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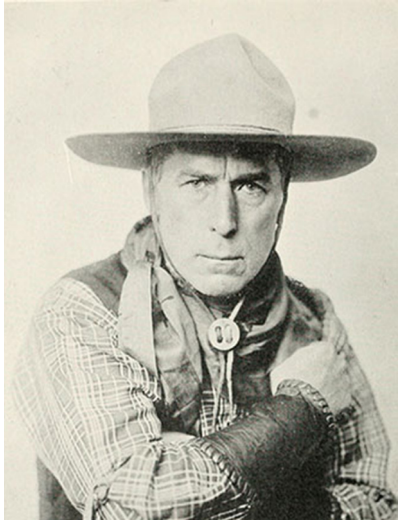

# Actor Outlaw Author Lawmen:

## Encounters Between William S. Hart, Al Jennings, William S. Porter, Bill Tilghman, and Bud Ledbetter

Abraham Hoffman

By the late 1890s the Wild West era was drawing to an end, and by coincidence that decade also witnessed the birth of the motion picture industry. In the hundred years that followed, Hollywood made hundreds of Western movies that celebrated the Old West, creating a mythology of white versus black hats, highly fictionalized biographies of notorious outlaws and heroic lawmen, cattlemen fighting sheepherders, cavalry fighting Indians, and many other themes. A look at the transition between Old West and the movies made about these themes reveals a fascinating mixture of authentic Western lawmen and former outlaws making Western movies in the early 20th century.

Actor William S. Hart, outlaw Al Jennings, author William Sidney Porter (better known as O. Henry), and lawmen William Tilghman and James Franklin "Bud" Ledbetter crossed paths in unexpected and intriguing ways. And the connections between them began around a campfire not far from the town of Muskogee, Indian Territory, in October 1897.

(*Continued on Page 3*)

# The Branding Iron

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*The Branding Iron* is always seeking articles of up to 3,500 words dealing with every phase of the history of the Old West and California. Contributions from both members and friends are always welcome.


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### Editor's Corner . . .

Welcome to the Winter, 2016 edition of the L.A. Westerners' Branding Iron. We have two great articles to start out with - the first by our own Abe Hoffman who tells us of the interactions of William S. Hart, Al Jennings, William S. Porter, Bill Tilghman, and Bud Ledbetter. As always, Abe is thorough in his research and offers a compelling article.

Secondly, Troy Kelley, an associate of member Ann Collier, relates the story of the life and death of John Heath. This is a two-part article - the second part will be in June.

Sadly, this edition contains four obituaries of Los Angeles Corral members who have been with the group for many years and have been influential in its development. Bill Bender, Glenna Dunning, Dr. Richard Gilman, and Lynn Hodge all have tributes to them by members who knew them well. It is very sad that all of these came within a few months of each other - but we do remember them fondly here.

Please remember, the Branding Iron is your publication and I am always looking for and accepting new material. Please consider this your invitation to submit!

Steve Lech
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William S. Hart achieved international fame as an actor in silent films, appearing in 69 motion pictures between 1914 and 1925. His primary role was that of a Westerner, and his films were noted for their authenticity in costume and setting. However, fame and wealth came late to Hart in his career. From the late 1880s until 1914 Hart made his living as a stage actor, doing repertory theater with traveling companies. Although he received a fair amount of recognition for his stage roles, true success eluded him. For many years he followed the theatrical circuit from New York to Illinois, appearing in many cities of varying size and theatrical support. He did manage to purchase a house in Westport, Connecticut, to provide a home for his mother in her last years. But for most of the year, every year, year in and year out, Hart apparently lived out of his suitcase in a succession of hotels.

In the spring of 1897 Hart was in actress Margaret Mather's repertory company, appearing in *Romeo and Juliet* and several other plays. But after almost a decade of working in other people's companies, Hart had it in mind that he could head his own company. He teamed up with John Whitely, Madame Hortense Rhea's former manager. Hart had acted in Madame Rhea's company for several seasons. Hart and Whitely pooled their resources and amassed a working capital of $500. While Whitely set up a tour for the 1897-98 season, Hart moved his mother and sisters out of New York to Asheville, North Carolina, where he rented a house for them at $15 a week.

Hart's company toured with *The Man in the Iron Mask*, *The Bells*, *Lady of Lyons*, and *Camille,* all plays in which Hart had acted. Profits were slim, but audiences were enthusiastic. Whitely had booked the Hart company to open the Turner Opera House, a new theater in Muskogee, Indian Territory, on October 14. The play would be *The Man in the Iron Mask*, in which Hart would play the dual roles of Louis XIV and his evil twin brother.

Going to Muskogee would mark Hart's first time west of the Mississippi River since his boyhood. Hart noted of Muskogee, "It was just a small place with board sidewalks and dirt streets." Having placed the company at a local hotel, around 11 a.m. Hart decided on a little exercise before the evening's performance. He rented a horse at a livery stable and rode out of town for some miles. Spotting a campfire, he rode up and greeted the four men around it. They hospitably invited him to dismount and share a cup of coffee. Ronald L. Davis, Hart's most recent biographer, states that the men, who at first regarded Hart with some suspicion, invited him to share their bacon.

Twenty-one years later, Hart described his meeting with the men in some detail. "Good bacon, good coffee—I guess I felt good after the meal," he said. "Anyway, I told them there was a show opening that night at the Turner opera house in Muskogee. I asked them if they'd like to go.

"A little red-haired man with blue eyes and a blue-steel voice said, 'What kind of a show?'

"The Man in the Iron Mask," I told him.

"'Any good actors?' says he.

""I'm one," I said, and he laughed me silent before I had time to tell him there were some better ones in the company.

"'Do they let you write passes?' said the red-haired man.

"The pass will be honored all right," I said, writing it. "They're [the company] behind in salaries, and if they want to, they can take it out of what they owe me."

"'Damme!' says the little red head, 'if I haven't got a mind to go!'

"Then he asked me what was the news in Muskogee.

"I told him that Muskogee county had elected a new sheriff on his pledge to get the Jennings gang or bust. He'd been parading the streets with banners and transparencies to that effect and a brass band. There were thousands of dollars offered. There was going to be another parade that evening. I told the red head all about it.

"'Mister Actor,' says he when I'd finished telling him, 'we look mighty rough to ride into that nice moral town. Don't we look like might rough cowpunchers?'

"You look good to me, and you're welcome to come to the show," I said.

"'Do you know what my name is?' suddenly he shot [sic] at me.

"No."

"'It's Jennings."

"I tried not to swallow my Adam's apple. I tried to be as cool as he was. "All right, Mr. Jennings. I reckon the invitation still holds. Your pass will be honored."

Hart had encountered Al Jennings near the tail end of the outlaw's career. The crime spree of the Jennings Gang began in August 1897 and ended less than four months later, around six weeks after Hart met Jennings. His "gang" consisted of his brother Frank, Hay Brown, Pete Fey, and "Little Dick" West, this last person the only authentic criminal in the bunch, having survived the botched bank robbery attempt by the Dalton Gang at Coffeyville, Kansas, in 1892. West soon became disillusioned at the ineptness of his partners in crime and left the gang after several failed attempts to rob trains.

On October 1 the Jennings Gang, minus Little Dick West, did rob a train at the Rock Island Crossing near Chickasha. They collected $200 from the passengers but, in a stunning display of ineptitude, Al put too much dynamite on top of the safe in an attempt to blow the door open. The explosion destroyed the Express car and sailed the safe a quarter of a mile away, its door remaining stubbornly shut. Deputy Marshal James Franklin "Bud" Ledbetter took on the assignment of bringing in the Jennings Gang.

On October 14 *The Man in the Iron Mask* opened to a full house in the Turner Opera House. Al and his four cohorts thoroughly enjoyed the performance. Hart recalled, "those four men with a price on their heads risking them to see road-dusty actors in a bum melodrama! And trusting an actor kid to keep his mouth shut! It was the greatest exhibition of nerve I've ever known." It should be noted that this recollection was made more than twenty years later. Another audience member who enjoyed the play, Marshal Ledbetter, didn't know that the men he was pursuing were sitting just a few rows away from him, a detail Al Jennings rejoiced in telling to his friends and, over the years, anyone who would listen.

At this point some corrections in the story need to be made. Bud Ledbetter was not a sheriff; he was a deputy United States marshal with the authority to arrest outlaws where they were tracked down, unlike a sheriff whose jurisdiction ended at his county's line. Also, in 1897 Hart was 33 years old and had been acting on stage for at least nine years. Actors began at an entry level and worked their way up through specific categories such as juveniles, heavies, characters, and leading men. These were all specific roles that earned assigned rates of pay. Hart had become a leading man, but as he grew older he became concerned that his true age would, if known, relegate him to lesser roles. Writing in 1918 about his encounter with the Jennings Gang, he was hardly a "twenty-year-old kid" just starting out in the theater, nor was he a "raw-boned kid."

Hart was also prone to exaggerate his Western experiences, a practice that enhanced his credibility as a Western movie actor who insisted on authenticity in scripts, set designs, and costumes. He claimed to have spent his boyhood in the West, with Sioux boys as playmates, learning from them how to ride horseback and to speak their language. In actuality Hart's time in Dakota Territory had been limited to the travels of his father who spent time in Illinois, Minnesota, Wisconsin, and elsewhere in an unsuccessful career as an itinerant builder of flour mills.

