

# THE COCHISE QUARTERLY



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*Front Cover: The Frank English family: back row left to right, Jasper, Clarence (C.J.), Myrtle; front row, Frank, August (Pug), Viola holding Mervyn.*

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## How The Spring of Contention Got Its Name

As told by Stewart August "Pug" English to Mary B. Magoffin

In the 1800s, 35 miles northwest of San Antonio, Texas, in Bandera County there was a small community known as Pipe Creek. It was to Pipe Creek that the Andress family emigrated from Bent County, Ala., around 1860. About the same time the Prather family arrived there from Virginia.

A romance blossomed between an Andress son, John, and a Prather daughter, Mertice Caldonia, and they were married in 1873. To this union were born eight children. The oldest daughter, Viola, was born in 1875.

The English family arrived in Pipe Creek in 1872 with a three-year-old son, Frank. Frank's parents, William Jasper English and Nancy Blackwell English, had come from near Van Buren, Ark. Frank was the second in a family of nine children. Along with some farming, William Jasper and his sons maintained the Old English Crossing on the Medina River to pay their poll taxes. Their old home is now a museum.

As Frank grew up, two talents soon became evident. He had a way with horses and became a twister, that is an expert bronc rider and horse trainer. He also was a crackerjack pistol shot. He was so good that Remington Arms hired him to travel around the country demonstrating their various models of guns.

If someone tossed a tin can into the air, Frank would keep it bouncing until his pistol was empty, never missing a shot. Another trick he did was to tie a cotton rope to a branch of a tree, then wrap the rope several times around the trunk of the tree. Frank would ride his horse by at a dead run and shoot the rope into five or six pieces.

Asked if his dad could hit a silver dollar thrown into the air, Pug replied he didn't know; when he was a youngster silver dollars were far too precious a commodity to be used for targets.

Frank went to Arizona Territory demonstrating Remington firearms and upon his return to Pipe Creek, he felt in love with the neighbor girl, Viola Andress. She was a young girl when he left, but had grown up during his absence.

Years later, Viola said when she saw that handsome cowboy ride up on his beautiful white horse, her heart just went flip-flop and she knew he was the man for her. They were married in 1892 when Frank was 24 and Viola was 27.

Shortly after their marriage, they started west following a family tradition. They were accompanied by Viola's parents, her brothers and sisters and widowed grandmother Prather. The first stop was at Eddy, New Mexico Territory, (now Carlsbad) where Frank and his father-in-law helped build the Seven Rivers Dam on the Pecos River.

Tragedy struck then in the form of typhoid epidemic. Viola's grandmother, Mary Elizabeth Prather; her mother, Mertice Caldonia Address; her six-year-old sister, Mertice Zelma Address and her new-born brother all died.

Fifty years later, Pug located their graves in a cotton field, indentifying them by the big, flat malpai rocks which the family used to cover the graves. Pug and his cousin, Alvin Address, had a beautiful bronze plaque placed at the site in memory of their relatives. Since then, the dam has been renamed Brantley Dam and enlarged so the graves and plaque have been relocated.

Members of the Address family who survived the epidemic were Viola's father, John, who never fully recovered from the tragedy, and her brothers David, Edwin, Andrew, Guy and Don.

Frank and Viola eventually arrived at York, north of Duncan in the Clifton-Morenci area, where they settled. Frank and his brother, August, had a horse ranch and they also bought wild horses and gentled them. During the years at York, Clarence, Myrtle, Jasper and August were born to Frank and Viola.

Frank's brother, August, had been working on ranches near York before the turn of the century in addition to being Frank's partner in the horse business. When he heard of the high wages of \$3 a day being paid at the smelters in Douglas, August decided to move there to make more money.

Frank and Viola had a number of other relatives in the Douglas area at this time, among them Andrew and Sibyl Prather (Sibyl was Frank's older sister). They ran the Prather House, which still stands at 625 16th St. For many years it was a rooming and boarding house for railroad men.

Frank's younger sister, Nancy, married Frank Sanford and they lived on a ranch on the eastern slope of the Chiricahua Mountains. Their brand was the Monkey Face brand, which combines the first and last letter of Sanford.

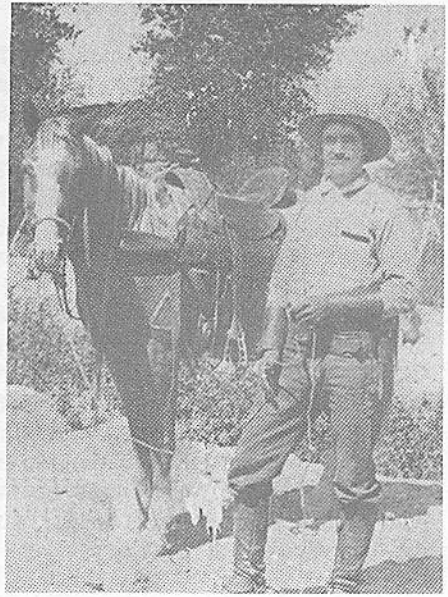
Another relative who lived in the area was Frank's mother, Nancy Blackwell English. She had moved to New Mexico where she helped establish the town of Rodeo. She had a son by a previous marriage, William B. Miller, who had homesteaded east of Apache.

The El Paso and Southwestern Railroad had recently been completed between Lordsburg and Douglas. There was plenty of good water at Rodeo, so the trains stopped there. Nancy built a boarding house and cafe called Grandma's Place where she served meals to passengers and crewmen of trains while the trains took on water.

Shortly after the turn of the century, August English convinced his brother Frank that he should come to Douglas where there was better opportunity for work, so the family moved. While they were in Douglas, Frank built the stone house at 1035 16th St., which still stands. Mervyn was born in Douglas in 1907, so there were four boys and a girl in Frank and Viola's family.



