie C. Bailey, or Romances of the West." \$475.00 Miss Mary E. Jackson" I desire this to be published in justice to myself, as "right wrongs nobody." Very respectfully, Nellie C. Bailey. *The Daily Capital, Topeka, Kansas. Tuesday, December 15, 1885. Page 2.*

OSAGE CITY - Disgraceful! A Train Delayed At Osage City Is Turned Into A Saloon. The Notorious Nellie Bailey Makes an Exhibition of Herself.

Hearing the rumor this morning that the west bound Santa Fe train which was delayed by the storm at Osage City last Friday night was the scene of the most disgraceful conduct that ever took place on board a railroad train, the reporter immediately set about ascertaining the facts. Finally he was introduced to a very intelligent young man who is traveling for R.L. McDonald, of St. Joseph, who was a passenger on the train, and from him learned the following particulars concerning the matter:

The train reached Osage early in the evening, and it was understood that it could not get off until two o'clock next morning. The conductor very gallantly abandoned his train and with equal gallantry escorted Miss Nellie Bailey to the rink – at least so he said – Miss Bailey had a female companion who was escorted to the same place, wherever it was, by rather a decent looking young man who had under his care a pretty little girl of eight years, who was going under his care to her people in New Mexico. While this happy quartette were away the brakeman made his way into the sleeping car where the little girl was and attempted to ravish her. The screams of the girl brought the passengers to the rescue, whereupon the miscreant brakeman escaped from the car, and the trainmen locked him in the baggage car. Afterwards when the train reached Newton to the everlasting disgrace of every man connected with it, they put the scoundrel on the east bound train and thus permitted him to escape. When the matter became known the sleeping car conductor came swaggering through the train with pistol in hand proclaiming what he would do in language too filthy for publication.

In the meantime the cars had been turned into saloons. Our informant stated that more than 200 bottles of beer were brought aboard and drank. After the return of the Bailey woman and her companion the fun, if fun it could be called, became appalling. Nellie used language that showed her to be an exceedingly depraved woman. Imagine the worst thing you can that she said and you would still fall far short of the disgusting filthiness of the language of this woman over which there so much gushing and slobbering done during her trial in this city for the murder of Bothamly. Nor was her female companion, as our informant states, a whit behind her in nastiness of language. Be it remembered by the sentimental admirers and defenders of Nellie that she marched through the cars with a bottle of whisky in her hand, making use of language that is never heard from woman, except in the lowest stews of prostitution. Our informant says that the entire train force, so far as he saw them, were drunk, and manifested a disregard of decency that was a revelation to the oldest traveler on the train. It was the verdict of everybody that in all their experience in railroad traveling they never saw anything so wantonly disgraceful as this. We give the matter as our informant gave it to us. He was indignant, and if the facts were as he states, every one should feel indignant, and the railroad company should see that every one taking a part in this affair is discharged, as unfit to be entrusted with the persons and lives of passengers. Especially are they bound to take the proper steps to land that brakeman behind the penitentiary bars, where he belongs. *The Wichita Beacon, Wichita, Kansas. Monday, January 11, 1886. Page 1.*

WICHITA - The Tables Turned. We learn on very good authority that Nellie Bailey has brought suit against the Beacon for defamation of character, on account of the article that paper published touching her conduct on the snow-bound train at Osage City last Friday night. This is turning the tables on our neighbor. Last fall when we had a little article in connection with Nellie and the painter who skipped out of this city, the columns of the Beacon were open for anything she chose to write against the Eagle, and if Nellie tells the truth, a letter appeared in that paper over her signature which was not written by her, and the editor of the Beacon knew it. She says also that Capt. White wrote her a letter urging her to prosecute the Eagle and that he would stand by her. Also that he told her that Stanley & Wall stood in with the Eagle and that they, although her attorneys, would not prosecute the Eagle and that she had better let him get