Hart folded his acting company when the season ended, having failed to show a profit for the venture. For the next thirteen years he continued acting in one or another company; some years offered more success than others. Hart played Messala in *Ben-Hur* and was Cash Hawkins in *The Squaw Man*, both highly praised performances. But he also was lucky to find work in amateur productions that barely paid for food and rent. One man's misfortune meant good luck for another: when an actor slated for a role in *The Trail of the Lonesome Pine* died suddenly, Hart got the part. While on tour with the play in Cleveland in 1913, Hart went to a movie theater and saw his first Western film. Although he didn't identify the film in his autobiography, he left no doubt as to how he felt about it. "It was awful!" he exclaimed. He saw "that the sheriff was dressed and characterized as a sort of cross between a Wisconsin woodchopper and a Gloucester fisherman. . . . Here was a reproduction of the Old West being seriously presented to the public—in almost a burlesque manner—and they were successful. It made me tremble to think about it." Was it a Broncho Billy film? Hart didn't say. But he believed he could do better. Within a year he was in Los Angeles, connecting with an old friend, Thomas Ince, a pioneer film producer. After a quarter century of middling success as a stage actor, Hart became an overnight sensation in the movies.

Al Jennings' career as an outlaw came to an abrupt end in December 1897 when Marshal Ledbetter arrested him and his gang without a shot being fired, though in later years Jennings said a furious gun battle had been fought. He was convicted of armed robbery and given what seems today to be an overly harsh sentence: life in prison.

Jennings' family background gave no indication that Al would become an outlaw. His father was a judge, and his brothers all became lawyers, as did Al. The road to perdition began when Al's brother Ed became embroiled in a dispute with Temple Houston in court. The son of Sam Houston, Temple dressed flamboyantly, wore two six-guns, and had a reputation as a fast draw. When Ed and Temple confronted each other in a saloon, Ed drew first, but Temple shot him dead. Witnesses testified Temple had acted in self-defense, but Al vowed to avenge his brother's death. Luckily for Al, he never faced Temple in a showdown, but Al fell in with Little Dick West and decided that robbing trains promised more income than practicing law, a seriously bad decision on his part.

Al served five years in several penitentiaries between 1898 and 1902. At the Columbus, Ohio penitentiary he shared a cell with William Sydney Porter who had been convicted of embezzlement. Jennings later claimed to have met Porter in Honduras on a visit there sometime in the 1890s. Although there isn't any evidence besides Al's claim about this, he did make friends with Porter and may well have fed Porter ideas for some of the short stories he was writing. According to author John Majors, as a young man Al had spent a great deal of his leisure time, and work time as well, reading dime novels, and much of his research on how to rob trains may have come from that dubious source.

In 1921 Jennings wrote *Through the Shadows with O. Henry*, an account of his friendship with the famous author and the time they spent in Honduras and as cellmates. According to Mike Cox, who wrote the introduction to the 2000 reprint edition of the book, "Though clearly heavily fictionalized, it is a readable period piece and an important source for anyone interested in crime history or American literature." Porter was released from prison on July 24, 1901. He went to New York and spent the rest of his life writing short stories.

Al's initial sentence of life in prison brought political pressure from his family and friends to shorten the sentence. President William McKinley in June 1900 shortened it to five years, including time served. Al was released in November 1902. Five years later, President Theodore Roosevelt granted a full-citizenship pardon to Jennings. This meant he could practice law again, vote, and even run for political office.

Around this time William Tilghman, a famous lawman who operated mainly in Oklahoma Territory, decided that the primitive Westerns he was seeing on local theater screens were too inaccurate and glorified outlaws. Tilghman hoped to make the best of a bad situation by making a motion picture that would recreate an actual robbery. Who better to cast than an actual (if reformed) criminal? He recruited Jennings who eagerly accepted. With Tilghman directing and acting, and as principal cinematographer, *The Bank Robbery* was filmed in 1908 in Oklahoma. Tilghman asked fellow lawmen Heck Thomas and Frank Canton to co-star with him in the film. Also appearing in the film was Quanah Parker, who in his adventurous life was a Comanche warrior who had fought Texas Rangers and the U.S. Army but eventually accepted U.S. rule and became a spokesperson for Native rights. Unfortunately, as with so many silent films, this one no longer exists. Also unfortunately, Tilghman had no experience directing films, and no knowledge of editing, long shorts, close-ups, or even plot structure, as critics have noted.

Jennings had learned important lessons from Porter and from acting in the film. If you told exciting stories, people wouldn't worry about the truth being stretched. He found a new career as an evangelist, describing how religion had reformed his bandit ways, and in the process of the telling he exaggerated the amount of money his gang had stolen, the number of banks and trains they had robbed, and their many gunfights. And in this opportunity of self-promotion, he decided to create (write would be too generous a word) his autobiography.

Jennings went to New York where he contacted journalist Will Irwin who agreed to ghost-write his memoirs. The story was serialized in the *Saturday Evening Post* in 1913, followed by publication in book form,

with Irwin appearing as co-author on the title page. The popular reception of both of these formats caught the attention of movie producers. Unlike Broncho Billy's two-reel films that ran about twenty minutes, *Beating Back* was a six-reeler—about an hour long. The film was nationally distributed and attracted an enthusiastic audience.

Jennings took the opportunity of his new-found celebrity to campaign for governor of Oklahoma in 1914, running on a platform that was basically about his being a reformed outlaw. In the Democratic primary he came in third out of six candidates, not quite the same as being "soundly defeated" as some accounts describe the election. Jennings had enough of politics and practicing law. He moved to southern California to seek a career in motion pictures.

The popularity of *Beating Back* alarmed Bill Tilghman. Here was a minor-league outlaw who lied about his past, a braggart who had not dared to face Temple Houston in a gunfight, and whose career as a bandit lasted all of 104 days start to finish. Evidently having second thoughts about the *Bank Robbers* film that had centered on the robber, Tilghman decided to make another film, this time focusing on the heroic lawmen that pursued the bad guys. This film would be called *The Passing of the Oklahoma Outlaw*. He persuaded fellow lawmen Bud Ledbetter, Chris Madsen, and E.D. Nix to form the Eagle Film Company.

As a technical advisor Tilghman hired Arkansas Tom, real name Roy Daugherty, who was a former member of the Bill Doolin Gang. As with *Bank Robbers*, *Passing of the Oklahoma Outlaw* was shot on location in Oklahoma using local actors. Tilghman, Madsen, Ledbetter, and Nix played themselves. The film reenacted the exploits of the lawmen/actors/producers, including Bud Ledbetter's capture of Al Jennings, an event quite different in this film from the way Jennings had told the story in *Beating Back.* Unfortunately for Tilghman, the film failed to influence studio filmmakers who preferred to glorify outlaws rather than lawmen. For every picture that focused on lawmen—*My Darling Clementine* and *Frontier Marshal*, for example—there are dozens of films about Jesse James, Frank James, Billy the Kid, Butch Cassidy and the Sundance Kid, and many more that as often as not deal more with the legend and fiction than with history.

*Passing of the Oklahoma Outlaw* premiered on June 10, 1915, and the producers went on tour and won praise from audiences and reviewers. Tilghman kept plugging the film, taking it on tour now and then until 1921, narrating the action as it appeared on the screen. Sorry to report that only thirteen minutes of the film have been preserved. *Beating Back* is also considered a lost film.

Shortly after a bootlegger murdered Tilghman in 1924, his wife, Zoe Stratton Tilghman, wrote *Outlaw Days: A True History of Early-Day Oklahoma Characters,* telling of the criminal careers of the Daltons, Wild Bill Doolin and his gang, Belle Starr, and Al Jennings. Shown a copy of the book by a friend of his, Jennings rather ungraciously wrote on the flyleaf, "Cliff, I have read the book. Its [sic] one [illegible word] lie from start to finish. Al Jennings." Jennings' picture was on page 197 of the book. Underneath it he wrote, "Her husband was the sh-ts, Al Jennings."

While Tilghman was filming *Passing of the Oklahoma Outlaw*, William S. Hart was starting a new career as a film actor. In contrast to his years of struggle on the stage, success came immediately to Hart. Unlike Gilbert Anderson who was of stocky build and not matinee-idol handsome in his Broncho Billy role, Hart was over six feet tall and a physically attractive man. He developed the character of the "good-bad man," an outlaw who early in the film meets a respectable woman, falls in love with her, and reforms and redeems himself. On screen he smoked, drank, and rode hard. With one hand he could roll a cigarette, sprinkling the tobacco on the paper, and striking a match with his thumbnail to light it. Boys who saw his movies were warned not to try to imitate him, lest they set themselves on fire. Unlike other actors of the era who overly emoted on the silent screen, Hart played his characters with a minimum amount of emotion, making him a forerunner of the style used by John Wayne and Clint Eastwood.

In just a year Hart had won the admiration of filmgoers for his performances in such films as *On the Night Stage*, *The Bargain*, and *The Passing of Two-Gun Hicks*, all two-reelers. In 1915 he made a few four-reel films, and at the end of the year his pictures were up to five reels in length. Among the more memorable films were *Hell's Hinges*, *The*

*Return of Draw Egan*, and *The Narrow Trail.* By 1918 Hart had parted company with the penurious Thomas Ince and started his own production company, based near Vermont Avenue and Sunset Boulevard, in close proximity to Griffith Park and its scenery. Fan mail poured in from around the world. Hart could plant roots at last; he bought a home in what is now West Hollywood and made plans to buy property and build a large house in Newhall not far from where actor Harry Carey had a ranch.

