



U. S. Deputy Marshal Wiley G. Haines (Courtesy Joe D. Haines).

## THE LOG OF A FRONTIER MARSHAL

*By Joe D. Haines, Jr.\**

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Remember the old *Gunsmoke* western series on television? Almost anyone in the United States can recall the opening segment of the show which was repeated each week. Marshal Matt Dillon steps out into the street, empty except for a gunslinger at the other end ominously waiting for him. The music rises, the tension quickly builds, a shot blasts forth, and the marshal is once again triumphant. Even today, many television and film writers ask us to believe that such shoot-outs were routine occurrences in the life of a true frontier marshal.

But have you ever wondered what the day-to-day life of a real frontier marshal might involve, once the fictional showdowns had been omitted? Many law enforcement officers had their share of adventure and shoot-outs with outlaws, but at times the job was far from glamorous. The pay often was not particularly good; a man was away from his family and home a good part of the time; he had to brave all sorts of inclement weather; he often was suspiciously regarded and got no help from citizens friendly with the outlaws; and he had to be on constant guard lest he be shot from ambush. It was a wonder that enough men stepped forward to take the job as a United States deputy marshal. But there always seemed to be a handful of men whose combined sense of duty and adventure led them down the dangerous and sometimes courageous path of a frontier peace officer.

Most people are well acquainted with the heavily fictionalized accounts of Wyatt Earp, Pat Garrett, and other big name law officers, but these men were not really representative of the typical frontier marshal. Wyatt Earp, for example, only spent a few years as an officer and occupied the majority of his time as a gambler.

So, one must look to lesser known frontier marshals, men who performed their duty with a quiet and forceful determination. Men like these did not seek recognition in the newspapers, they only sought justice, law, and order, and strove to make the frontier a safe place for a man and his family to live. The list of such peace officers is long: Frank Canton, Bud Ledbetter, Chris Madsen, Bill Tilghman, and many others.

To get an idea of the daily duties of such men, students of history can look to biographies and autobiographies, but too many books concentrate on major events while neglecting the day-to-day duties of marshals. Fortunately, Wiley G. Haines, who was commissioned as a deputy marshal in 1893 and served as a peace officer for thirty years in the Osage Nation, now Osage County, Oklahoma, kept a daily log book from 1899 to 1900 recording his daily duties and experiences. Haines was stationed at Hominy, then a small post in the 1,500,000-acre Osage Reservation. Before coming to Hominy, Haines served as a member of the police force in Oklahoma City for several years, then in 1893 he went to Perry,

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Oklahoma Territory, where he was an undersheriff. Along with men such as Bill Tilghman and Heck Thomas, Haines helped tame a particularly violent section of Perry known as "Hell's Half Acre." After he received his federal commission, Haines made numerous trips into the Osage in pursuit of law-breakers and fugitives from justice. In 1898 he was given a position in the Indian Service and was sent to the Osage Reservation where he remained for the next thirty years fighting crime in its various forms.

Marshal Haines kept a daily log from May 15, 1899, to February 29, 1900, wherein he recorded his experiences. The following remarks are typical entries from this journal. Hopefully, Marshal Haines's notations will reveal what it must have been like to be a marshal on the Oklahoma frontier. Explanatory notes have been added in brackets.

*May 24, 1899* "Went to see (Chief) Black Dog to try and get him to influence Osages to follow and catch horse and cow thieves that made raids on them when I was away. Also asked him to influence his followers to answer questions when I was trying to get statistics. He agreed to do both."

*June 7, 1899* "I called on Mose Cedars and found a little negro boy working for him, about 15 years old. I directed him to notify Matt and Joe Gasgin to get off the Osage Reservation as they are horse thieves and bad characters. Also tried to prevail on him to quit making his house a den of thieves."

*June 15, 1899* "Went to Pawhuska as per order of Agent [Pollock, Osage Indian Agent for Dept. of Interior] to assist in the preservation of good order during payment [government money payment to Osages]."

*June 23, 1899* "Saw S. B. Brown who claims to be a squaw man and didn't need any permit. After he left I found he was lying. I overtook him and started him out of the Osage Reservation."