*Andrew and Sibyl Prather, Frank English's brother-in-law and sister.*



*August English, Frank English's younger brother.*



*Frank and Nancy Sanford, Frank English's brother-in-law and sister.*

August worked for some years at a smelter dumping slag cars. He realized there was a weak wheel on one car, but in spite of his requests it was not repaired. On July 20, 1905, the wheel crumpled under a loaded car and August was fatally burned by molten slag. Ironically, his wife was in the hospital having their baby, Laurence August, when he was rushed there to die.

Frank was a very capable, conscientious, industrious person, and also very personable. Pug says that if his dad had a fault it was that he loved a challenge.

While they were in Douglas, Frank started two butcher shops. He would import steers from Mexico to butcher for the shops.

Pug relates one time he rode into Mexico on a cattle buying trip with his papa. Frank took a pack mule with two kyacks full of silver pesos for buying cattle. The pesos were pure silver, twice the size of an American dollar and worth fifty cents. A good, big steer could be bought for 11 pesos. The steers were taken to Jack Shepard's ranch in the foothills of the Swisshelm Mountains, where they stayed until they were fat enough to butcher.

When Frank and Pug stayed overnight in the Mexican homes, the people would move out and turn the house over to them. At night Frank would dump all the silver pesos outside the door to show his confidence in his host. The money was absolutely safe because they were guests in a Mexican home.

During the five years Frank and Viola lived in Douglas, they bought several lots, built three houses and were doing very well financially. In 1909, news of a gold strike in Courtland hit Douglas, so Frank swapped his assets for a team and buckboard, loaded the family in and headed for Courtland, where they lived in a tent-house for several months.

Pug clearly remembers the night his father woke the children to see Halley's Comet. He predicted that of them all, Mervyn might live to see the comet's return.

During the sojourn in Courtland, the family portrait was taken. Pug said the kids had all been ill with some sort of summer complaint, which explains why they look peaked.

This group photo of the family was the only likeness Pug had of his dad, so many years later he brought it to a Mr. Carson, a photographer in Douglas. Pug asked him if he could make a picture of just Frank, which Carson agreed to do. Pug told him that it might be some time before he would be back. About 10 years later Pug returned and called on Mr. Carson to see if his dad's photo was ready. Carson rummaged around a few minutes, then assured Pug that he would certainly have it for him the following day!

Frank did not find the elusive pot of gold (nor even a small nugget) in Courtland. Unfortunately, as it turned out, he did meet a man named Carter, who had 1,200 head of angora goats and no place to go with them.

The upshot of this was that Frank made a deal with Carter to take the goats to the Guadalupe Canyon-Cloverdale area where there was lots of open range. The agreement was that Frank would care for the goats until they were sheared, at which time he would return the goats to Carter and they would split the money from the wool sale. Frank and Viola planned to start a small cattle ranch with their wool money.

It was decided that Viola would live in the Animas Valley. Frank built her a little house with a cement floor just east of what was the Sanford Store at Cloverdale. Clarence (or C.J.), Myrtle and little Mervyn lived there with their mother and helped her.

Frank traded a brown mare to a man for his squatter's rights to the springs in Guadalupe Canyon. Frank camped at the springs while he built corrals and other improvements and maintained his claim to the water.

There were two springs, as Pug remembers, "About 10 feet apart; one warm, just right to wash your hands in, and the other icy cold." The springs ran year-round and the water flowed to the Mexican border and beyond.

Guadalupe Canyon begins in New Mexico east of Bunk Robinson Peak and runs a southwesterly course for roughly 10 miles. Then it cuts across the extreme southeastern corner of Arizona for approximately three scenic miles before entering Mexico.

This lovely canyon probably has not changed a great deal since Frank English assumed squatter's rights for the spring. Thanks to shallow water, many varieties of trees thrive: sycamore, cottonwood, ash, black walnut, oak and hackberry as well as the ubiquitous mesquite and rarer algerita bush. The most dramatic thing about the canyon is the desert growth on the hillsides above the trees, vividly illustrating what a difference water can make in this country.

Ranch children in those days were a definite economic asset to their families and just as soon as they could toddle, they were encouraged to help. Jack (Jasper), 11, and Pug, 8½, were put in charge of the goats. Jack packed a .44 pistol on his shoulder until it got sore, then he'd switch it to the other shoulder and then either hip. Pug doesn't remember whether he ever had to use it, but he thinks not.

Naturally the two boys explored the country as they herded the goats. On one outing they noticed a cave hidden high on the side of the canyon. Here is the story as taken from a letter written by Pug in 1983:

"When we first moved to Guadalupe Canyon in the fall of 1910, my older brother, Jasper and I had hiked away up in the canyon above the springs when we stopped to rest. We looked across the small branch canyon to the other side and noticed three men sitting on a log watching us. We could only see their heads and torsos.

"We watched them several minutes, then shouted to them. 'Hello.' Hello-o-o —

a long echo. Still no movement. We now decided they were not men. Jack suggested I walk over there while he stayed in place to direct me.

"I walked to the bottom of the canyon and climbed up the other side to some large buff colored rocks. Nothing! Jack kept calling to me and at last yelled that they were right behind me. I was standing against a clump of high brush that hid the entrance to a small cave that could only be seen from where we first spotted it because the brush covered it. I parted the brush and worked my way into the cave entrance.

The log turned out to be a low wall of rock built across the mouth of the cave, maybe two or three feet high and eight feet long. The 'men' sitting on the wall were large baskets. The way they were located, dripping water through the years had rotted one badly and splashed onto the second and rotted spots on it, but one, the largest, was in perfect condition.