Meanwhile, Al Jennings had returned to Los Angeles after his defeat in the Oklahoma gubernatorial election in 1914, and he went into the movie business. Some historians, most notably Paul Wellman, have dismissed his movie career as a few bit parts, but Jennings was much more involved in making movies. He acted in a number of films, contributed stories, served as a technical adviser, produced two films, and formed his own company, the Al Jennings Production Company. Some of the films were made on shoestring budgets, but here and there some interesting nuggets can be found in his pictures. For example, in *Beating Back* one of the actors, Sidney Blackmer, at age twenty was just starting a film and stage career that would include roles in *The High and the Mighty* and *Rosemary's Baby*. He played Theodore Roosevelt in no less than seven movies.

Nowadays film credits roll interminably at the end of a picture, listing everyone who had a hand in making the film, from stars to carpenters. The Internet Movie Data Base lists cast and crew wherever the records identified them. Initially the information on the actors was in alphabetical order, making it difficult to determine if an actor had a featured role or only a small part. The practice changed when the lead roles were listed first. Many films included working actors and actresses whose names were not included in the screen but appear on the IMDB as "uncredited." It may be assumed that if an actor is listed with the name of his character, it was more than a bit part. In 1917 the IMDB shows Jennings credited in three movies on the cast list. In *Captain of the Gray Horse Troop* the leading actor, Antonio Moreno, enjoyed a career stretching from 1912 to 1956, his last role being in *The Searchers.* William Duncan, a name that is probably unfamiliar today, starred in *Vengeance—and the Woman.* Duncan can be seen in the role of Buck Peters in several of the Hopalong Cassidy films still shown on cable TV. Jennings had featured roles in these films. He also appeared in *The Atavism of Tom*, a film based on a story by O. Henry, Jenning's old cell mate, who had died in 1911.

Porter's posthumous career continues to the present day. Two of his most famous stories have been made into movies and television programs, *The Gift of the Magi* and *The Caballero's Way*, the latter being the source of the dozens of films and TV and radio series about the Cisco Kid.

In 1918 Jennings appeared in *Rose of Wolfville*, but as is typical of so many silent films, this one has not survived. But 1918 is also the year that Jennings formed his own production company and produced his most important picture, *The Lady of the Dugout.* In this film Al and his brother Frank played themselves, two outlaw brothers who rob a bank and head out for the desert. They encounter a young woman and her child living in a dugout, a sod-house common as a first home for settlers on the treeless Great Plains but seldom seen in Western movies. The woman and her young son are starving, abandoned by her husband who spent all their money on liquor. When the brothers learn the woman was swindled by a crooked banker, they rob the bank and give the woman the money. The drunken husband betrays the outlaws and leads a posse to the dugout. The brothers escape and later learn that the husband is dead. They escort the woman back to her home in Arkansas. Frank Jennings has fallen in love with the woman, but he's an outlaw, so regrettably they must part.

Directed by W.S. Van Dyke, who in the course of his career would be recognized for directing such films as *Trader Horn*, *The Thin Man* and its sequels, and *San Francisco,* the film remains of interest because of its realism. Another bit of trivia: the Lady's son was played by Ben Alexander who would grow up to become Frank Smith, Joe Friday's partner in the original TV *Dragnet* series.

*Lady of the Dugout* opened at the Mason Theater in Los Angeles on December 9, 1918. Three days earlier, Jennings sent William S. Hart a pass. "It may remind you of the passes that you gave me twenty three years ago [sic], in the wooded mountains

of Oklahoma, when you were opening the Turner Opera House at Muskogee." The two men had come full circle. The actor met the outlaw; and the outlaw, as an actor, met the actor who played outlaws. Newspapers had some fun about this. An article in the *Oklahoma City News* of October 20, 1919, showed side-by-side photos of Jennings and Hart under the headline, "Which of 'Em Most Dangerous? Outlaws, Real and Mimic, in Films." The caption read, "Al Jennings once was a real outlaw. Now he's in the movies, as pictured above. Is Hart imitating Jennings, or is Jennings imitating Hart?"

Jennings' company produced only one more film, *The Tryout*, in which he played himself. In fact, Jennings continued to play himself in a series of low-budget pictures. *The Frame-Up, The Canyon Hold-Up, Fate's Mockery, Fate's Frame-Up,* and *Bandit's Gold* all appeared in 1919. How many times could Jennings tell essentially the same story about himself? Apparently, the well did run dry, as Jennings found other employment as an evangelist, an occupation that especially attracted Los Angeles residents in the 1920s. However, he offered no competition to Aimee Semple McPherson.

In 1924 Jennings got a bit part in *The Sea Hawk*, in which Wallace Beery was a leading player. Jack Hoxie, a successful cowboy actor, had room for Jennings in *Fighting Fury* (1926) and *The Demon* (1926). Jennings was also in *Loco Luck*, starring Art Acord, the following year. Fay Wray, who would be best remembered as King Kong's love interest a few years later, was the co-star. In these films Jennings played roles, not his own life.

Transitioning to sound films, Jennings got a featured role in *The Land of Missing Men* (1930), starring Bob Steele and a cast that included Al St. John, the nephew of Roscoe "Fatty" Arbuckle, who would be best known as a comic sidekick in B Westerns; and Emilio Fernandez, the renowned Mexican actor/director who appeared four decades later in Sam Peckinpah's *The Wild Bunch.* In 1936 Al played a judge in *Song of the Gringo*, Tex Ritter's first film, joining a cast that included Fuzzy Knight, Monte Blue, Bob Burns, and Glenn Strange. After many years in B Westerns, Glenn Strange would find a sinecure as Sam the bartender in the *Gunsmoke* TV series. Al got credit as a co-writer on the screenplay.

Al's last film role was in *The Oklahoma Kid* starring James Cagney and Humphrey Bogart, with featured roles for Donald Crisp, Ward Bond, and Charles Middleton. If anything, this film demonstrated that Cagney and Bogart should never, ever again act in Western movies. Al's role was uncredited. At age 75 he wasn't going to get much work in movies any more. He and his wife Maude, whom he had married when released from prison, retired to their chicken ranch in Tarzana in the 18300 block on Hatteras Street.

Al Jennings would live another 22 years, and during that time he made the most of his brief career as a Western outlaw. Al claimed to have known such notorious outlaws as Billy the Kid and Jesse James. In 1948 a man named J. Frank Dalton surfaced, claiming that he was Jesse James, 101 years old. When Al met Dalton, he declared the old man was indeed the famous outlaw, saying, "there isn't any doubt on earth" that Dalton was the real thing. Never mind that when Jesse James was shot dead in 1882 Al was seventeen years old and lived nowhere near Jesse, and had never met him.

Jennings also made egregious claims about his marksmanship, telling people that in his prime he could shoot a hole in a can thrown in the air a hundred feet away. General Roy Hoffman, an Oklahoma attorney who had served as a Rough Rider in the Spanish-American War and as a brigadier general in World War I, had this to say about Jennings' ability with a pistol: "I knew Al Jennings personally, and his marksmanship was notoriously poor. He was one of the kind of fellows who could have qualified as the traditional bad shot who couldn't hit the side of a barn."

Such criticisms never prevented Al Jennings from telling tall tales about himself. In 1951 he had the satisfaction of seeing his life on the movie screen that endorsed his version of his outlaw career. Columbia Pictures released *Al Jennings of Oklahoma*, starring Dan Duryea as Al and veteran actor Dick Foran as his brother Frank. At 6'1" tall, Duryea was a foot taller than Jennings, but that's Hollywood for you. Actress Gale Storm played Margo, Al's love interest, a fictionalized version of his wife Maude.

Filmed in Technicolor and running 79 minutes, the movie was everything Al wanted it to be, other than the fact that its location

shooting was in the hills of Chatsworth, not Oklahoma. And why not? It was based on Al's book *Beating Back* and told the story from Jennings' point of view. By this time almost everyone who could dispute his version of history was long dead. Porter had died forty years earlier, leaving O. Henry scholars to speculate on Jennings' claim that many of the short stories had been passed from Jennings' mouth to Porter's pen.

William S. Hart made his last picture, *Tumbleweeds*, in 1925. He then retired from the silver screen and, apart from a few guest appearances in movies and on radio, spent the rest of his life on his estate, La Loma de los Vientos, in Newhall. He died in 1946. Emmett Dalton, the sole survivor of the botched attempt by the Dalton Gang to rob two Coffeyville banks simultaneously in 1892, died in 1937 after publishing his book, *When the Daltons Rode*, and before a highly fictionalized movie version of the book came out in 1940. After serving his time in prison, Dalton had come to southern California and started a construction business, making more money than he would have done had he continued a career as a criminal.

Dalton and Jennings were but two of a number of Westerners who had come out to Hollywood in the early 20th century. Wyatt Earp and Charles Siringo had hoped to see their lives put on screen. Bill Tilghman received posthumous attention long after his death when cable channel TNT made a film about him in 1997, starring Sam Elliott as Tilghman. Outlaws fared better than lawmen in this regard, as moviegoers preferred them as anti-heroes, and the studios had no qualms about fictionalizing and glamorizing their exploits.