*June 26, 1899* "Went to Hominy Post, interviewed many parties that I had notified about their permits as can be seen by referring to preceding pages." [Haines's journal is full of hundreds of entries concerning checking permits for residing and working in the Osage Reservation. It appears that most did not have valid permits and part of Haines's daily duty involved seeing that they obtained permits or got off the reservation.]

*June 30, 1899* "Went south of Hominy Post to see about stock reported to be held by thief [Alex Ingram] in John Logan's pasture. Found. It was a mistake."

*July 3, 1899* "Worked on statistics."

*July 4, 1899* "Tried to locate thieves that stole harnesses this morning. Went to bar-b-que at Martin's on Birch Creek, 8 miles north of Pawhuska. Everything quiet and peaceable."



Osage Chief Black Dog and his wife proved to be indispensable allies to Haines, who had to fill a precarious role between reservation Indians and encroaching whites (Courtesy Oklahoma Historical Society).

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*July 13, 1899* "Went with Captain Ransom Payne [Chief of Indian Police] to Black Dog Camp and found several Caddo and Delaware Indians visiting."

*July 19, 1899* "I arrested J. Labdell again for trespassing on Osage Reservation. Took him home, kept him overnight. On July 20, took him across the river [Arkansas River] to Cleveland and directed him to stay off the Osage Reservation."

*July 22, 1899* "F. W. Wilson [who had been working for Black Dog] was turned over to me by Deputy Sheriff J. N. Hewitt. Hewitt claiming that Wilson had stolen a horse from him and rode it to death."

*July 24, 1899* "Sent James Binkford to Pawhuska with F. W. Wilson. He returned in the afternoon with Wilson, the U. S. Commissioner having fixed his bond at 500 dollars. Got 310 lbs of ice."

*July 27, 1899* "Stayed at home most of the day. Went to Hominy Post in the afternoon. At 9 p.m. my wife was confined, giving birth to a fine baby boy. Dr. Morphis attending."

*August 1, 1899* "Started to Hominy Post & met Alex Ingram whom I tried to capture but he being on horseback and I in a buggy, he got away."

*August 14, 1899* "Meet Bud Trail, U. S. Deputy Marshal at Claremore, I. T. Go with him east to Laughlin's. Meet U. S. Deputy Marshal Warren



Wiley Haines, his wife Sarah, and their four eldest children (Courtesy Joe D. Haines).

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Bennett. We go to Glenn Flippens and arrest him for murder, he being accused of murdering one J. Williams.”

*August 15, 1899* “Go to Tulsa, I. T. Arrest Jack Harlow, who is also accused of being one of the murderers of Williams. Also arrest Will Obermeyer for burning out Stonebraker’s brand on one of Stonebraker’s strays. Stay all night at Jack Whalin’s.”

*August 18, 1899* “Return home—got to Hominy and receive anonymous letter signed, ‘House Crik’ threatening to kill me if I don’t leave the country before court.”

*August 31, 1899* “Go to Hominy Post then south several miles. Arrest Dan Kenrick and Arthur Wainscott for being drunk.”

*September 5, 1899* “Agent Pollock sends me out to try and find Z. T. Alred who is accused of raping an 8 year old girl. I go to Bigheart’s [now known as Barnsdall]. Find that Alred has several hours start on me. I follow him by tracks until he quits the trail. I go to new railroad and look for him. Send word everywhere I can. Search several railroad camps and Skullot’s house about 11 p.m.”

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*September 6, 1899* "Still hunt for Alred on down railroad grade, below Austin P. O. then go back to agency via Collon's Ranch."

*September 11, 1899* "Take Russell Warrior to Elgin, Kansas so that he may go to school."

*September 18, 1899* "Monday night Constable John Plummer and I take thirteen Indian boys to Elgin, Kansas for Dr. Divan, who is aiming to take them to Carlisle, Pennsylvania [the famous Indian school was located there]."

*September 19, 1899* "Arrest Wm. Linn about 12:30 a.m. for introducing beer and whiskey."

*September 23, 1899* "Arrest Jack Harlow for stealing cattle."