"My family has given it a home these 72 years and I feel it is a treasure."

Pug clearly remembers the old Immigrant Trail near Cloverdale and says the tracks were plainly marked at the time his mother lived there.

One afternoon he and C.J. went to visit the Autry family a couple of miles to the south. On the way home Pug lagged behind to dig a bit in a levee. After a while, he climbed to the top of the dike for a look around.

To his horror, there were a pair of wolves and three pups trotting down the trail toward him. Needless to say, he ducked out of sight and made a bee-line for home where he figured he was safe from detection by the wolf family.

The boys herded the goats between Cloverdale and Guadalupe Canyon and always spent the nights at the springs with their papa. They would leave a few of the kids in the corral so the mama goats would hurry home when it got along toward evening, leading the rest of the herd.

Carter had a brother, Charles C. Carter, who was very ill with tuberculosis. Charles Carter and his wife and two small children lived in a little shack at the springs where Frank lived. Frank, out of the goodness of his heart, took the responsibility of looking after the sick man and his family, hoping the peace and quiet and beauty of the canyon would prove to have a healing effect on Carter's condition.

The man who traded his squatter's rights to the springs to Frank for the brown



dismounted and again Mackey demanded that Frank leave and take the goats with him, immediately, if not sooner.

Frank, with true Western hospitality (and no doubt hoping to calm Mackey down) stirred the fire to warm up the coffee. He explained that the shearer would arrive within the week and just as soon as the goats were sheared they would be taken back to Courtland to Carter.

Mackey continued to cuss and talk loudly, so Frank asked him to watch his language as there was a lady (Mrs. Carter) within hearing distance.

The seven men formed a semi-circle in front of Frank, with Mackey on his left side and Mackey's son on his right. Mackey's son made a quick, threatening movement which distracted Frank's attention. When Frank turned toward the son, Mackey drew his pistol and shot Frank through the chest.

As the bullet exited, it tore muscle in his right upper arm. Frank managed to draw his pistol but was unable to cock it since his right thumb was useless. As he attempted to put the pistol into his left hand, Mackey shot him through the heart.

This account was given by Carter, who observed the entire incident from the door of his cabin.

When Tobe Lacy, another neighbor (who had been a friend and neighbor of the English's at York), heard the shot, he came to see what had happened. He immediately sent one of his sons to tell the sad news to Viola and he went to Douglas for a coffin for Frank's body.

Jack and Pug were headed toward Animas when their mother came careening down the trail in the buckboard with the rest of the family hanging on for dear life. Imagine the boys' incredulity when she relayed the news that their father had been murdered. She went ahead and the boys returned to the springs with the goats to find their beloved father dead.

When the law arrived, the order was given that Frank's body was not to be moved until a coroner's jury could view the remains, which took three days.

Lacy brought the coffin, so on the 13th of June, Viola, who was eight months pregnant, and her sad family took Frank's body to Douglas for burial. Frank Irb was born about a month after his father's tragic death.

The goats were taken away by some relatives and Viola never realized a red cent from the deal which had cost her so dearly.

Mackey was tried for murder in September, 1911. The New Mexico Archives has the only material which exists. In case file #5930 it says:

That JAMES MACKEY, late of the County of Grant in the Territory of New Mexico, on the eighth day of June, in the year of Our Lord One Thousand nine hundred and eleven, at the County of Grant aforesaid, in said Territory of New



*This is one of several houses Frank English built in Douglas. It was at 1023 16th St.*

Mexico, with force and arms in and upon one Frank English, then and there being unlawfully, feloniously, willfully, deliberately, premeditatedly, of his malice aforethought, and from a deliberate and premeditated design, then and there unlawfully and maliciously to effect the death of him, the said Frank English, did make and assault, and that the said James Mackey a certain gun then and there loaded and charged with gunpowder and divers leaden bullets, which gun, he the said James Mackey in his hand then and there had and held, to, at, against, and upon the said Frank English, then and there unlawfully, feloniously, willfully, deliberately, premeditatedly, of his malice aforethought, and from a deliberate and premeditated design, then and there unlawfully and maliciously to effect the death of him, the said Frank English, did shoot off and discharge, and the said James Mackey, with the leaden bullets aforesaid, out of the gun aforesaid, then and there by the force of the gunpowder shot and sent forth as aforesaid in and upon the body of him, the said Frank English, then and there unlawfully, feloniously, willfully, deliberately, premeditatedly, of his malice aforethought, and from a deliberate and premeditated design, then and there unlawfully struck, penetrate and wound, giving to him, the said Frank English then and there with the leaden bullets so as aforesaid shot, discharged and sent forth, out of the gun aforesaid, by him the said James Mackey, one mortal wound, or which said mortal wound he, the said Frank English, then and there died:

And so the Grand Jurors aforesaid, upon their oaths aforesaid, and further say:

That he, the said JAMES MACKEY, him, the said Frank English, in manner of form aforesaid, unlawfully, feloniously, willfully, deliberately, premeditatedly, of his malice aforethought and from a deliberate and premeditated design, then and there unlawfully and maliciously to effect the death of him, the said Frank English, did kill and murder; contrary to the form of the statute in such case made and provided, and against the peace and dignity of the Territory of New Mexico.

Signed by Frank J. Wright, District Attorney for the County of Grant, Territory of New Mexico.

Incredibly, the jury found Mackey not guilty.

Charles Carter was asked one question: "Did Frank English have a gun in his hand when he died?"