Bud Ledbetter, who always was on hand to let people know that Jennings was a liar and a braggart, not to mention an incompetent outlaw, died in 1937, basically leaving a clear field for Jennings to tell his stories without dispute. Historians such as James D. Horan dismissed Jennings as strictly minor league, and serious scholars ignored him. Anyone who wants to get a documented, clear view of Al Jennings should consult the works of Western historian Glenn Shirley, author of biographies of Ledbetter, Tilghman, Temple Houston, and other lawmen and gunmen.

In his old age Al Jennings was visited occasionally by newspaper reporters coming to his Tarzana home to check out his memorabilia, including the pardon certificate issued by President Theodore Roosevelt in 1907. The visits gave Jennings the opportunity to re-tell his tales, which grew more and more exaggerated. Reporters seemed to accept the stories uncritically. In February 1957 Hugh O'Brian, star of the TV series *The Life and Legend of Wyatt Earp*, visited Jennings, along with *Los Angeles Times* staff writer Norman Dash and a photographer. Jennings was quick to show off his memorabilia and clippings to O'Brian, and to spin his yarns. Al didn't think much of the TV Western programs that were popular at the time. "I won't give ya a plugged nickel for today's crop of television's western heroes," he said. "Those television heroes are not good at all! They're certainly not as good with a gun as the men in my day. It's a joke!"

The TV actor, who came wearing Western costume complete with gun and holster, joined the former outlaw in a fast-draw contest, firing blanks from their guns. The noise alarmed neighbors who called the police. Officers Ken Melbie and Morrie Henkin quickly arrived, only to find an old man and a TV actor comparing notes on their firearms. The scene was good enough for a photo op, the police officers looking on as O'Brian and Jennings fondled their pistols.

Around five months later a *Times* reporter visited Jennings who welcomed the opportunity again to boast of his prowess as a gunman. "I could always kill a man without batting an eye, but I couldn't stand to see an animal harmed," said the reformed outlaw who had never killed anyone. "I killed quite a bunch of fellows but that's because they were always hunting me up to kill me so they could make a big name for themselves." The reporter noted in his story, "Just how many men fell before Jennings' gun is lost in the haze of long-gone years. He said he couldn't recall exactly." Jennings claimed to have "robbed 15 or 20 trains" and to have collected $90,000 in his last train robbery. This was all a bit much for the *Times* editor who inserted an Editor's Note at the top of the story: "He's an amiable little man of 93, kind to animals and critical of TV Westerns. You wouldn't think he was once a notorious gunfighter, train robber and frontier scoundrel, that is, until he tries to recall (unsuccessfully) how many men he's killed." Some historians have

noted that in his old age Jennings may have come to believe what he was saying; either that, or he was having fun with his tall tales to the gullible.

On November 17, 1961, Jennings' wife Maude passed away. They had been married for 58 years. Al didn't see much point in continuing his own life after that. He stopped eating and talking and stayed in bed. Al Jennings died on December 26, 1961, at age 98. He was buried at the Oakwood Cemetery in Chatsworth, in the area where Western movies and TV shows were often filmed. Friends who attended the funeral sent him on his way with a six-gun salute. The obituary noted that at the time of his death "he was working on his biography as well as a TV series."

Two and a half years later, Zoe Tilghman died, in June 1964, at age 84. Her book *Outlaw Days*, which Al Jennings had claimed was full of lies, was reprinted in 2010.

**Author's Note** - This article was presented to the Los Angeles Corral in December 2012. Part of this article appeared in *Wild West*, December 2015 issue.

**Photo Credit** - By Uncredited [Public domain], via Wikimedia Commons (https://commons.wikimedia.org/wiki/File%3ABill_Hart_-_Who's_Who_on_the_Screen.jpg - accessed February 21, 2016).

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*Los Angeles Westerners gathering, July 24, 1952.*

# "John is Not a Humbug" The Life and Death of John Heath

Troy Kelley

John Heath hardly had time to don his duster before disappearing into the sands of time. Like so many bit actors in the theater of the Old West, Heath seems to have blown in off of the prairie wind, say his lines, do his deeds, and then mount up and leave. Unlike most of his contemporaries though, Heath did not ride off into the sunset or simply fade away. In his case he met with a rather ignominious end; hanging lifelessly from a telegraph pole, a lynch mob's noose stretched tightly around his neck. Also, though the last few months of his life are well-known, details about his first three decades have been slow to emerge from the dusty shadows of history.

The event which cemented a niche for Heath in Western lore was an all-too-familiar occurrence in the West. Known as the "Bisbee Massacre," it began as a failed robbery in the small mining town of Bisbee, Arizona Territory. In early December of 1883 five men – "Big" Dan Dowd, William Delaney, Daniel Kelly, Omer "Red" Sample, and James "Tex" Howard – attempted to relieve the Goldwater & Castanada Mercantile of its valuables; things went awry, people panicked, shots were fired. As a result four innocent citizens, including a pregnant woman, lost their lives and the bandits, in classic cinematic style, shot their way out of town. Soon after they hightailed it out of Bisbee a posse was formed to hunt them down.

Chosen at the posse's captain was a relative newcomer in town, a dancehall owner by the name of John T. Heath. Convincing local law enforcement that he had tracking experience and would find the robbers, he led a posse out into the cold Arizona desert. It was all a ruse, a scheme laid out in advance. As it turned out Heath was not only the head of the posse hunting the robbers, but was also their leader. As was later discovered, Heath's plan was to lead the posse away from his murderous companions to allow them to make a clean getaway. Things did not go as planned. What followed was an enthralling chase full of heroics, gunplay, double-crosses, deceit, skullduggery and, ultimately, frontier justice. At the center of it all was John Heath.

John Heath's parents first appear as husband and wife in the 1850 census residing in the city of Marshall in east Texas. John's father, also named John, appears as a thirty-year-old immigrant from Ireland. Having been in the country only for a few years, it's likely the elder John was one of the thousands seeking to escape the potato famine then ravishing Ireland. John's mother, Sarah Ann, was born in 1825 in Maryland. She came to Texas in 1848 with her family, settling in Rockwall. From there she moved to Louisiana and then to Marshall after her marriage to John. John is working as a carpenter and Sarah keeping house. It appears as if they took on boarders as several other non-related members of the household are listed.

Sometime around 1855 – the exact date is not known – John and Sarah's son John T. Heath was born in Marshall, Texas. It's unclear whether the Heaths already had had other children by the time of John's birth. Records would suggest that the Heaths had a total of three sons and two daughters, but it looks as though only John lived to adulthood. None of the other children appear on any censuses, a fact tending to indicate that they had died at a very young age between census-taking years.

By 1860 the Heath family was residing in Mansfield, Louisiana, just across the border with Texas. They would spend the next fifteen years in Louisiana. The 1870 census shows them as the typical post-Antebellum family, with John continuing to work as a carpenter and Sarah again running a boarding house. Fourteen year old John T. is shown to be attending school. The family's value had risen somewhat in the intervening years, but they were far from well-to-do. Sometime around 1875 the family relocated to Marion County, Texas. The move to Texas would be a critical turning point in the life of young John Heath.

On February 7, 1875, twenty-year-old John T. Heath and eighteen-year-old Virginia Tennessee Ferrell were united in the bonds of matrimony. Virginia, called Jenny, was born on July 27, 1857, in Marion County. The daughter of John Ferrell and his wife Jane, she was a dressmaker by trade. One local paper commenting on the nuptials described Jenny as a "most excellent young lady." Jenny and her new mother-in-law formed a close bond. In fact, the bond was so close that in 1898 after the death of the senior John, Sarah sold Jenny her eight acres of land for a nominal amount, in "further consideration of Love and affection I have for my daughter-in-law, Virginia T. Heath." By 1877, the extended Heath family had settled in Terrell, Kaufman County, Texas, about thirty-two miles east of Dallas.

Located in the Blackland Prairie region of northeast Texas, Kaufman County is farming country. Settled around 1840, the county retained its fairly rural existence until after the Civil War. During Reconstruction it was discovered by financers that the county's rich, black soil was perfect for growing cotton, corn, wheat and a variety of farm produce. Brokers and investors quickly set up shop. As a result, the county experienced rapid economic and population growth. In addition, the beef and dairy cattle industry in Texas was booming with agricultural products and livestock flowing through Terrell. The town though owes its continued existence not to farming but to the railroad.

Farms had existed in what would become Terrell since the 1840s, but it wasn't until the Texas & Pacific Railroad formed a "depot town" in the area in 1873 that Terrell began to experience rapid growth. By the time the Heaths relocated there in 1877 two banks, two hotels, three flour mills, three cotton gins, three weekly newspapers and nine churches served its more than one-thousand residents. The Heaths moved into a modest home on the south side of town near the railroad tracks. The elder John began swinging his hammer again while young John went to work for various cattle outfits driving cattle from San Antonio to points north. All seemed well, but darker times were quickly approaching.

Not long after his marriage to Jenny, whispers of John's involvement in the Kaufman County area in connection with horse and cattle rustling began to be heard. John's work as a drover on the Chisholm Trail gave him an intimate knowledge of horses and bovines. However, no strong evidence of John's culpability was forthcoming. Also, things at home were quickly falling apart. The cattle droving business meant John was frequently away from home and his new bride. Even while not out on the range, John was rarely seen in Terrell.

