

## *A Resolute Rascal*

By an Omaha express firm I had been furnished with means to ferret out a horse thief, by whose operations said firm had lost some ten animals. Being persuaded by information too tedious to detail, that the purloiner had gone to Silver Creek, on the Pacific Railroad, I proceeded to that unknown settlement, and immediately commenced operations. The man and his habits were so familiar to me from repeated description, that I felt certain of identifying him in some of the many [fair] establishments of the place; or, failing in them, in one of the multitudinous fire-water dispensaries.

One night I visited all the gambling banks unsuccessfully. The next I proceeded to inspect the drinking places. The first one was a large frame house, which I entered, and, while drinking, quickly scrutinized every face and incident.

In the middle of the room, upon a huge barrel, stood a red-faced, broad shouldered Irishman, in one hand a bottle, in the other a glass; on the floor, close to the barrel's base, crouched an ill looking mastiff, who eyed around savagely. At the bar was a tall man waiting the replenishing of his flask. His hat concealed half his face, and a scarlet handkerchief wound around his neck buried in its greasy folds a mass of matted, gipsy-like hair. I caught him glancing furtively at me when entering, then saw him turn his back; so I kept my eye brisk for any suspicious incident.

Suddenly, the Irishman, who all along had been alternately singing in his native dialect and absorbing spirits, fell headlong upon the dog, whizzing the glass and bottle across the floor with a crash. Simultaneously with his fall out went the light. The reeling man had clutched and wrenched the fixture from the ceiling. Now it was confusion with a vengeance. The different card-playing [groups], deprived of light, rose from the tables, and each gainer or loser struggled for the little heaps and balls of money. Noises, from shouts and loud curses to the hard breathing through the clenched teeth of combatants, filled the room; and in this pandemonium I nearly gave up all hope of nabbing my man.

In the midst of the confusion the door opened, the clear moonlight streaming in. Stepping across the sill, I saw the man with the red handkerchief. Ere this I had decided that this was no other than the thief I was after; so I made a spring toward the door, but came to the ground stunned and bruised. Rising, with bleeding face, I knew that I had [fallen] over the prostrate Hibernian. I rushed out and ran to my horse—he was gone!

Clattering hoofs, gradually lessening in sound, told me that the thief had outwitted me—gone on my own horse. I chaffed considerably at my discomfiture, but only for a moment, detectives having little time for sentiment of any kind. Without any exact purpose, I started off in the direction of the decreasing sound, and suddenly came upon a team of mules.

In predicaments necessitating immediate action, we sometimes hit upon expedients, which, at other times, might seem ridiculous. So now with me; I cut the breeching and traces of the saddle-mule, vaulted on his back, and scampered after the appropriator of my horseflesh. I knew well that horse was too fagged for much riding; and as the animal I bestrode was fresh from the stable, I was pretty sure of making my capture, if it was to be determined by speed alone.

Moreover, my mule being miraculously void of the attributes of his race—obstinacy and slow gait—warmed to work, and gradually the thud of the hoofs ahead became more distinct.

In twenty minutes, on the moon-lit road, one-fourth of a mile ahead, I saw a man mounting the hillock at a far less rapid pace than mine. At last I came so near that I discerned two pistols stuck in his belt. I disengaged my own weapons, but did not fire; the rascal's irregular motion—darting in and out of the skirting woods—excluded the possibility of hitting him.

I called him to halt, at forty yards, leveled, and then let fire at him; a strange, agonizing cry arose at the report; galloping through the smoke, I came upon a prostrate horse, no man. A crunching of crisp leaves among the trees betrayed the quick footsteps of the fugitive. Dashing into the woods, at three paces came a shot from the forest gloom, laying my mule stark dead, I leaping off just in time to escape a crushed limb. I whipped behind a tree, straining to see my assailant, but I heard and saw nothing; so creeping cautiously back, I found my horse dead and the mule dying. Being a good distance from town, I had no choice but to camp out or foot a weary journey home.