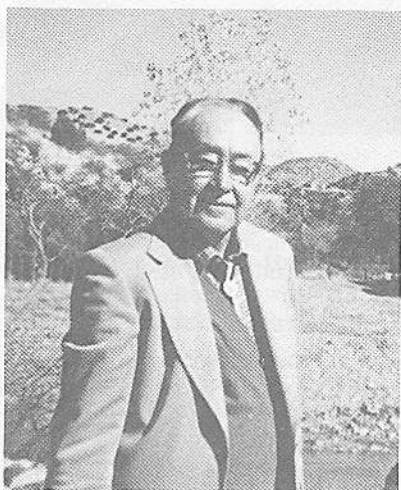
Carter replied, "Yes, but ..." intending to explain the circumstances. He was cut off, however, with "Thank you, that's all."

This incident gave the springs the name Spring of Contention which is on all official maps.

It was suspected that Slaughter wanted Frank out of the canyon. Water, then as now, was the lifeblood of a ranch and control of water was vitally important to Slaughter's operation.

It was 72 years before Pug returned to Guadalupe Canyon, but his memories of the scant year he spent there are crystal clear, especially of the day his world was shattered by the tragic death of his father and his childhood came to an end.

Frank English's gumbelt, the Indian basket and a beautiful Mexican sombrero from Pancho Villa's campaign can be seen at the Cochise County Historical and Archeological Society Museum in Douglas. Thanks to Pug's generosity, these artifacts have a home where they are appreciated and treasured.



*Pug English in 1981.*

### *About the Authors*

*Pug English first made a living as a steelworker installing elevators throughout the country. He later became a successful realtor in California. He died in 1986.*

*Mary Magoffin and her husband run a ranch in Guadalupe Canyon. She is acting secretary for the Cochise County Historical and Archeological Society and chairwoman of the society's museum committee. She first met Pug English in 1981 and corresponded with him until his death.*

## The Power Affair of 1918 and Cochise County's Part in Arizona's Greatest Manhunt

By Dan R. Roberts

When brothers Thomas Power Jr. and John Grant Power arose from their beds on a snowy February morning in 1918, little did they realize that in a few moments they would lose their father and be on the way to spending the greater part of the rest of their lives in prison.

The events of the ensuing few moments would bring the death penalty back onto the Arizona law books as well. Cochise and Graham counties would mobilize over 3,000 men in the greatest manhunt ever to occur in the state.

Bloody gunbattles were already noted as part of Arizona's most prominent history prior to gaining statehood in 1912. The Earp-Clanton fight in Tombstone in 1881 and the Owens-Blevins battle at Holbrook in 1887 were already being talked about by grandfathers to grandchildren.

The two Power brothers, both in their mid 20's, and their middle-aged father and his 54-year-old hired hand were probably the most unlikely participants in any of the documented events of notable gunplay ever recorded in the state. With the United States already preparing to go to war in Europe, the last thing people around Graham County expected was for a small mining family to go to battle with a four-man posse from the Graham County Sheriff's office in the rugged Galiuro Mountains.

Thomas Jefferson Power Sr. moved his family to the Aravaipa Canyon area of central Graham County in 1909. His family consisted of three sons: Charles, "Bud" Power, Thomas Jr. and John Grant. His youngest child was a favored daughter named Ola Mae. Tom Senior's aged mother, Martha Jane, was with her son since she was already widowed.

Tom Sr. lost his wife about 1905. He was building a home in Cliff, N.M. and the ridgepole of the house collapsed while Mrs. Power was inside inspecting the building before moving in. She was buried under the earth and grass used to construct the roof and was dead by the time she was uncovered.

Upon moving the Aravaipa Canyon area, Tom Sr. took up some cattle leases at Rattlesnake Spring, located about 20 miles south of Klondyke in the Galiuros. The family did some prospecting as well as handling their livestock interests.

Charles Power held little interest in the meager prospects of ranching and left to pursue his own interests. Tom's other sons worked for other cattle companies in the area to aid the family's finances. Tom Jr. later admitted that he ran bootleg whiskey into the Globe area, for a time, under the protection of Gila County Sheriff Frank Haynes.

At about this time, the Powers claimed they had their first troubles with another pioneer family living near Klondyke. Tom Jr. claimed that the Wootan brothers, Frank, W.L. and T. Kane, were caught while attempting to drive off some of the Power cattle in the Squaw Creek area. They were able to settle any differences without blood shed on that occasion.

In 1919, the Power family bought a one-quarter interest in a gold mine located near the north and south junctions of Kielberg Canyon in the Galiuros. This was about eight miles south of Rattlesnake Spring. The men began to divide their time

Tom Jr. claimed that he was approached by McBride in a sand wash near the store in Klondyke and offered the job of under-sheriff for his help in campaigning for McBride. Power said that he agreed to help but refused an offer to become under-sheriff.

T. Kane Wootan apparently had other ideas on how to get elected. Wootan approached another rancher in the Klondyke area, Lee Solomon, and asked his help. He stated that he planned "to shoot the hell out of the Powers and get elected sheriff." Solomon warned against this, stating that the Powers were his friends. Tom Jr. later wrote that T. Kane Wootan coveted their mine along with the office of sheriff.

In November 1916. Frank McBride was elected sheriff and again offered Tom Jr. the under-sheriff job. Tom Jr. again declined since by now his family owned three-quarters of the gold mine. They had sold off all their cattle to purchase a stamp mill that would be used to process ore from the mine.

On Dec. 16, 1917, another tragedy hit the family. The men stopped off at Ola Mae's cabin on their way home from the mine to find her writhing in agony on her bed. She uttered the word "poison" and died. A coroner's jury was summoned and ruled "death from an unknown poison." No satisfactory explanation was ever given for her death. No one was indicted or even accused of bringing about her demise.