By the late 1870s, John was usually found in the seedier areas of nearby Dallas. He picked up some part-time employment there. City directories for Dallas during the time frame show both John Heaths working in that city; the elder John as a carpenter and John T. driving a hack and moonlighting in a dancehall. The younger John would soon emerge as the leader of a loose-knit gang of thieves, rustlers, gamblers and general ne'er-do-wells, including future Bisbee Massacre participant James Howard. Shrewd, quick-witted and "dominative in type," John was a good talker and possessed a natural leadership quality.

In early September of 1878, John's name appears for the first time in the crime blotter. The *Galveston Daily News* noted that John, along with three other men, were "corralled" by the Dallas Police and charged with stealing cattle in Kaufman County. It was the "opening of the ball". For the next four years John bounced between Kaufman and Dallas counties answering indictments and standing trial for a variety of horse and cattle stealing charges. He beat them all.

John did not limit his activities to Texas though. In 1880 he was apprehended in Hot Springs, Arkansas, wanted in at least five counties for rustling. Along with two confederates, Heath paid his bond and promptly fled Arkansas. Bail jumping was added to his growing list of crimes.

By the summer of 1881 John had graduated from crimes against livestock to crimes against people. On May 31, 1881, a patron entered the Long Branch dance house in Dallas to participate in the festivities. Flashing a wad of cash, it soon became apparent that the unnamed man had what the *Dallas Daily Herald* called "…a thing in great request by the fellows who loaf about such places…it was not a great while longer until several of these fellows had made up their minds to transfer his money to their pockets." Unknown to the patron, he was

being watched closely by Heath and two of his followers, Sam Kearn and a young tough known only as Canada Jack. Recruiting the help of two dance house girls, they set their plan in motion.

The girls convinced the unwitting man to take a walk in the yard behind the establishment. Heath and his accomplices lay in waiting. As soon as the man got to the trio, one of the thieves stepped out of the shadows and seized him by the throat as a second man began rifling through his pockets. The third man -- probably Heath -- stood by in case their victim put up a fight. When the robbers had what they wanted, they callously kicked the man aside and ran off into the darkness. Their take included a watch and about $400. The patron immediately reported the crime to the police. In addition, the whole episode had been witnessed by two bystanders. They, too, gave a description to the police. The following morning the police arrested Heath and Kearn and eventually Canada Jack. The men posted bail and were released. From then on Heath would be shadowed by the police at every turn.

A curious side note that developed a few days after the robbery further suggests that by this time John had completely abandoned his family life. Two days after John's arrest, dance hall girl Bessie Wells swore out a warrant against one "Anna Heath" for threatening to kill Bessie if she testified against John. The fact that Anna gave her last name as Heath is interesting. At the time, many women took the last name of the man with whom they were involved, usually foregoing a formal marriage. Also, prostitutes commonly took the last name of their handlers. Whether Anna was Heath's girlfriend or simply a working girl in his employ is not known. A day later she posted bond and the matter was dropped.

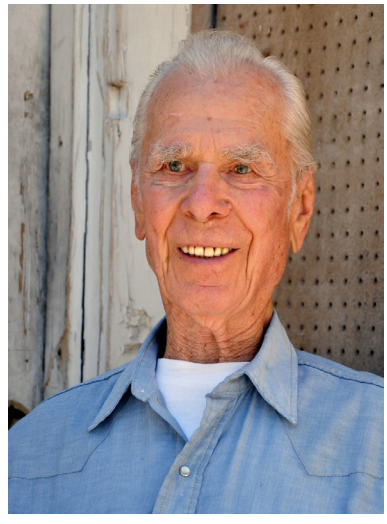
John seems to have been successful in eluding any substantial jail time for the ensuing year, although he was still collecting indictments. By the end of 1882, he had eight active indictments ranging from cattle rustling to robbery to burglary. In total, John would rack up at least thirteen criminal indictments before he left Texas, including the one for the dancehall robbery. There is also no record that he ever returned to Terrell or Jenny. A later newspaper article suggests his relationship with the family was strained due to Heath's many transgressions. It seems as though neither Jenny nor Sarah ever saw or spoke to him again. If John ever had any intentions of winning back Jenny's hand, that all changed in March of 1882.

Around the middle of March, the wife of Dr. A. A. Johnson awoke one night in her bed to the breeze blowing on her face. She looked up and saw her bedroom door open. Even more chilling, she was not alone. An unknown man was in her room rifling through her possessions. When he noticed her staring at him, he fled out the open door. In all, the burglar would get away with about $100 and, again, a watch. Luckily for Mrs. Johnson she had left her lamp burning in the room and was able to clearly see the burglar. She did not know him but did provide a detailed description of the man to Detective Jack Duncan of the Dallas Police Department. It fit John T. Heath perfectly.

The *Dallas Daily Herald* in its coverage of the event comments that instead of arresting Heath immediately the police held off. Dallas at the time was in the midst of a crime spree and Heath topped the police's list of suspects. The police were waiting to gather further evidence against Heath to aid in their case. Also, they were in no hurry; at the time Heath was due in court for a hearing on his upcoming robbery trial. After a few days Heath was arrested and jailed for the break-in at the Johnson house. The *Herald* opined that, "Barnum had his ancient woman, Joyce Heath, about whom volumes are written, but Joyce Heath is a humbug. Texas has John Heath, but John is not a humbug…he has achieved the reputation of being either the slyest, smartest rogue extant or the worst used, most unfortunate man living."

On April 18, 1882, John's father put up John's $100 bail and John was released. He wasted little time in fleeing Texas, this time for good. For about a year John's trail goes dark until about mid-April of 1883 when he appears in Clifton in eastern Arizona Territory for the first time working in familiar environs, at a dancehall. In all, John Heath's Texas criminal career spanned a mere seven years. In that time, he garnered a reputation in the Dallas area as a slippery cattle thief, a slick desperado and a notoriously bad man. His early crimes served as a disturbing precursor for the events that followed.

*(To be continued)*



## In Memoriam:
## Bill Bender

Western artist Bill Bender passed away peacefully on his 97th birthday, Jan. 5, 2016. He was sitting at his kitchen table talking to Helen, his wife of nearly 60 years. He fell three days earlier but was managing his normal routine.

Bill Bender was born in El Segundo, Ca. on Dec. 31, 1918, but his birth certificate wasn't recorded until Jan. 5, 1919. Bill fled the city to cowboy as soon as his schooling was complete. He cowboyed, packed, worked in western movies, and hit the rodeo circuit until a bronc injury sidelined him. While recuperating from that injury, Bill tried his hand writing at stories and also drawing his own illustrations. A manuscript was returned from publisher Paul Bailey of Westernlore Press with the following words of advice. "You don't write very well and you don't draw very well but your best bet is to stick with the drawing." Bill left Central Oregon, where he was living at time, and headed to California. He and Paul Bailey became lifelong friends and collaborators on many books.

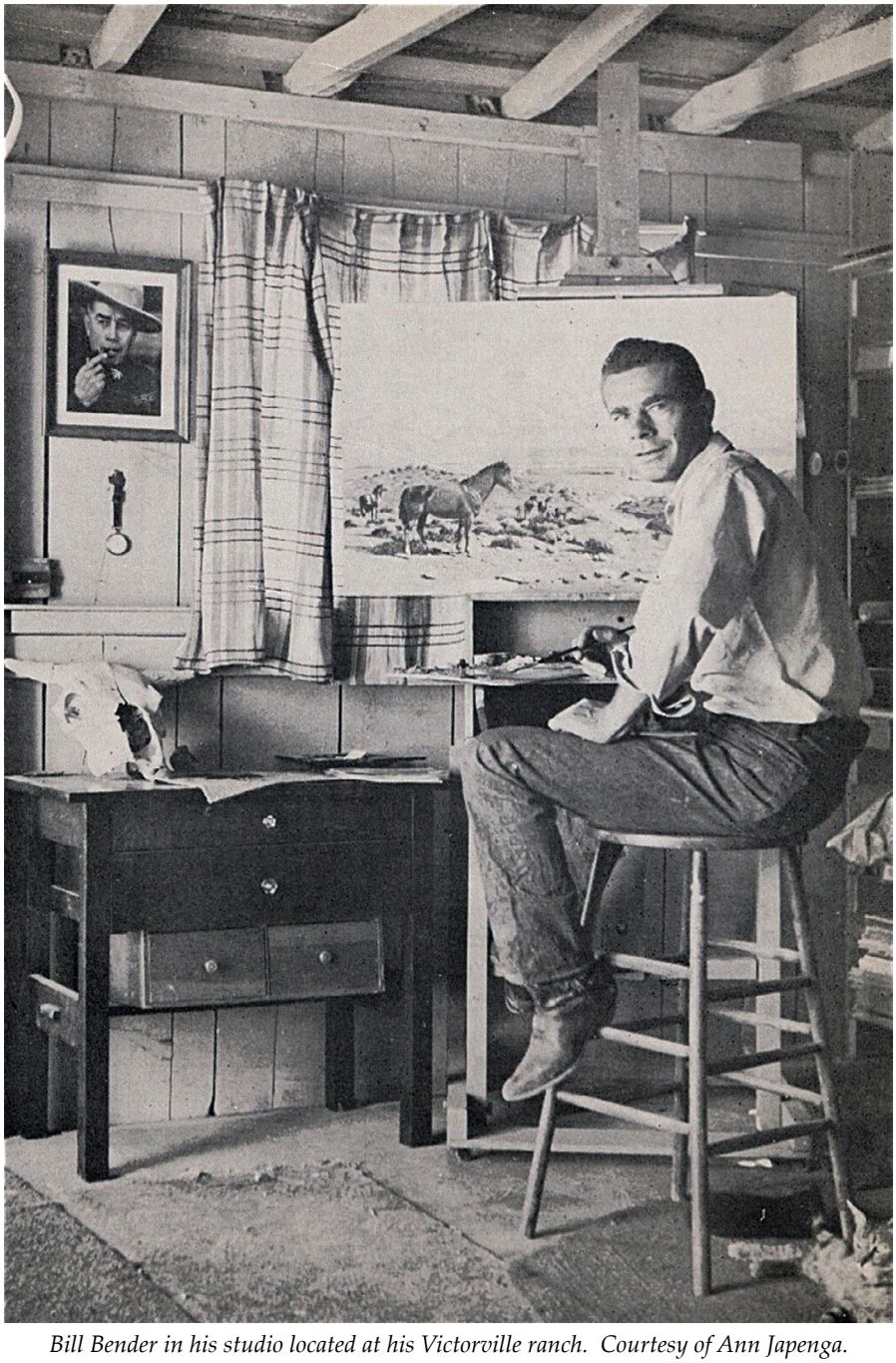
Around that time, Bill met Jimmy Swinnerton, the desert artist and cartoonist. Jimmy was 75 and never learned to drive. Bill became Jimmy's driver and accompanied him on painting trips to the desert and Indian country. Bill started painting with Jimmy and in Bill's own words, "once I got the feel of that little ol' paintbrush in my roping hand, I hung on and never put it down. Before long I decided to go for broke and make painting my life's work." Bill wouldn't put that paintbrush down until he was 95. He would support himself, and his wife, as an artist through seven decades. He had a "real job" drawing for Northrup briefly in the early 1950's. That was where he met his wife Helen. In 1955, Bill Bender became a full-time painter. There weren't a lot of artists supporting themselves entirely on art in the 1950s and 1960s.