Mounting a low tree, I espied, far in the woods, a bright fire, which I knew was the camp of railroad laborers. After a two mile walk I entered a circle of gambling, smoking, low-talking men of different nationalities, receiving a rough welcome. To my inquiries I found that they had heard the shots, but such things were too common to notice; and, about ten, the most of the camp fell asleep. I entered a small, low tenement belonging to the boss, the hospitality of which was tendered me by that worthy himself; and, the company not being very assuring of safety, prepared to take a watchful sleep.

The boss, however, was, as he told me, above the generality of his class as to family and education, having come out from the States for the sake of adventure. He sat up late playing with a huge Newfoundland, talking over the topics of the day, and relating many anecdotes of the stirring life in the Western land. Inspired by some excellent punch, I told him my whole adventure, describing minutely the man who had so miraculously eluded me. He listened thoughtfully, then said he doubted of my ever capturing him, because of the many desperadoes swarming along the line of roadmen who held law officers as foes to the death, and who would espouse the cause of any rascal against them.

Finally, we both fell asleep, after I had bargained with him for a horse. Aurora had just arisen from her gray couch, as a shouting and bustling from without made us both leap from our slumber. A violent beating at the door, nearly shaking it from its fastenings, accompanied by vociferations for the boss, impelled my host to begin rapidly drawing the door-bolts, but I clutched his arm and told him to stop, for I had distinctly heard my name pronounced without. We listened; a savage voice yelled:

“Sind the blackguard out; it's Luke Yardly, the detective, an' sure he's afther Scrubby, the spalpeen! Sind him out, or be jabbers we'll have both of ye out; ye bloodsuckers!”

A pick came hurling, and thrust its point four inches through the door; a huge missile fell violently on the roof, almost coming through. Terribly serious was it becoming. The boss commanded them to desist, but was greeted by a tornado of rocks, spades etc., thudding over every inch of the edifice. Two bullets now buried themselves in the doorpost, three inches more and they would have entered the superintendent's heart. Seeing nothing but our death would allay their drunken rage, the boss declared his intention of fighting to the last. We grasped hands, and then piled all the available moveables against the door; then charged the three rifles and four revolvers we had.

We both ascended into a low loft, over the room, the eaves of the roof forming a narrow opening near the floor. We knelt down and peered out. About thirty men, mostly intoxicated, armed with excavating tools, and firearms, were grouped a little way off, gesticulating and reeling at a terrible rate. Though divested of his scarlet kerchief, I recognized my horse thief. Communicating my discovery to my companion, he said that when I first described the rascal he thought he knew him, for his name was entered on the work-list yesterday, when he came from Omaha.

“And depend upon it,” added the boss, “he has escaped some criminal penalty in other settlements than Omaha.”

The lull in the human tempest was now accounted for. Part of the crowd were now engaged in belaboring four Chinamen who had refused to join in the assault; the rest were hilarious witnesses of the performance. At last the luckless Celestials being punched into speechlessness, attention was turned on us. Not to betray our refuge, the boss slipped down the ladder and ordered our assailants to desist, as we were prepared to kill, if necessary, and determined to die rather than surrender.

A renewed bombardment of projectiles inconceivable was [their] response.

“Now, Yardly,” said the boss, “use your weapons [well], for the way things look I don't think we could procure life assurance policies on any terms. However, we can stand a siege if fire is not enlisted on the enemy's side. We have provisions and water below for a week, and half a cwt. of bullets and powder. But, by Jove, this roof will never stand such missiles as the one that Irishman [is] taking up; and it is not proof against the balls of that crack rifle your friend of the scarlet kerchief is loading; so we'll put these planks along this side, and keep them from bringing fire to the door—that would be death. See him! Look!”