Local rumor had it that she had been forbidden by her father to see another local miner named Bob Robinette and may have committed suicide. Others offered the explanation that it would be hard to do away with a female heir to the mine by the use of gunplay and not have motive suspected. In any case, the mystery of Ola Mae's death has never been satisfactorily explained. From all material available, the father and brothers did not show a lot of interest in finding anything out. They apparently buried her and went back to their mine.

On May 18, 1917, President Woodrow Wilson signed the Selective Military Conscription Act. This bill required that all males between the ages of 21 and 30 register for possible induction into U.S. military service. Old Tom's two sons were in the category of those required to register.

Later, testimony was given that Old Tom opposed the bill and said, "Let Europe run her own wars." The man had lost suddenly his wife, mother and daughter and it is easy to realize how he might feel about sending off his two sons to face a violent death on foreign soil.

None the less, Tom Jr. and John claimed that they went to the post office at Redington and attempted to register and were told it was not necessary. The postmaster told them to go home and they would be notified when their service was required.

Keeping all these items in mind, it is still unclear just what purpose a Graham

County Sheriff's posse had in mind when it left Pima on Feb. 9, 1918 and headed for the Power mine. In the posse was U.S. Marshal Frank Haynes, the former Gila County Sheriff Tom Jr. claimed had knowledge of his bootlegging. Haynes later testified that he had warrants for Tom Jr. and John on the charge of draft evasion.

Sheriff Frank McBride, for whom Tom Jr. had campaigned, was with Haynes along with his under-sheriff Martin Kempton and a "specially appointed deputy" named T. Kane Wootan. Haynes later testified that the warrant authorized him to deputize a one-man posse to accompany him, however, McBride wanted to go along with his deputies for the purpose of looking into the death of Ola Mae two months before.



*Bullet holes are still visible in the Power cabin that's in the Galiuro Mountains. Photo taken in 1982.*

The posse drove from Pima to Klondyke and at Klondyke mounted horses to make the 25-mile trip through the mountains to the Power mine. Leaving after dark, the men rode all night through a light snowstorm. They arrived near the Power cabin just before daybreak the next morning, having covered the distance in about 12 hours.

Eyewitness testimony to the fight is limited to the four men who survived out of the eight participants.

Tom Jr. wrote that he, Tom Sr., John and Tom Sisson had just roused from bed on the morning of Feb. 10. Tom Sr. was still in his longjohns when he lit an oil lamp to prepare breakfast. The three other men were awake but still in their beds. The men heard one of their horses run past the cabin in an apparently alarmed state and old Tom picked up his rifle and stepped to the front door to see what had startled the horse.

Upon stepping out into the pre-dawn darkness, the old man heard a command, "Throw up your hands" repeated twice. Then three shots followed. Tom Jr. and John jumped up just in time to see their father fall outside the door. The brothers grabbed rifles quickly but had to duck a series of shots now being fired at them as they crossed in front of windows and the door of the lighted cabin. The brothers positioned themselves and returned fire at shadowy figures in their yard.

During the brief exchange, about 25 shots were fired in a 30-second period. The brothers both received wounds. John had the bridge of his nose shot off and wood splinters and leather fragments penetrated his left eye.

Tom's left eye was penetrated by glass shards. Both men lost the sight in their wounded eyes. The brothers later testified Tom Sisson sat on his bed looking confused and took no part in any shooting.

After a short period of recovering their senses, the brothers moved cautiously to the door and saw their father outside. They quickly pulled him inside after seeing no movement in the yard. Their father had been shot in the left lung and was still alive. They attempted to attend to him but the shock of the wound caused him to get up and stagger out of the cabin and across a sand wash in front of the house.

The brothers soon discovered three dead men were lying in front of the cabin. They recognized Frank McBride and T. Kane Wootan but not Martin Kempton.



*Fireplace inside Power cabin. Tom Power shot Martin Kempton from window on the left of fireplace.*



Frank Haynes later testified that upon arriving at the cabin he positioned the deputies on the east side of the cabin and he went to northwest corner. He stated that a man with a rifle appeared at the door and was commanded to throw up his hands. By his story, another man appeared at the door and opened fire on the deputies.

Haynes fired several shots and retreated around the corner. After a period of stillness, he looked into the cabin and yard and could see no movement. He could see only that Frank McBride, who was closest to him, appeared to be dead. Haynes went up a rise behind the cabin and got on his horse to go back to Klonkyke and raise the alarm.

After seeing the dead lawman in their yard, the Power brothers and Sisson decided to leave before the arrival of any other Graham County officers. After making their dying father as comfortable as possible, they tended their own wounds, gathered up horses and weapons belonging to themselves and the dead peace officers and headed southwest towards Redington.

They stopped at the cabin of a neighbor, Jay Murdock, about a mile away. They asked Murdock to go and attend their father as they did not want to be around the cabin when any other officers arrived.