*September 24, 1899* "Went to Alex Davis' and hunted for George Denver who is accused of larceny of hogs from John McCoy."

*September 25, 1899* "Went to Denver's and got him. Went north through Skiatook. Searched along the line for Glenn Flippens, who is wanted for almost every crime."

*September 26, 1899* "Went to Henry Behining's on Birch Creek. Bennett arrested him and Alsie Gunn. Charged with introducing liquor."

*October 5, 1899* "Went to Hominy and then in hills looking for intruders."

*October 21, 1899* "Go north 5 or 6 miles. Also go over to Olo-hap-mal-ah farm and try to settle dispute between him and James Hall. Settled?"

*October 21, 1899* "Hear of outlaw in vicinity by name of Frank Watkins. Up all night. Catch him at daylight Sunday morning, Oct. 22/99."

*October 23, 1899* "Go with Watkins to Pawhuska. Turn him over to Warren Bennett. Receive orders to go to Mrs. Maggie Lawrence's 10 miles southeast of Arkansas City and settle dispute between Maggie Lawrence and tenant, Mr. Avint."

*October 24, 1899* "Go to Kaw Agency with Special Agent G. B. Pray."

*October 25, 1899* "Go to Lawrence farm. Find the matter practically settled, return to Kaw Agency."

*October 26, 1899* "Remain at Kaw Agency all day on account of sick horse."

*October 27, 1899* "Go to Grayhorse. It rains."

*November 8, 1899* "Go to Pawnee to attend court."

*November 10, 1899* "At Pawnee arrest John McPherson in the act of giving an Osage Indian some whiskey."

*November 25, 1899* "Am discharged as witness at Pawnee at 5 p.m."

*December 4, 1899* "Go to Pawhuska to attend payment."

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*December 11-15, 1899* "Worked around agency doing police duty."

*December 17, 1899* "Track horse thieves all day."

*December 18, 1899* "Notify Eugene Ware who is taking mescal how he can recover his horse that was stolen Saturday night. He refused to make any effort to recover the horse. Said, 'Let it go.' "

*December 25, 1899* "I go to banquet and ball at Jap Riddles', watched all night but failed to catch any whiskey or peddlers."

*December 29, 1899* "I try to locate or find some whiskey, also look out for intruders and hunters. Ride nearly all day."

*January 1, 1900* "New years' day finds me riding in the snow."

*January 6, 1900* "Worked out northwest of Hominy looking for intruders and hunters. Also round up a lot of Indian children for school."

*January 8, 1900* "Arrest Steve Ballew in night for drunkenness."

*January 10, 1900* "Receive orders to capture three Indian boys that ran away from government schools. Go southwest of Pawhuska. Ride about 25 miles and return to Pawhuska without finding them. Go to Hominy that night."

*January 11, 1900* "Find boys in brush, running northwest of Hominy about six miles. Take them back to school."

*January 12, 1900* "Work around agency. Go southeast 20 miles looking for intruders. Also trying to capture outlaws [with Deputy Marshal Bennett]. Return to Pawhuska."

*January 15, 1900* "Went north in search of Edgar Wainscott who is wanted for stealing hogs."

*January 29, 1900* "Receive letter from acting agent W. D. Leonard directing that I quarantine against other parts of Oklahoma and Kansas [due to smallpox outbreak]."

*January 30, 1900* "Put in time quite busily in trying to establish quarantine around Hominy."

*January 31, 1900* "Posting up notices and turning people back."

*February 4, 1900* "Am notified that horse thieves have again made a raid on Indian horses. Perry King tells me they are on a trail north of Hominy Post."

"I go north of Hominy Post about one-half mile and strike the trail. Ho-ke-os-ah and Perry King follow the trail, being joined by Tom Gilliland. With some difficulty we follow the trail near J. L. Freeman's. He joins us. We follow about 8 miles east of there and discover the parties have quit the trail. But two of them have come back, evidently on look out. We find the trail again and soon discover the horses."