This Irishman was drawing back to hurl that death and ruin dealing rock, when the boss fired; the man dropped in his tracks, the heavy stone falling on his face. The wild, drunken crowd rushed at the door, with yells of drunken madness. Four small puffs and flashes issued from under the eave; the rabble drew back pell-mell, leaving three stretched upon the ground.

Our precise locality being thus discovered, the bullets came thick and fast, and the efficacy of the planks was proven—a dozen balls perforated the roof, but lodged in the stout boards. Suddenly I saw the horse thief partially slip from shelter and poise his deadly-looking rifle. I was aware that its contents would pierce our barricades, and not being able to pick the fellow off in his position,

I sprang aside, dragging the boss with me. Hardly done ere whiz went the ball through a spot of plank where my brain was the preceding instant, and buried itself in the noble Newfoundland's heart. With a mournful howl of agony the brute sprang up and fell across his master's knee. The boss stroked his glossy coat, then a strange gleam flashed in his eyes.

We both fired at the slayer—he dropped then sprang up, and savagely laughing whipped behind a tree.

By this time, from continual battering, the door hung loosely upon its broken hinges; nevertheless our fire kept the mob from affecting a breach, and finally they retreated back in the forest, giving us a respite to refresh and contemplate our begrimed and bruised faces, our arms discolored, and trembling from violent exertion, for we had begun the struggle at dawn; it now wanted an hour of noon.

Suddenly a wreath of smoke curled up from the trees; firing and shouting again were rampant; and we got a glimpse of the horse thief darting from tree to tree, at last bringing up behind a huge oak, exactly in front of which and opposite our citadel grew a tall, flexible sapling. The man clutched a roaring brand, and I saw his hand cautiously creep around the tree trunk toward the sapling. Then I fired at his huge paw; but he drew it back too quickly. When the smoke cleared away we saw the sapling bent behind the tree—the man, unseen, busily attaching something to its branches. We wondered at these proceedings, but the mystery soon cleared up; the sapling bent, touching the ground, then sprang forward with elastic violence, and from its branches, like a meteor, darted a glancing, hissing brand lodging on our frail roof with an ominous thud. In unison came a joyful shout from the villains, who made a hard rush for the door.

Pell-mell, firing, etc., on rushed that mass of brutal, drunken strength, thirsting for the lives of us two men. A well-timed volley drove them back, less by four, but on the forest edge stood the horse thief, exultingly pointing to the blazing roof. The solar rays of noon, the roof in a whirlwind of flame, and the dense smoke made the house a suffocating oven; hot cinders fell upon us and on the floor below, in perilous proximity to the powder, glowing coals fell upon our bare breasts, and put us in momentary agony. Death stood at our shoulders, and Hope did not accompany him.

Seconds now were priceless. We dashed down the ladder as a beam fell from the roof and left the loft open to the shots of the enemy. Quickly the boss pulled up a trap from [the] floor, pushed me down, sprang in himself, then shut and bolted it. The rapid tramp of feet overhead told our escape was none too soon; we heard the reckless fiends tearing away the barricades shouting in expected revenge. I followed the boss along a narrow, low excavated passage, till coming into a sort of cellar, which he said was the storage place for the spirits, he exclaimed hoarsely;

“Take this pick and dig for your life, through the wall, upward; and after bursting this spirit barrel I will do the same!”

I worked as I never worked before—the axe tore down the earth in masses—the darkness, the perilous mystery in that I was doing, the faintly-heard shouts of the wretches above, storming

about the burning house, the flames roaring, the wood crashing, wrought me up to a herculean phrenzy.

The spirit-cask was now staked; ankle deep in the fiery contents we both worked like Gog and Magog of yore. Suddenly a huge lump of mold rolled down, light and air pouring in upon us. Tear! wrench! A fissure sufficient for human egress presented itself; quickly dragging ourselves through, we stood in a thick clump of low rose bushes, where we lay peering out towards the roaring mass of flame, and through the smoke endeavoring to get a sight on the murderous rascals who ran riot amidst the flames.