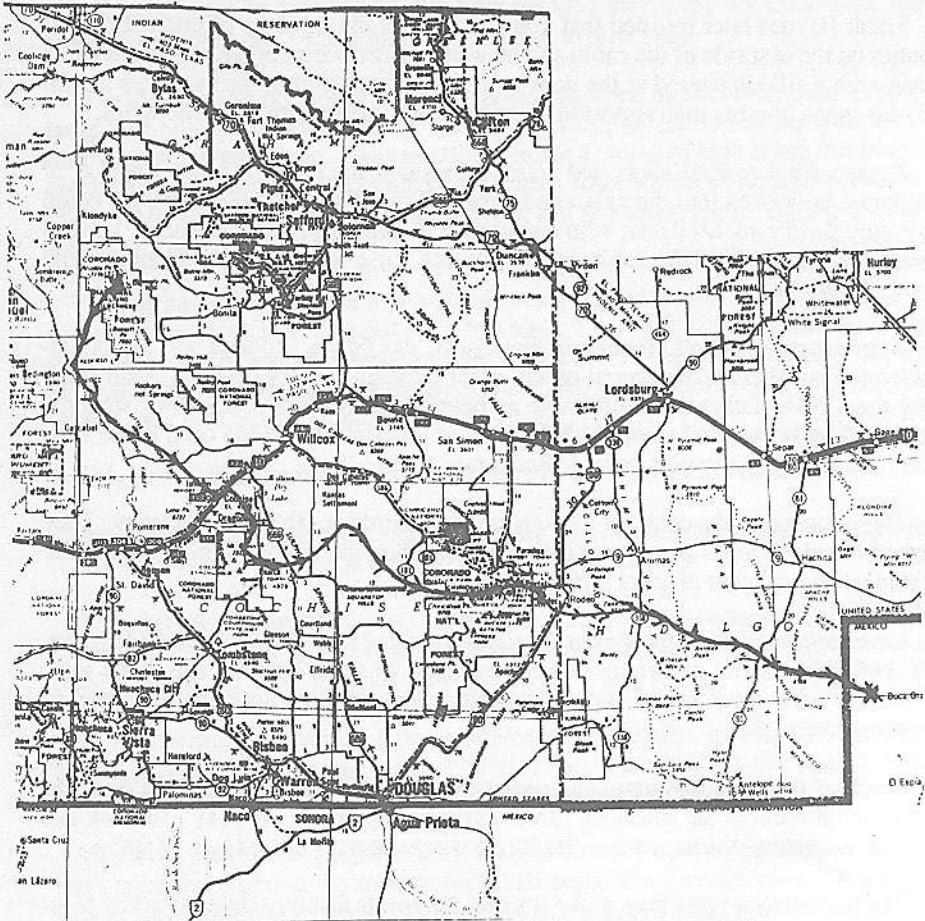
Later testimony from the Power's neighbors stated that when they attended Tom Sr. before his death, his wound would not bleed when he kept his arm at his side. When his arms were raised above his head, a hole in the muscle caused blood to vent out in a geyser.

Much of the testimony used to convict the three men of murder came from the five men present at the Murdock camp that morning. They were Jay Murdock and his father, Henry Allen, cowboy Sol Ray and a prospector named E. A. Knothe.

The brothers said that they spoke little of the events that morning and asked Murdock to go to their cabin and attend to their father who they thought to be dying. They intended to go to Tucson and turn themselves over to Pima County Sheriff Rye Miles, a man with whom they were acquainted.

Frank Haynes made the trip out of the mountains very quickly. News of the battle reached Klondyke with Haynes at 10:30 the same morning and by noon all peace officers in the general area were organizing posses.

Upon reaching Redington late in the afternoon, the brothers and Sisson met a cowboy friend and learned that both Miles and Cochise County Sheriff Harry Wheeler were in the area searching for them. Fearing mob justice might cost them their lives, the three men quickly decided against surrendering to any law enforcement officer. Their decision was to water their horses in the San Pedro River and head south for Mexico, some 90 miles away. Since Sisson had scouted in the area when serving with the U.S. Cavalry, he felt that he could lead them to Mexico.



*Route the Powers and Sisson took into Mexico in 1918.*

While riding through Redington, the fugitives were passed by an open truck full of armed men. This was one of the posses already out searching for them. They were not recognized as most everyone, except the people around Klondyke, had no idea what they looked like.

By early the next day, posses from Greenlee, Pima and Gila counties had joined men from Cochise and Graham counties. Two troops of cavalry from Camp Harry J. Jones in Douglas had been dispatched to guard the border east and west of Douglas. Almost every adult male capable of handling a firearm and traveling was joining the search. In Safford, a coroner's jury was organized to go into the mountains and bring out the bodies of the slain lawmen.

Thomas J. Power Sr. died the afternoon of the day he was shot. He was unceremoniously buried in a cistern hole south of the Power mine by neighbors. His sons and Tom Sisson continued to ride south that evening along the brush of the San Pe-

dro River. They camped near the river that night and headed toward Cochise the next day. That day they swapped a mule taken from one of the slain posseman for a horse at the Cross X ranch.

At this point of the manhunt, the Powers and Sisson became the responsibility of Cochise County Sheriff Wheeler. Wheeler was not a stranger to manhunting or dealing with desperate men. He stood only 5'4" tall but had the reputation of a giant. He had joined the Arizona Rangers in 1904. While in the Rangers, he advanced to the rank of sergeant and finally replaced Tom Rynning as captain in 1907. During his ranger service he had been forced to slay four men.

Wheeler was later elected sheriff and in July, 1917 ramrodded the deportation of 1,100 miners from Bisbee. These miners were members of the International Workers of the World, or "Wobblies," and were said to be German sympathizers. Wheeler had appointed almost any non-member of the IWW as a deputy and forced the Wobblies into boxcars to be transported to a desert camp near Columbus, N.M.

The Powers and Sisson feared Wheeler more than usual since the cowboy that they met at Redington told them that Wheeler had become very excited when told of the shooting and said he would not bring the three in alive.

After swapping the mule for the horse at Cochise, the Powers and Sisson continued east on the railroad tracks after dark and turned south. Camping on the side of a mountain and keeping one man awake to watch, they passed the second night. The next day they went on south toward Pearce. The posses were already concentrating their efforts in this area since it was known that a great many draft evaders were camped in the Dragoon Mountains near Cochise Stronghold and it was believed the Power brothers might be trying to join them.