"After having ridden the trail 35 miles we advance afoot. I send Perry King across branch. Tell Freeman to watch to the left and Tom Gilliland

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Marshal Haines on horseback on the streets of Pawhuska in 1900 (Courtesy Joe D. Haines).

to go to my right. We advance. I observe several objects through the brush of the blackjack trees. I call, 'Hey there! Hold up your hands!' I see a commotion but no sign of obedience to the order. I fire and advance two or three steps. Call again, 'Hold up your hands!' Am not obeyed. I fire again and advance and see two persons with hands up. I discover that what I think is a third person is a saddle. I find that I have fatally shot two horse thieves, one named 'Arthur Brooksher' and the other gave his name as 'Henry Myers.' I send for Dr. Unick. He advises that we remove Myers to a house. We go to house, but when we arrive Myers is dead. Brooksher having died very soon after being shot. I go with corpses to J. L. Freeman's place. Stay all night, next day."

*February 5, 1900* "Take bodies of parties killed yesterday to agency. Acting Agent Wm. Leonard had them taken charge of by undertakers. They had five head of Indian horses with them."

*February 6, 1900* "Myself and other witnesses are examined by a coroner's jury and I was exonerated from all blame and 'it was a justifiable act in self-defense.' "

*February 8, 1900* "Appoint J. L. Freeman quarantine guard at Tulsa. Return to Hominy."

*February 10, 1900* "Go to Pawhuska to see agent and get Dr. Morphis to



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examine parties at C. McKenzies and L. J. Riddles to see if they have smallpox."

*February 11, 1900* "Return to Hominy with Deputy U. S. Marshal Warren Bennett. Appoint D. H. Harris quarantine guard at C. McKenzies' and H. R. Adams at L. J. Riddles."

*February 12, 1900* "Bennett and I go east looking for outlaws. Stay all night at Lou Appleby's."

*February 13, 1900* "We find James Cordell, who has tried to give us the dodge. Bennett takes him to Pawhuska and I go to Hominy."

*February 14-15, 1900* "Busy as quarantine guard."

*February 19, 1900* "Go to Pawhuska to see about raising quarantine at L. J. Riddles'. Agent says it's better to wait a while."

*February 20, 1900* "Return to Hominy."

And so Wiley Haines's record of daily duties comes to an abrupt end. It is a pity that he did not continue, but selected episodes from nine months of his thirty-eight-year career give one an idea of what a frontier marshal had to contend with in the performance of his duties. Haines continued to pursue both infamous and obscure outlaws, more often than not bringing his adversaries to justice. Haines is perhaps best remembered near Pawhuska in 1903. Both the Martins were killed and Haines was critically wounded but recovered to continue his work.

The history books tell us little about great men such as Haines, instead perpetuating legends of murderous criminals like Billy the Kid and Jesse James. When Haines died in September, 1928, his obituary in the *Tulsa World* recorded:

"There was in the time of Haines, Bud Ledbetter, and Frank Canton no elaborate law organization. An officer was then literally the law and nothing but his judgement and his trigger finger stood between him and extermination. He had nowhere to pass the buck, no alibi, no reinforcements. It was often a case of a lone man against a pack of cunning devils long used to the brush and the cave. These men of law had no brass bands, typewriter or press agents and they had to be deadly as rattlesnakes.

"Haines, like most of the real officers of his time, was rather modest and unpretentious. Practically none of the oldtime officers—with the exception of Heck Thomas—had the courtly manner, the dramatic look, or the towering presence. They were the forerunners of our civilization and the job was a grim one. They were just as far from the movie type of gun-fighter as possible. They were direct representatives of the United States and they acted directly.

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“The passing of these unromantic men constitutes the passing of a romantic era. It was a rough era, but in the light of that which came after, it was heroic and exciting.”

\*Dr. Joe D. Haines, the great-grandson of Marshal Haines, is a physician from Tulsa, Oklahoma.

### FOR FURTHER READING SEE

Shirley, Glenn. *Red Yesterdays*. Nortex Press, Wichita Falls, Texas, 1977.

“The Advance Guard Recedes.” *Tulsa Daily World*, September 26, 1928.

“Dead Outlaws Brought Here For Identification.” *Guthrie Daily Leader*, August 11, 1903.

“Wiley G. Haines: Frontier Lawman.” *The Hominy News*, August 25, 1960.