Hark! The riot lulls; a thud of hoofs; a regular, monotonous clanking, ah! we know those sounds. Rushing out of the bushes, we came upon a cavalry squad, holding at bay the drunken crowd. We shouted to the officer in charge to order a surround, which was quickly done; then followed explanations. In the excitement of the scene I had almost forgotten my man with the scarlet kerchief; now I thought of him. Looking sharply around, I espied him creeping off toward the place where the boss's horses were tethered.

“There is the ring-leader, Dan Whipple, the horse thief; in the law's name, Lieutenant, I order you to help capture that man!”

Saying this, I threw myself on the nearest horse, followed by four soldiers; but he had reached the tetherage, and we saw him galloping through the woods, far ahead, saddleless, and managing his horse with a mere halter.

Our horses and his were about the same mettle, and we gained nothing on him. The soldiers told me they had left Silver Creek in search of this Dan Whipple, who, in the open street, had stolen a mule from a team about to set out with a colonel's camp furniture; that on the road they had come upon a dead horse and the stolen mule with a bullet hole in his head, being at a loss to account for it; however, they had pressed on in hopes of capturing the outlaw. They had not gone far before they heard shots and saw smoke, and after a sharp ride came upon the camp.

I did not enlighten them in regard to the mule, but kept a look out for the fugitive. Although during civil war the popular estimation of government horseflesh was not very great, nevertheless these Western war-steeds were not all despicable, for they brought us near enough to get a sight on our prey; but just then the mare whisked into the woods and was invisible. An ejaculation of a soldier caused me to turn my head, and fifty feet right behind us came the horse the rascal had two minutes before bestrode.

We looked at each other astonished. One man secured the horse, and I ordered the troops to proceed with me to the place where the thief had darted into the forest. We scrutinized every bush and hollow closely; for the moves of the man were as sudden and unexpected that I looked for a fatal shot from every corner. In apparent despair, I ordered the men to face homeward, as our party had certainly escaped us. We had not gone far, however, before I signed them to keep on slowly, while I lightly dismounted and made a large circuit, until I stood hidden in the brush, ten paces from a certain large tree I had noticed.

Yes, the branches swayed in a manner not at all natural. First a limb rather high up moved queerly; then a lower one; now one farther down; and so the strange motion was continued until the legs of a man appeared beneath the lowermost branch. I cocked my pistol. Gradually the body of the veritable Dan Whipple came down until he hung by his hands. Now was the time. Wishing merely to disable him, I aimed for his legs. “Ping, ping” went the barrels. He tried hard to draw himself into the tree. Then hung by one hand endeavoring to detach a weapon. But it was too much for him. He dropped to the ground with a heavy thud. I pounced upon him, held him by the throat, my knee on his chest; shouting for the soldiers.

A cavalry man detached from his saddle a pair of iron cuffs, originally intended for the proprietor of the luckless mule, and the unenviable ornaments soon enveloped the captive’s wrists. The wound not seeming serious, we placed him astride his last booty and started for camp.

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In conclusion, suffice it to note that the rioters were liberated with the exception of a few of the most prominent, who were sentenced to some months’ labor at the garrison in Silver Creek. There was no convenient penitentiary in the locality, besides men were in demand by the P.R.R., therefore they were set at large. As for Dan Whipple, it was found necessary, after a surgical examination, to amputate his wounded limb; but his thiefship absolutely refused to undergo the beneficial operation, and three days after he died miserably from the effects of gangrene; thus preventing me from taking him to Omaha, to be subjected to lawful justice by the injured express firm—my employers. In justice to the departed purloiner of other people’s horses, so as to obliterate from his record at least one crime the less, I explained to the military authorities the abstraction of the mule from the team, and was cleared of all intention of joining the profession, of which the late Mr. Whipple was such a prominent member.

The labor superintendent, since these adventures were shared, has often met me, and we have undergone the same perils over and over—in words.

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