The three fugitives reached Pearce after dark the second day and went to a local family to buy food. Almost immediately posse members began to scour the area. The brothers were allowing themselves to be guided by Sisson and they later stated that from Pearce Sisson got lost and started heading toward Dos Cabezas, slightly to the north. By morning they had righted themselves and traveled toward the Chiricahua Mountains.

Since leaving Pearce, the men had seen possemen ahead and in back of them and decided that if they stayed on horseback while traveling through the mountains, they would be easier to track. So on the third day they made a decision to turn their mounts loose and go forth on foot. It took them approximately three days to cross the Chiricahuas since winter snowstorms slowed their progress.

Sheriff Wheeler had enlisted the aid of four Apache trackers by this time. Tom Power reported seeing men searching for them all during their trip through the mountains. He later told Wheeler and Douglas Police Chief Percy Bowden that they came within rock throwing distance of him, John and Sisson. He said if they had been discovered they had decided to shoot it out with the lawmen rather than be taken in.

After a period of about 10 days, the men crossed the San Bernardino Valley south of Rodeo, N.M., and headed east toward the Peloncillo Mountains. In this area, hunger forced them to shoot and butcher some cattle since almost every house or ranch had posse members around it. Being extremely weary by this time, the men camped for periods when they felt that their trackers were not too close. They spent three days in the Big Horn Mountains south of Hachita, N.M., before they crossed the International Boundary into Mexico.

After 28 days of flight, the three tired men were captured by U.S. cavalrymen stationed in Hachita and headed by Maj. Wolcott P. Hayes. The cavalry had cut the brothers' and Sisson's sign at the border and pursued them eight miles into Mexico where they had surrendered without incident. The soldiers made a quick exit from Mexico for fear of encountering Mexican regulars who were also on the lookout for the fugitives.

Once captured, the three men were turned over to civilian officials at Campbell's Wells. The civilians transported the men back to Safford and they were at times put on display like caged wild animals for local citizens to see.

At Safford, their attorney, James Fielder, secured a change of venue to Greenlee County for their trial. Arizona had no death penalty at the time; however, a lynch mob was feared as the three slain lawmen all had large families living in the Safford area. The four dead men had left a total of 21 children fatherless and three widows.

On May 13, 1918, the Powers' and Sisson's trial began in Clifton. The chief witnesses for the prosecution were Frank Haynes and Jay Murdock. Tom Jr. later wrote that Murdock really got to exercise a gift he had for lying during their trial. Haynes also apparently gave some conflicting testimony. The brothers always maintained afterward that they were denied the opportunity to present any witnesses in their own defense.

All three men were convicted of first degree murder on May 17 by a jury that was out only 30 minutes. On May 20, Greenlee County Superior Court Judge Frank B. Laine sentenced all three to be imprisoned for the rest of their natural lives. The transcript of their trial no longer can be found, perhaps because the Power brothers attempted to gain access to it for later parole hearings. The brothers and Sisson went to Florence on May 22, 1918.

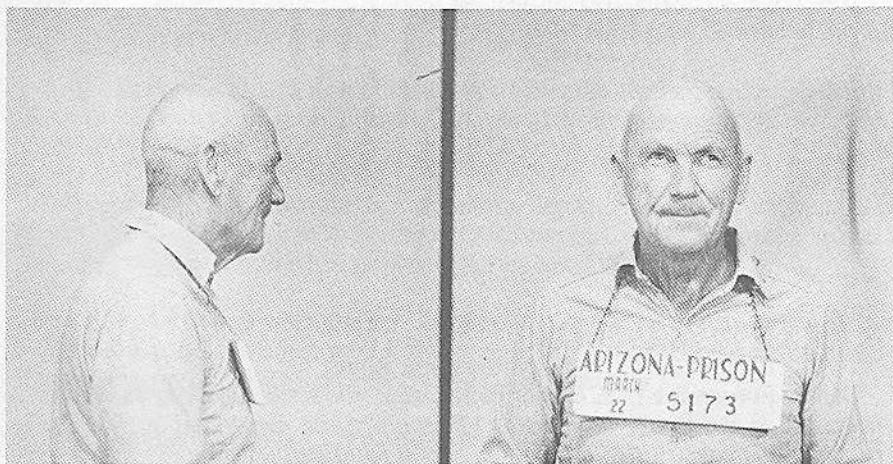
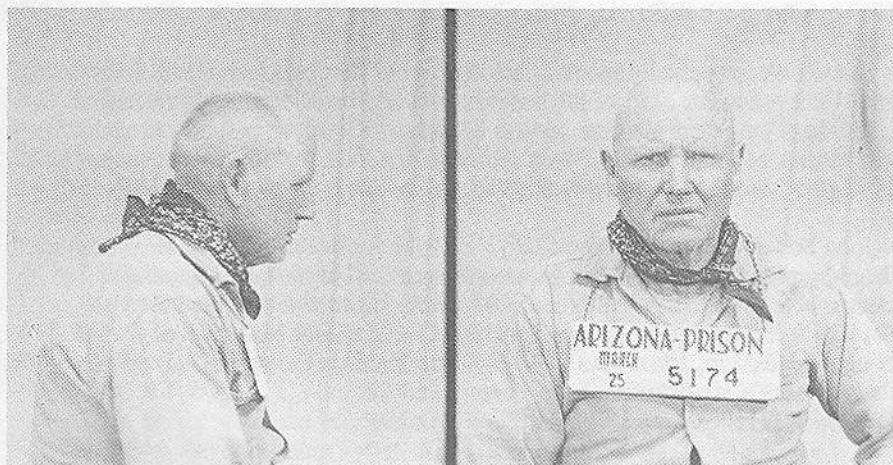
For the 54-year-old Sisson, it would be a life sentence. He died at the prison hospital on January 23, 1957.