Bill was one of the main contributors who started the Death Valley 49er's Art Show along with artist John W. Hilton and author Ed Ainsworth. Randall Henderson featured Bill's first one-man art show in Desert Magazine. He was an early and longtime contributor to Ed Trumble's Leanin' Tree Publications. Bill was in Ed Ainsworth's books, *The Cowboy in Art,* and was the thirteenth and final chapter in *Painters of the Desert*. Ed Trumble included Bender in his 2008 book *The Story of Leanin' Tree*. Bill Bender would also illustrate many books over the years.

The U.S. Air Force flew Bill to the Orient as a civilian artist in the mid 1960s along with John W. Hilton. A few years later, the

U.S. Navy sent him to record the Cadet Training Program at Pensacola. He survived landings on aircraft carriers and was proud to be an honorary Tailhook Airedale.

Bill Bender was friends with, and a contemporary of, artists such as Jimmy Swinnerton, Clyde Forsythe, Olaf Wieghorst, Bill Hampton, Brownell McGrew, Charlie Dye, Joe Beeler, John W. Hilton, Burt Procter, Aim Morhardt, Marjorie Reed, Don Perceval, Robert Wagoner, Buck Weaver and even Norman Rockwell. President Dwight D. Eisenhower also stopped at Oro Grande, complete with bodyguards, for painting pointers from Bill.



*Bill Bender in his studio located at his Victorville ranch. Courtesy of Ann Japenga.*

In 1985, Bill Bender decided to quit following the seasons painting and doing art shows. Bill and Helen stayed at their place in Oro Grande, California and helped his aging mother who lived to be 100. Besides not attending anymore art shows, Bill stopped using art galleries to sell his art. He had a big enough clientele built up that he could paint whatever subject he wanted, send photos of artwork to clients and someone would purchase it. Bill would work like this until he hung up his paintbrush in 2014. Bill Bender was one of the last of his breed and his passing marks the end of an era in the world of Western and desert art.

--Tim Heflin

## In Memoriam:
## Glenna Jean Dunning

Glenna Dunning, member of the Los Angeles Corral of Westerners, was a California historian especially interested in the Gold Rush and in early Los Angeles. A librarian, she was a long-time employee of the History and Genealogy Department of the Los Angeles Public Library. She left her mark at the LAPL main branch on much more than the reference files and book collections. Glenna also leaves indelible memories in the hearts of those of us privileged to have worked with her at our sometimes "colorful" reference desks.

Glenna was dignified and inscrutable but had a dry and delightful sense of humor that made her a favorite for any shift you got to work with her. Her knowledge of early Los Angeles history and deep understanding of the life of the pioneers was unmatched by any librarian who ever sat at the History desk. She was a fine writer of local history for scholarly journals and a wonderfully thorough editor when others asked for assistance. Before she ever put her name on any article she made sure it was right and based on rock-solid research. An accomplished public speaker, she was confident because she knew her stuff. Glenna was not shy about sharing great historical stories with any audience on subjects as diverse as the configuration of the Los Angeles Plaza to the all-purpose food once served at Clifton's Cafeteria.

Glenna had a playful streak and would laugh her little melodious cackle when something struck her fancy from weird historical facts to the eccentric shenanigans of library patrons. She could also be firm when enforcing the rules and brought a seriously professional attitude toward maintaining quiet in reading rooms. She understood all of the procedures and despite a long career as a librarian she still took notes about anything she did not clearly understand. No matter if others might have been in the department longer, she sometimes patiently explained methods and resources that even the old timers found puzzling. Glenna was an exhaustive weeder (library-ese for removing the obsolete materials from a collection) and would print out reams of paper to check each and every time an item circulated.

During slow times we discussed her unique trips around the United States, which might range from a visit to the largest ball of twine in North America to a concert by the Baldknobbers in Branson, Missouri. Glenna was kind and extremely intelligent and almost never said a bad word about anybody, even those who may have deserved it. Mostly, she was very good at her job and generous about sharing her decades of wisdom. For those of us she left behind, her legacy was what we all wish for in our last days: she was loved and respected. Her retirement was frustratingly short but her time in the History and Genealogy Department was long and satisfying. Glenna's good humor, stimulating intellect, sweetness and real affection for the place and the people of Los Angeles are gifts that will last forever.

--Glen Creason, Map Librarian,
History and Genealogy Department,
Los Angeles Public Library

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Glenna Dunning, longtime member of the Los Angeles Westerners, passed away October 28, 2015 after a long battle with cancer. She was born in Santa Ana CA in 1947. She completed her BA degree at UC Riverside and went on to USC to earn a Master of Library Science, subsequently beginning her career at USC as a Librarian, then on to Occidental College Library, then ended her working life as a specialist in Genealogy at the Los Angeles Public Library in downtown. Glenna loved the written word and published many articles in magazines and journals as well as our own Branding Iron. She delivered a few talks to the Westerners during monthly programs. She loved Westerners and was currently working on an article for Brand Book 24. Only days before she passed away, she expressed regret that she would not be able to finish that article. She will be missed.

--Joseph Cavallo

## In Memoriam:
## Dr. Richard C. Gilman

Active member Dr. Richard C. Gilman passed away on January 15, 2016. He was 92 and had been ill since early December.

Dick Gilman had a most interesting and distinguished life. The highlight was no doubt his tenure as the longest serving President of Occidental College. During his time there, he succeeded in increasing its endowment from some $11 million to over $130 million. He added faculty and broadened its disciplines. His leadership of that institution brought it to new academic heights and he forever left his stamp on its future.

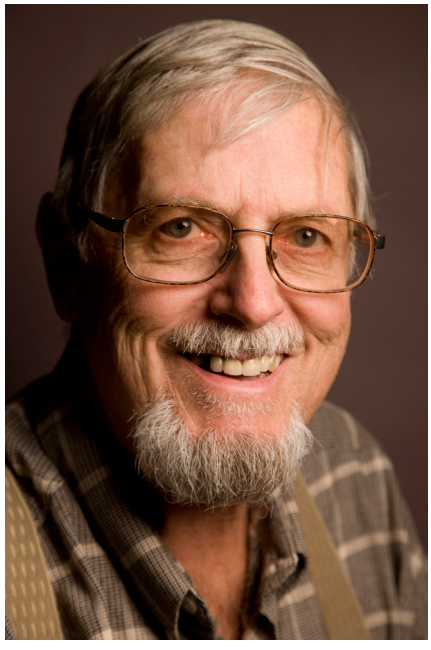

He was a New Englander and always maintained a bit of that regional accent. He was born in Cambridge, Massachusetts. He graduated from Dartmouth and later received his Ph.D from Boston University. Between degrees, he served as an officer in the U. S. Navy in the Pacific during World War II.

Over the years he served in a variety of leadership positions in a number of charitable and educational organizations including the Southwest Museum. He was one of the key players in the founding of the U. S. Department of Education and was an appointee of the State Department in several educational missions in other countries. In later life he spent several years researching the stories of Norwegians who came to the United States, their genealogy and their contributions to this country.

He has been a member of the Los Angeles Corral of The Westerners for a number of years and early on helped formulate and direct efforts toward our participation in grants and scholarship programs.

Dick Gilman was a class act in everything he did.