counsel for her. Everybody could see that the Beacon was “hissing” her on at the time, but no one supposed Capt. White would descend to such measures as the above statement indicates. No editor could act smaller or meaner. Now the shoe is on the other foot and if Nellie Bailey’s story is true she will worry Mr. White before she is done with him. She says she was in company with Sheriff Wilhite and wife, of Emporia the whole evening the disgraceful scene is reported to have taken place. Nellie left for Emporia last evening. If she can bring the witnesses she named to testify that the statements contained in the Beacon are not true, she can probably get damages. We learn that the papers will be filed to-day and then the fun will begin. Sluss and Stanley have been retained by Nellie, and with Judge Wall on the bench it looks rather rough for Mr. White. He may get a change of venue, but where can he go? *The Wichita Eagle, Wichita, Kansas. Thursday, January 14, 1886. Page 4.* Note: The Beacon published a lengthy discussion of this matter in their issue of Monday, January 18, 1886, Page 4, and stood by their account of the activities on the train that night and give additional witnesses to corroborate it.

WICHITA - The Eagle is being flooded with communications exonerating Nellie Bailey of the charges against her conduct on the snow-bound train. This is in explanation of their non-appearance in these columns. If the matter is followed by any suit, then enough, and too much has been said; if not, then the denials have already been more voluminous and just as reliable as the charges. The two letters received yesterday morning, one of which was a very long one and from a lady, announcing an entire readiness to appear in a court of justice. We hope that there will be no such appeal made. *The Wichita Eagle, Wichita, Kansas. Thursday, January 21, 1886. Page 4.*

WICHITA - Divorce Granted. The somewhat notorious Nellie Bailey was granted a divorce at Wichita Saturday, from her husband Shannon Bailey, upon the grounds of desertion. *The Daily Capital, Topeka, Kansas. Wednesday, March 24, 1886. Page 2.*

WICHITA (1897) - Had Her History. Federal Court Officials Indulge in Reminiscences. The Only Case in Which the Department of Justice Employed a Detective. A man who works for your Uncle Samuel, and who does not want his presence in Wichita heralded to all the world, sat in Frank Sherman’s office in the Government Building this morning, when conversation turned to the historic Nellie Bailey case.

“I have often thought it strange that the Department of Justice has no detectives,” he said. The Post Office Department has its inspectors who are, in fact, detectives, and the Treasury Department has no end of detectives. But I do know of one case in which the Department of Justice employed a detective. It was in the case of Nellie Bailey, who was acquitted in Wichita of killing a sheepman in the Territory several years ago.

“When the Nellie Bailey case was on, Col. J.R. Hallowell was United States Attorney. The case bothered him a good deal and there was always some missing link in the evidence.

“He wrote the Attorney-General of his trouble and asked the Government to send him a detective to work up the case. In a short time thereafter Pat Terrill, one of the Government’s trusted detectives, reported to Colonel Hallowell for duty.

"I was allowed to see Pat's report and it was the most astounding thing I ever saw. It would have filled a book as large as one of those ledgers. You talk of the life of Nellie Bailey, as written and published by herself. I was not in it with this report of Pat Terrill.

"The report, of course, could not be used in testimony, and that prevented the Government giving it out for publication. When Colonel Hallowell questioned Nellie Bailey on the points of this report, she denied them with all the brazenness imaginable.

Pat had given her complete history from the time when as a little girl, she galloped over the prairies of Harvey County astride a bronco, her hair streaming in the zephyrs, to the time of the tragedy, for which she was then on trial for her life.

"There was some might good reading in that report of Pat Terrill. It was a good deal more sensational than Nellie's book. You know, Nellie had been previously married. One of her husbands, it was claimed, disappeared, and was never heard of again. Pat undertook to account for him, but in that he failed. He found the house where they used to live. He dug down in the cellar of that house and found quick-lime and what proved to be a sort of dust formed from bones nearly destroyed by lime.