Tom and John Power worked at various jobs in the prison while attempting to have their case reviewed. They maintained that the lawmen surrounded their cabin before dawn and shot their father as he held his hands up. They did not know at whom they were firing during the ensuing battle. Their story never changed throughout their lives.

Tom Power made two escapes from Florence, one in 1924 and another in 1939.

John accompanied Tom and another aged convict in the 1939 escape. Both times the men were recaptured and returned to prison. The brothers steadfastly held that the only reason for the two escapes was that relatives or close friends of the slain lawmen had been hired as guards or administrators at the prison for the express purpose of assassinating them.

In a state where the average life sentence at the time was seven years, the Powers and Sisson were denied any parole hearing until December 17, 1952. About 20 relatives of the slain peace officers appeared to successfully oppose their release. One reason given for opposing their release was that they were too old and too long in prison to take care of themselves in the outside world.



***John Power, top photo, and Tom Power at the time of their parole from The Arizona State Prison.***

In 1958 a reporter from the Arizona Republic named Don Dederer began a campaign in his column to win the two brothers another hearing in which some suppressed facts could be brought to light. On April 20, 1960 Dederer was successful. The two aged men went before the board and did something that they had refused to do for the past 42 years. They asked to be forgiven and said that they too would forgive. The Parole Board ruled in their favor and they won release after spending most of their adult lives as convicts.

The two men went to the Willcox area and worked at odd ranch jobs in their remaining years. In 1962 Dederer again helped the brothers by writing several columns to aid them in a bid to win a full pardon and resume the rights of citizenship. This again was a long process and their pardon was not signed until Jan. 20, 1969 by Gov. Jack Williams.

John Power eventually moved back to the old family home near Klielberg Canyon. He lived in the shaft of the now abandoned Power mine and prospected in the Galiuros. Tom spent his time around Thatcher, Klondyke and Sunset and wrote a manuscript concerning the Power affair. Tom died in Sunset on September 11, 1970 after casting the first vote of his life in a primary election several days earlier.

John Power eventually moved into Klondyke for health reasons. He did return to the old family home in 1972 to oversee the removal of his father's remains from the cistern hole where they had lain for 54 years. He transferred his father's bones to the Klondyke Cemetery to join Tom Jr., Ola Mae and Martha Jane Power. John bought headstones for all the family and on his father's he had carved an epitaph that remains a vindication of the Powers and Sisson: "T.J. POWER SR., SHOT DOWN WITH HANDS UP IN HIS OWN DOOR."

## A Tribute to Winifred Meskus

By Cindy Hayostek

Winifred Meskus brought an immeasurable amount of enthusiasm and experience to the Cochise County Historical and Archeological Society.

Meskus died in Douglas on Sept. 22, 1987. Her death created a void in CCHAS as well as several other local organizations.

Meskus was born Nov. 13, 1910 in Boston, Mass. She lived part of her early life in Dallas, Texas.

Two of her first jobs were helping start up Blue Cross-Blue Shield programs in Dallas and Detroit. During World War II, Meskus worked for the federal government in Washington, D.C.

After the war as a member of the Balkan Commission, she traveled to Greece to observe first-hand and report on the civil war there. The commission also traveled to other countries in the area — Romania, Bulgaria and Yugoslavia.

Meskus worked for the U.S. State Department and later for the United Nations. She also had been an employee of the Fund for the Republic, a part of the Ford Foundation.

At the time of her retirement in 1970, Meskus was working for the Council on Foundations. After retirement, she moved to the Canary Islands to manage a cousin's estate.

She came to Douglas in 1978 to live with long-time friend, Marjorie Dawe. The two had become friends in the late 1950s.

Shortly after her arrival, Meskus became involved with CCHAS. She was elected secretary and later president and vice-president.

Despite this, "The Quarterly was her real love," said Dawe. "She always liked to write."

Meskus served on the Quarterly editorial board. When she joined CCHAS, the Quarterly was behind several issues, said Dawe, and as a result, the society was losing members.

Meskus in her gracious, efficient way became the moving force on the editorial board and turned the Quarterly in a viable publication. One result, said Dawe, was membership increased from about 70 people to 375.

Meskus also served on the board of directors of the Douglas Y.W.C.A. and was its treasurer at the time of her death.

"The society and the Y.W. — those were her two loves," said Dawe. "She also worked with the Douglas Art Association and her church. She was always happy to help anybody in any way she could."

One way Meskus helped CCHAS was by representing the society at various meetings around the state. Just how well known Meskus was is evidenced by the contributions coming into a memorial fund set up in her name.

"It's been a remarkable reponse," said Dawe, who's treasurer of CCHAS.

Donations to the Winifred Meskus Fund should be sent to: The Cochise County Historical and Archeological Society, Box 818, Douglas, AZ, 85608.

Membership in the Cochise County Historical and Archaeological Society is open without regard to color, race, religion or national origin upon payment of dues set annually by the Board of Directors. For 1987 dues are: Individual \$10; Family \$12; Life Membership \$250; Non-profit institution and business \$15. CCHAS' tax-exempt status under Section 501(c)(3) was granted December 1971.

Membership in the Society includes a subscription to *The Cochise Quarterly*, the Newsletter and other CCHAS mailings in the calendar year of payment of dues, as well as participation with vote in meetings, participation in field trips and, after meeting certain requirements, the right to engage in archaeological activities of the Society.

*The Cochise Quarterly*, a journal of southeastern Arizona history and archeology, contains articles by qualified writers as well as reviews of books on history and archeology in the area. It is a CCHAS publication. Contributions are welcome. Manuscripts should be submitted to the Editorial Committee, P.O. Box 818, Douglas, AZ 85608-0818.

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