

REMINISCENCES

OF MY DEALINGS WITH
CRIMINALS IN THE

EARLY HISTORY

OF FRANKLIN COUNTY, KANSAS



BY
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Introductory

AT the date of these reminiscences in 1863 the county seat was at Ohio City; all the county officers were there, and the courts were held there in a stone building built for church and school purposes.

The county officers were all in one building built for a store.

James Fitton was county treasurer and clerk of the court, C. L. Robbins was sheriff, and I was county clerk and register of deeds. Wm. Tulloss, father of Wm. Tulloss and grandfather of Wm. G. Tulloss, the banker, was probate judge. We were all deputies to each other.

Here let me say that I never was sheriff, never had any desire to hold that office, and of all the offices in the gift of the people of Franklin county, the office of sheriff was to me the most undesirable; I was simply not built that way. I was deputy sheriff under Robbins for four years; my duties were to look after the office in the absence of the sheriff, and my dealings with criminals were purely accidental.

We had no jail, and prisoners were held by guards appointed by the sheriff. The reader must not forget that fifty years ago it was a much more difficult feat to trail a criminal than now, as we had no railroads, no telegraph, no telephones and no automobiles with which, it might be said, we now almost annihilate time and space.

Allow me to say that these reminiscences are not written from any wish or desire to personally aggrandize myself but rather to show what difficulties the early settlers of this county had to contend with in the enforcement of law and order. Further, I wish to state that I have no criticism to make of Mr. Robbins, sheriff at that time, for he was a brave and efficient officer, and attended promptly and energetically to the business of his office and the part that I played as his deputy was purely accidental—and it is a pleasure for me to now state that during all the years of our residence in Kansas we were devoted friends.

H. F. SHELDON.

Ottawa, Kansas, November 15, 1916.

REMINISCENCE NUMBER ONE

"My first experience was with one Franklin who had been tried and convicted of horse stealing and sentenced to five years in the penitentiary. Franklin was sentenced on Saturday afternoon, taken to the hotel and placed in charge of two men as guards, preparatory to his being taken to Lansing the following day. This was April 15, 1863. He was in a room on the second floor; the door into the room was right at the head of the stairs that led down into a small hall thence out into the street.

"It was a warm night and the doors were all left open. About 10 o'clock, Franklin watching his opportunity when the men were off their guard, shot down the stairway and out into a night of pitchy darkness with the speed and nerve of a man who had just been deprived, by the state, of his liberty for five years. A few of the citizens gathered immediately at the sheriff's office and it was decided to make an effort to find Franklin. The sheriff went in the direction of Emporia, another toward Paola, another in the direction of Fort Scott. I was sent south into Anderson county to just east of what was known for many years as the Irish settlement. At half past 4 the next morning, I saddled my horse and sped away at a rapid gait to the southwest. It was Sunday morning and I saw no one moving about until 7 o'clock, when I saw a woman out feeding her chickens. I inquired if she saw a man passing, describing him. She answered quickly, 'Yes, I just gave him his breakfast; he is right down there by the creek now; I saw him a moment ago.' Putting spurs to my horse I lost no time in reaching the creek. I was well armed, and I knew he had none, so I had no hesitancy in attacking him; to my great chagrin on reaching the creek, there was no man in sight. He evidently

had seen me and hid in the dense chapparral that lined the creek on either side.

"In a short time it became known that a horse thief was in hiding along the creek. There was no word in the English language at that time that so aroused the ire of the pioneer settler as the word, "horse-thief." The sole reliance of the early settler to raise a crop to feed his family was in his team; to deprive him of it was like stealing bread from his children's mouths.

"In a very short time there was gathered at the crossing of the creek fifteen or twenty determined men. All day long we beat the bush and rode the high prairie, in the vain search for Franklin.

"As the sun went down, I called the men together, and told them that Franklin was doubtless in hiding somewhere along the creek, but in some way had eluded us and would in all probability steal a horse that night, and make his escape; that they had better look sharply after their horses, and with that I turned my horse's head toward Ohio City, a weary, sorely tried and much disgusted man. I reached home about 1 o'clock in the morning. The other men all came back except the sheriff, Mr. Robbins, who went in the direction of Emporia, and the day passed without incident.

"Here let me say that I boarded at the same hotel Franklin escaped from; about 2 o'clock in the morning of Tuesday there was a rap at my door and on inquiry as to who was there, the answer was, 'Franklin.'

"I could hardly believe it, but I got up and lighted a candle (we had no lamps at that time). I opened the door and there stood Franklin as large as life. I was a mere pigmy by his side; he was a man twenty-six or twenty-seven years old, about

five feet ten or eleven inches high and weighed 180 pounds, a blacksmith by trade and in appearance a regular athlete. I said, 'Franklin, what in the world brought you back here?' I could not imagine how a man facing a sentence for five years and having escaped, should voluntarily return.

"He said, 'I came back to save my life; you got up such an excitement, that yesterday the country around fairly swarmed with men hunting me, and I knew it was certain death if they found me, and so I have come back and want your protection.'

"Tell me where you were all day Sunday and Monday. 'Well, I saw you coming and I ran up the creek in the brush and once you was so close to me that I could almost touch your horse. I kept on up the creek until I came to a deserted cabin. It

had a puncheon floor; I took up one of the puncheons and crawled beneath it and then let the puncheon down again, and that was my hiding place all day Sunday and Monday; several times men came to the cabin but seeing nothing disturbed, went away.

"We lay down together, and in the morning I took him to my office; I put no irons on him, and he came and went at his pleasure.

"The sheriff returned on Thursday and on Friday Franklin was taken to the penitentiary.

"That was the beginning of my experience with criminals.

"From some cause, whether justly or unjustly, I gained quite a notoriety for having brought Franklin back. Personally I claim no credit for the part I took in his strange return."