*-- Jerry Selmer*



## In Memoriam:
## Lynn Hodge

Lynn G Hodge - Born July 9, 1943 in Salt Lake City. Son of Iral Glen Hodge and Verla Green Hodge. Passed away October 19, 2015 in Kanab, Utah. He is survived by his wife Vickie Flake; children from first marriage: Steven, Tamara Nix (David), Matthew and Kristin; sister Karen O'Connell; and three grandchildren. He is preceded in death by his parents, his brothers DuWayne and Brent, and his daughter Amberly from his second marriage. Lynn grew up in Walnut Creek, CA and attended Las Lomas High School and San Ramon Union High School. He served in the North British Mission for the Church of Jesus Christ of Latter-day Saints in 1964-66. He then earned a B.S. in Finance & Accounting from Brigham Young University and an MBA from the University of Utah prior to spending majority of adult life in Ventura County working as a tax consultant (voted favorite tax preparer of east Ventura County in 2007 by readers of Ventura County Star). Created the slogans for Conejo Valley Days in 1992 and '93. Among his passions were fly fishing, photography, western Americana and genealogy. Viewing will be held on Monday, November 2, 2015 at 8:30 a.m., followed by service at 10:00 a.m. at the LDS chapel at 32165 Watergate Rd, Westlake Village, CA 91361. Interment at Westlake Village Pierce Brothers Valley Oaks Memorial Park at 5600 Lindero Canyon Road.

*Published in Ventura County Star on Oct. 29, 2015*

# Monthly Roundup . . .

**December 2015**

Juan Colato

Juan Colato is the Senior Wells Fargo History Museum Manager, and he began his talk with a brief history of Wells Fargo. Founded in New York in March 1852 by Henry Wells and William Fargo, they opened their first two offices in California on July 13, 1852. One office was in Sacramento and one in San Francisco. To this day it is still unsure which one has the honor of being the first Wells Fargo office. Wells Fargo offices would open up in mining towns so that miners could bring in their gold dust, exchange it for gold coin, put some money away, or send some money home.

Wells Fargo became so iconic and so tied to western folklore that fake memorabilia started cropping up. The easiest forgeries to spot were the items that had been emblazoned with the Wells Fargo shield. Guns, knives, spyglasses, and even spittoons carried the Wells Fargo shield which was, of course, fake. Other common fakes are badges, buttons, body tags, and a large number of silver ingots that are actually made of pewter. There are also many scams connected to fake Wells Fargo collectibles. According to one, Wells Fargo has stashed fifteen hundred tons of gold in the Philippines and it can all be yours for a few hundred real dollars. The most notorious fakes came in the form of the Wells Fargo belt buckles. In the late 1960's a British man who realized the demand for western memorabilia started making Wells Fargo belt buckles and shipping them across the pond to be sold as authentic. At their height there were an estimated six million belt buckles. If each buckle was real and had actually been owned by a Wells Fargo agent, then each agent would have owned about ten thousand belt buckles.

Wells Fargo's history is extremely interesting as is the memorabilia (whether or not it's real or fake). The most important thing to take away from Juan's talk, however, is that old adage: Buyer beware.

--Aaron Tate

**January 2016**

Brian Dervin Dillon

Before the disaster at the Little Bighorn or the frustrated pursuit of Geronimo, our country fought its costliest – and most unnecessary – Indian conflict with the small Modoc tribe of northern California. Westerners Deputy Sheriff Brian D. Dillon kicked off the first meeting of 2016 with this conflict's tragic and mis-understood history in his talk, "California's Modoc War, 1872-1873: Fact, Fiction, and Fraud."

This history has been obscured in the last 150 years for reasons of profit, drama, and ideology. Nineteenth-century journalists and swindlers promulgated errors and fabrica-

tions that persist to today, twentieth-century Hollywood reached new levels of ignorance in scriptwriting and casting, and twenty first-century historians pursued their own revisionist agendas.

In actuality, the Modoc War emerged not from any villainous scheme or settler-native dispute, but from bureaucratic incompetence. The Modoc had assimilated with whites, but to simplify administration, the federal government forced the Modoc onto a cramped Oregon reservation with two other tribes. Fighting broke out when the Modoc left the reservation and refused to be resettled. The ensuing war was remarkable in many ways. It was the first Indian war to receive extensive photographing and reporting. Public sympathies also initially sided with the Modoc, whom many felt had been mistreated. Lastly, the war against only 53 Modoc warriors was a military fiasco. The tide turned, however, after Modoc chief "Captain Jack" mur-dered General Edward Canby during peace negotiations. The Modoc eventually surrendered, and President Grant ordered their leaders executed and the tribe removed to Oklahoma. No full-blooded Modoc live today.

The Modoc were a small tribe, but have cast a huge shadow on California's history. The Westerners would like to thank Deputy Sheriff Dillon for an informative and thought-provoking presentation, and looks forward to many more talks to come this year.

--John Dillon

## February 2016

Abraham Hoffman

Jedediah Smith is no stranger to history. Many books and articles have been published about him and his journeys; and various places and organizations have been named in honor of him. Abraham Hoffman's talk focused on the somewhat forgotten men who travelled with Jedediah and the extremely high rate of death among them.

In 1826 Smith took an expedition through Utah and Arizona. They reached California and took shelter at the San Gabriel Mission where they ran into some difficulty


with Governor Jose Maria de Echeandia who did not want them in California. With the endorsement of ship captains who traded in Monterey they were granted passage. Smith and his men then traveled north to the Sacramento Valley where they gathered a good supply of beaver pelts. Smith then tried to head east but was stopped by the Sierras. He tried again with only two men and made it through, leaving behind the rest of his men who would wait for his return.

Smith made it back and, after recovering from the long journey, got another eighteen men to take back with him. Smith and his men came across an Indian village on their way back and the Indians were friendly, at first. As soon as the trappers were on their way, however, the Indians attacked them. Ten men were killed. The survivors escaped and made it back to the men who had been waiting. After some more bureaucratic sidestepping with Mayor Echeandia, it was decided that Smith and his group would leave California. They made their way to Oregon where they angered some local Indians. A Kelawatset man had mounted one of their horses and was ordered off at gunpoint. Unfortunately, for Smith and his trappers, this man was the only reason they hadn't already been attacked, and they'd made an enemy of him. The Kelawatsets attacked the company while Smith was away from camp. Only one man survived. A total of twenty-two men died while travelling with Jedediah Smith. He was lucky to survive for as long as he did, but his luck finally ran out in 1831. On a new expedition with his brothers he was scouting ahead for some water and was killed by a group of Comanche Indians.

# Down the Western Book Trail . . .

***BLUE SKY METROPOLIS: The Aerospace Century in Southern California***, edited by Peter J. Westwick. Berkeley: University of California Press, 2012. 308 pp. Illustrations, Notes, Selected Bibliography, Index. Cloth, $44.95. Reviewed by Abe Hoffman.

Second only to the motion picture/ television industry in economic importance, the aerospace industry made a major contribution to the growth and influence of Southern California. Sponsored by the Huntington-USC Institute on California and the West's Aerospace History Project, the thirteen essays (plus introduction and afterword) in this book assess the rise and decline of the aerospace industry, its significance in shaping suburban growth, and its impact—for good and often ill—on the region's environment. Reviewers of anthologies often describe the contributions as "uneven," meaning that some are better written or researched than others, but every essay in this book hits the mark.

Ably edited by Peter J. Westwick, the ook is divided into five sections. Under "The Human Element," D.J. Waldie and M.G. Lord describe growing up in communities where aerospace was the dominant industry. In "The Work," Sherman N. Mullin describes the growth of Lockheed; Anita Seth examines the problems encountered by aircraft workers who formed or tried to form unions during the Cold War era. Mihi Pandya explores the development of Stealth airplanes. In "Culture," Stuart W. Leslie assesses the work of William Pereira in his architectural designs for aerospace plants. Peter J. Westwick traces the connection between aerospace computer animation and its influence on Hollywood animation. In a fascinating examination of California counterculture, W. Patrick McCray deals with the odd and frequently weird following for alternative space exploration, from private enterprise to Timothy Leary's predictions of life in space.

In "Communities," Zvoque Wang notes the contributions of Chinese and Chinese Americans to Southern California's aerospace industry. Dwayne A. Day describes the sometimes harmonious, other times acrimonious relations between the Chumash Indians and aerospace use and misuse of their ancestral lands The final section, "Geography," has two essays. Glenn E. Bugos reminds us that Silicon Valley also played a role in the development of avionics and the diversity of start-up companies there. Wade Graham assesses the damage done to the environment by the aerospace industry in contaminating water supplies and groundwater with toxic waste. Philip Scranton provides a reflective afterword.

These capsule descriptions can't do justice to the richness of the essays. The authors examine the impact of aerospace in the hiring of tens of thousands of engineers, designers, scientists, mechanics, and other workers. These people had to live somewhere, hence the birth of instant cities such as Lakewood and the growth of Palmdale and Lancaster in the Antelope Valley. Shoestring companies grew into major corporations, owing much to World War II, the arrival of commercial jet aviation, and the space race of the 1960s. The aircraft industry morphed into aerospace, subsidized heavily though government contracts for jet fighters, rocket ships, guided missiles and, most recently, drones. Subsidiaries flourished, linked to aerospace in providing a wide range of materials.

The general impression derived from the essays, however, is that in the end the aerospace industry was built on a house of cards. Continued success for companies depended on winning government contracts; not getting those contracts often meant massive employee layoffs. In effect, the middle class, suburban lifestyle of thousands of people in Southern California turned out to be fragile as engineers and other professionals worked or didn't work in a cycle of boom and bust. There was also the cost to the families of aerospace workers. Since much of the work was classified, men (stereotyped as wearing white shirts, ties, and pocket protectors) couldn't tell their wives and children what they were working on. And they worked long hours as well.