Pat did not even intimate that Nellie's former husband had found his last resting place in that cellar, but he never looked any further for him. Nellie had another husband who left her. Hallowell got him here for a witness, and he told an interesting story in my and Hallowell's presence, and we thought he was a good witness, but the next day he sauntered up toward the County Jail.

"He stood in front of Nellie Bailey's cell and talked with her for only a few minutes, but ever after that he closed up like an oyster and Hallowell was afraid to put him on the stand for the purpose for which he had been intended.

That was one of the most peculiar cases ever tried in a Federal court." *The Wichita Beacon, Wichita, Kansas. Wednesday, June 16, 1897. Page 5.*

ATLANTA, GA. (1885) - Romantic and Reckless. The divorce suit of Nellie C. Bailey against Shannon Bailey, at St. Louis, revives public interest in the woman's history. Something over a year ago Mrs. Bailey was arrested in Texas, charged with the murder of Clement Bothomley, her traveling companion. She was detained sixteen months, tried for a week, and acquitted by a jury in five minutes. The defendant's story of the affair was sensational. She claimed that when she was sixteen years old her parents compelled her to break her engagement with a man of her choice and marry Shannon Bailey, a wealthy banker, twenty-three years her senior. She was unhappy, and after awhile her husband gave her \$1,000 and sent her home. On her way she met Bothomley, a young Englishman, who was en route to Texas to establish a sheep ranch. They agreed to travel together, and after reaching Texas a divorce was to be procured from Bailey and the two would marry. Near Wichita, Bothomley, in a fit of despondency, committed suicide. Mrs. Bailey gave the alarm, but her story was not believed, and she was arrested and

tried with the result above given. Within four weeks after her acquittal the marshal and deputy who arrested her were hanged for killing a bank president, and two others concerned in her capture were shot. Sometime after this affair the wayward young woman went to Waukesha, where she captivated a man to whom she was secretly married. When he found out all about her he ran away, and is supposed to be still traveling. The divorce suit is regarded as proof positive that the lady has made another conquest. She doubtless has a lover in the background who will marry her as soon as she wins her case and is legally free. Mrs. Bailey is quite young, vivacious and pretty. Her language smacks of the frontier, but she is a very fascinating woman. *The Atlanta Constitution, Atlanta, Georgia. Tuesday, December 15, 1885. Page 4.*

ARKANSAS CITY - Selling Her Book. Nellie C. Bailey has been in the city this week canvassing for her book. The book, though written in the form of a romance, is by no means a fiction; the material which composes it is mostly based on sworn testimony. The characters are all real. Our reader will remember the trials and tribulations which have besought her. After being incarcerated for more than a year, she had her trial, being acquitted on June 20, 1885, in the U.S. Court at Wichita. We have not the space to devote to review of the book, but it is an interesting volume. It is truly a Kansas book. Mrs. Bailey will leave today for Winfield. She only canvasses the businessmen of a town and here she received numerous subscriptions. *The Arkansas City Republican, Arkansas City, Kansas. November 7, 1885. Page 1.*

BELLEVILLE - Back In Kansas. Nellie Bailey has come back to Kansas after ten years of absence. It will be remembered that she was tried for murder at Newton and her case was one of the most famous in the annals of crime. The Belleville Telescope, Belleville, Kansas. May 26, 1893. Page 3. MACKSVILLE - Tragedy of Nellie Benthusen is Recalled by Macksville Editor. A.L. McMillan, editor of the Macksville Enterprise and one of the pioneers of Hutchinson and this part of the state read an item in the "Looking Backward" column of the News the other night which set him to reminiscing in his paper.