The aerospace industry in Southern California has in recent years declined to a fraction of its employment numbers and economic significance. Former aerospace buildings, some long vacant, have been taken over by other companies. Surviving companies have relocated elsewhere. Given

the successes and failures of aerospace, it would not be surprising if the industry had also built rollercoasters; the ups were thrilling, the downs could make you queasy.

One final note: Westwick and his fellow contributors note that the aerospace field is a topic calling for more historical research. The essays in this book set a high standard for anyone who wishes to pursue the subject.

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***CLYDE WARRIOR: Tradition, Community, and Red Power*** by Paul R. McKenzie-Jones. Norman: University of Oklahoma Press, 2015. 234 pp. Illustrations, Notes, Bibliography, Index. Hardbound, $29.95. Reviewed by Jerry Selmer

Clyde Warrior is a name which is probably not familiar to most of us. Several decades back, in the Lyndon Johnson years, the War on Poverty and other similar Federal programs were coming out at the same time as unrest throughout the land about the Vietnam War, civil rights and other social issues. It was a time of demonstrations which were often met with force by armed law enforcement at the behest of state and local governments. Against this backdrop of general turmoil, there were many groups pushing for help and recognition.

Since the time of European colonization in the New World, the American Indian peoples have tried to maintain their homes, their way of life, their traditions and their culture. It has been a losing battle for them. The promises by the white conquerors were many. Few were kept. Slowly at first, then moving faster following the Civil War, the aboriginal people of this continent were removed from their homes or killed outright. Their children were taken away from them and sent to boarding schools where they were taught to be farmers and good Americans. Their hair was cut. Their native clothes were taken from them and burned. They were severely punished for speaking their own language. Their parents were not allowed to see them. They must conform or else!

When their homes were taken, the Indians were forced on reservations often far from their homelands. Over time those reservations became smaller as parts of that land were taken and given to the ever expanding population of whites.

All the above happened – and even more. To say that the first peoples of this continent have a few anger issues is to seriously understate and misjudge the situation.

During the decades of unrest in the latter part of the 20th Century, there were several Indian groups which came into being in an effort to right some or all of these wrongs. A young man belonging to the Ponca Tribe of Oklahoma rose up to become one of the important leaders in this movement. His name was Clyde Warrior. Warrior had been raised in a "traditional" home. That is, he was immersed in the history, culture and lifestyle of his people. As is often the case, it was at variance with that of the majority population. Clyde Warrior learned the dances of his people and other related tribes. He participated frequently in powwows and won numerous prizes for his excellence in dancing.

Warrior went to school in Ponca City, off the reservation. Here he met discrimination against his people. Despite this he learned much from his school. He became a good student and rather eloquent in the English language. Later, he was fascinated by the various civil rights movements throughout the country and decided that it was time for American Indians to achieve freedom to be both Americans and also American Indians. He believed both are possible. He envisioned keeping the traditional ways and at the same time learning in the white man's schools so as to be able to succeed in the non-reservation world. He wanted freedom from Federal "colonial" control as exercised by the Bureau of Indian Affairs.

Through his natural leadership abilities he found himself in several organizations which he then attempted to mobilize to achieve goals for his people. He called this program "Red Power". Unfortunately along the way, the pressures of both his traditional and political activities became too much for him. Like many others, he turned to alcohol. His addiction became worse over time. Despite the visions of a better future, he continued to handicap himself with the bottle. At the end his achievements were relatively small though his ideas persisted among others. He died of cirrhosis of the liver at the age of 29.

As I said earlier, most of us have probably never heard of Clyde Warrior. This book will

tell you his story; however, I must say that the story is thin at best. The author surrounds what little there is to tell with a great deal of verbiage, but my reaction is that the story of his life would have made a better dissertation than a book. In fact, I think that is how it must have started out. I cannot recommend this book. I believe it would have appeal only to a very small readership.

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***A Call for Reform: The Southern California Indian Writings of Helen Hunt Jackson.*** Edited by Valerie Sherer Mathes and Phil Brigandi. Norman, University of Oklahoma Press, 2015. 209 pages, Illustrations, Appendices, Footnotes, Bibliography, Index. Hard Cover, $29.95. Reviewed by Brian Dervin Dillon.

California Indians suffered more at the hands of the white man than did any other Native Americans. Early observers who were shocked by such inhumanity included Don Benito Wilson (1811-1878), one of the very first and most compassionate Indian agents at the time of California statehood, J. Ross Browne (1821-1875), in his official capacity as a confidential agent of the U.S. Government, who wrote that the reservations of 1850's California seemed best at "feeding white men but starving Indians," and Bret Harte (1836-1902) the newspaperman whose editorial outrage over an 1860 massacre of Indians by whites earned him death threats. But such early voices of reason had little influence on the dominant, white, California civilization inexorably crushing the simpler Indian culture preceding it. It remained for a much later woman, Helen Hunt Jackson, to change the attitudes of most Americans from indifference to sympathy for the plight of the earliest Californians, the Indians, as they teetered on the brink of extinction.

Helen Hunt Jackson (1830-1885) was an easterner who never actually lived in California. She visited our state four times between 1872 and 1885, and, as an historical accident, died here that latter year. A perennial outsider, busybody and literary scold, Jackson discovered her true calling late in life as a champion for the underdog. One influential historian called her "a petulant and intolerant snob [who became]. . .a zealous crusader for Indian rights." Only during her forties and fifties did she became energized and committed to what today we would call human rights, long before the phrase term entered the American lexicon. Jackson is often compared to Harriet Beecher Stowe (1811-1896) that product of the intensely abolitionist family whose novel, *Uncle Tom's Cabin* (1852), did more to advance the anti-slavery cause than did decades of congressional debate. Both women were immensely influential, but while Stowe lived to see the positive effects of her writing, Jackson, unfortunately, did not.

Most Californians are familiar with the story of *Ramona,* the (1884) book Jackson wrote in New York City, which went through more than 300 printings. *Ramona* also, unintentionally, inspired plays, pageants, Hollywood movies, even comic books, and pioneered fictional, pseudohistorical recreations of California's past for entertainment purposes, staple fare from *tinseltown* and iconic Southern California amusement parks. But what is not generally appreciated is that there were many different sides to Jackson, the woman of letters. *Ramona* was indeed her final work of fiction, but not her only one, for she had written nearly three-dozen earlier novels. And, while *A Century of Dishonor* (1881) was, by far, Jackson's best known non-fiction exposé of the failures of our people and our government to protect our oldest abused minority, it was only one literary outgrowth of the outrage she felt amongst dozens of other, albeit shorter, newspaper and magazine articles on this same subject.

Fortunately, Valerie Sherer Mathes and Phil Brigandi, two of California's foremost historians, have recently rescued significant writings by Helen Hunt Jackson on California Indians from archival obscurity. *A Call for Reform* offers these between two covers in a single volume. The sequence of presentation is logical and chronological, and the text is greatly enhanced by contemporary illustrations that bring long-dead people and almost-forgotten places back to life as no amount of writing, no matter how impassioned, can. Mathes and Brigandi's editorial comments are amongst the most valuable contributions of the book, constantly putting Jackson's observations into historical perspective. From them we learn what preceded or precipitated one Jacksonian

entry after another, and what developed or failed to develop as a result. These editorial contributions appear traditionally as footnotes, and therefore can be read as adjuncts to the text, or independently if preferred. They alone are worth the purchase price of the book.

A leading California historian wrote almost fifty years ago that despite all of her factual writing, Helen Hunt Jackson is best remembered for the wrong book, her fictional *Ramona,* the romantic potboiler which, in anthropological perspective, is about as accurate as a modern, mid-day T.V. soap opera or *telenovela.* Symptomatic of the many literary offenses in *Ramona* is Jackson's typically eastern confusion of Italian with Spanish, which still grates on all Californians with any Spanish language ability, not just *Latinos.* But *Ramona* was Jackson's biggest seller, the book which could be found in every California library, and in almost every California home. It was also her most influential, and changed attitudes more effectively than any two or three dozen of her no-nonsense, non-fiction, works ever did. Jackson personally sent copies of *A Century of Dishonor* to every Congressman in Washington D.C. Most simply sat, buried on their desks, unread, yet the same elected officials, just a few years later, rushed out to buy *Ramona,* and devoured it. Thus, it was Jackson's fictional, posthumous, book, not her many earlier works of non-fiction, that finally began to improve governmental treatment of American Indians.

*Ramona* to this day takes center stage, perhaps, simply because so many of Jackson's other, non-fiction, writings remain so little known. Mathes and Brigandi are now reversing this imbalance. With their new edited volume, these two historians have done all Californians and all Americans a very great favor by assembling letters, reports, and other writings which reveal how tireless, dedicated, and sincere a champion of the California Indian Helen Hunt Jackson was. Their new book also reminds us of how much all Californians owe to one remarkable woman, who changed our state, and our country, for the better.

Valerie Sherer Mathes and Phil Brigandi's, *A Call for Reform: The Southern California Indian Writings of Helen Hunt Jackson* recalls an American heroine. The University of Oklahoma Press has once again published an essential book on California history with national and international relevance. It is not just a "must read," but a "must have" volume for all serious students of California history.

*LA Westerners gather at the home of Jack Harden (second from right), September 16, 1948.*