Not long ago we read in the "Looking Backward" column of the Hutchinson News a little item to the effect that Miss Nellie Benthusen of the Halstead neighborhood was visiting in the city. It was under the sub-head of a date in 1878, we have forgotten the day and month. We wonder how many in this community remember who Nellie Benthusen was, if they ever knew. As a young girl she lived on a farm with her parents near Halstead. She was marked by exceptional beauty and possessed of a romantic and venturesome spirit. People in the neighborhood didn't remember at what age she commenced riding her pony at full speed over the prairies. She grew up that way, always seeking thrills. We never saw her until many years later, but through it all, as testimony showed, she kept herself clean and fresh as the air she breathed.

At the age of seventeen or eighteen she went one day with her father to Newton. There she met a man by the name of Bailey, a widower and the leading banker of the town. He was smitten with her beauty and charm, and this paragraph will be made short by stating that they were married in a few weeks.

Didn't Like New Life. Imagine, if you please, how Nellie Benthussen, the 'wild flower of the prairies,' would feel transplanted from the free life she had been leading to a big house with expensive furniture and everything else that money could provide. She didn't stand it long. One day, not many months after her marriage to Mr. Bailey, while riding on a train from Newton to Halstead, she met a young ranchman by the name of Clement Bothomly. He was an Englishman and owned a sheep and cattle ranch near Sedgwick. Although his life had been full of tragedy, he was a man of wonderful charm, and Nellie fell for him hard. She permitted him to slip a ring on her finger. After a few more meetings, she disappeared from her home in Newton. That, as we remember was early spring of 1883. All during the summer she stayed at the Bothomly ranch, while parents and her husband search for her ceaselessly. She was not more than fifteen miles from her parents' home. She was introduced by Bothomly to the ranch hands as his sister, who had just arrived from England. She took many rides over the country with Bothomly and also alone, always wearing a heavy veil.

In the summer of 1883 we went to what is now known as the Colwich neighborhood to visit folks for whom we worked in the summer of 1880. In the afternoon we attended Church services at a school house located about twelve miles west of Wichita. Bothomly and his "sister" came to the services and took a seat in the rear of the house. Everybody thought it strange that the lady did not remove her veil.

Mystery Is Cleared. Her disappearance from her home in Newton remained a mystery until some time that fall. For some reason Mr. Bothomly decided to sell out and find a new location in Texas. He purchased a large tract of land in the center of that state and prepared to move his stock and other effects. He had a house built on a wagon, and in this the two made their "home on wheels" for the trip.

After several days, moving slowly with the herds, they camped one night near the Oklahoma line. Some time in the night Nellie left the wagon screaming at the top of her voice that Bothomly had been shot. The men in another part of the camp made an investigation and found him dead on a couch, shot through the body. The first stories of the affair were of a lurid nature. She had murdered him for his money, according to the first reports sent out. Bothomly was referred to as an "old Englishman" who was very wealthy. That was a lot of bunk, as was proven afterwards. Bothomly shot himself, and his life up to the time he met Nellie Bailey was such as would cause any man with a conscience to put himself out of the way. When the story broke and Nellie's disappearance was cleared up, her folks rushed to her rescue.

Cleared Of Charge. She was arrested and tried in the courts at Wichita. Although nearly everybody believed Nellie innocent, the case was fought hard on both sides. She was finally cleared, and went with her parents to the old home on the prairies. A year or so later she wrote a book of her life, and when she came to Sterling selling them she gave us a copy. Last we heard of her, twenty-five years ago, she was engaged in evangelistic work somewhere on the Pacific coast. One reason this write followed the case so closely after it got into court was that Nellie's attorney was John W. Ady, whose folks lived just over the hill from our home in Ohio. He was one of the first attorneys to locate at Newton, and was well known all over the western end of

the state as an able lawyer and public speaker.” *The Hutchinson News, Hutchinson, Kansas. Monday, November 5, 1928. Page 12.*

EMPORIA - Frank Adams and Nellie Bailey got a marriage license yesterday, and were married at Americus last night. *The Emporia Weekly Gazette, Emporia, Kansas. October 14, 1895. Page 7.*

This family lived in Emporia until moving to Bartlesville, Oklahoma.

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