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The Early West: The Collection of Jim and Theresa Earle

Los Angeles | August 27, 2021



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Los Angeles | Friday August 27, 2021 at 12pm

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SALE NUMBER

27262
Lots 1 - 265

AUCTION INFORMATION

Bonded pursuant to California Civil
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CATALOG: \$45

ILLUSTRATIONS

Front Cover: lot 11
Inside Front Cover: lots 13 & 11
Inside Rear Cover: lot 194
Rear Cover: lot 174

PREVIEW

Saturday August 21, 12pm-5pm
Sunday August 22, 12pm-3pm
Monday August 23, 10am-5pm
Tuesday August 24, 10am-5pm
Wednesday August 25, 10am-5pm
Thursday August 26, 10am-5pm

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The Collection of Jim and Theresa Earle



Jim and Theresa Earle in their library with Shorty the dachshund

Jim Earle always played the long game. Over and over among the extraordinary documentation accompanying each of his items, we see how patiently he pursued his prizes. When he learned of an important gun or document, often through his extensive network of like-minded friends, he would approach the owner politely, with deference, to see if they had any interest in parting with their treasure. Often he was met with a no, sometimes a hard no. But Jim never took offense. He simply said “thank you,” and added that person to his Christmas Card list, starting a conversation that would eventually lead to yes.

As we paged through the notebooks that contain the records of Jim and Theresa's guns, objects and documents, we kept running into photocopies of the inventory of the collection of Tom Powers, owner of the Coney Island Saloon in El Paso. Powers was a businessman, competing with a host of other saloons in town, but most likely he also had the collecting bug. In any case, he assembled a remarkable collection of Texas firearms to display in his saloon, including items that eventually found their way to Jim Earle: Pat Garrett's Winchester (lot 8); Pat Garrett's Colt used to kill Billy the Kid (lot 11); Bass Outlaw's Merwin & Hulbert (lot 18); John Wesley Hardin's Smith & Wesson (lot 19); John Selman's Colt used to kill Hardin (lot 20);

“This is not just a gun —
it is the history of America.”

- Jim Earle, quoted by Lee Silva,
“Jim Earle's Priceless Historic Gun Collection,” *Wild West*, 2013.

and H.R. Hillebrand's Smith & Wesson (lot 17). Where he could, Jim also acquired the original display pieces that Powers had in the saloon: they survive, heavily stained with nicotine and who knows what else. It's an extraordinary marker of how far these objects have come in our estimation: from saloon sideshow to iconic American relic.

A good collection is like a tapestry, weaving various threads together to make a complete fabric. Jim and Theresa focused on high point objects, no doubt, like the firearms, or the pocketwatches owned by Bat Masterson, Pat Garrett, and Buffalo Bill, each also meticulously documented. But in weaving together the story, they also focused



Jim and Theresa Earle in the gun room

on the smaller documents and photographs, the ones that connect the dots between the outlaw and the lawman—the ones that suggest that a single man could be both.

Jim Earle was born and raised in Jacksonville, TX, and attended Texas A&M University. He was a star athlete, a boxer and a track star, but also found the time to author a popular comic strip in the university paper, *Cadet Slouch*, that ran for nearly 30 years. He married Theresa Gatlin in 1957, earned a Ph.D. and returned to A&M to teach in the Engineering Design Graphics Department, later serving as Department Head. He began collecting seriously in the early 1970s, involving his wife Theresa and two daughters in the hunt alongside him. Both daughters have loving (and hilarious) memories of accompanying their parents on collecting jaunts, and both have inherited their parent's inexhaustible knowledge of the Old West.

The Earle Collection is still a family affair: though Jim is gone and Theresa is in assisted living, daughters Susan and Liz have worked extraordinarily hard to give us access to all of Jim's files and notes so that we can provide an understanding of the totality of this remarkable collection. Bonhams is proud to offer the Jim and Theresa Earle Collection of historical firearms, manuscripts, and memorabilia, and we hope that this auction inspires a whole new generation of collecting families.



Susan Earle (left) and Elizabeth Earle (right) with historian Gaines de Graffenreid and the gun that killed Billy the Kid, c.1977



Jim Fisk



Josie Mansfield



Edward Stokes

HISTORICAL FIREARMS

1

THE JIM FISK CLOVERLEAF: EDWARD STOKES' COLT HOUSE MODEL REVOLVER USED TO KILL JAMES FISK AT THE GRAND CENTRAL HOTEL, 1872.

Serial no. 4545, .38 caliber 3 inch barrel. New York scroll and pattern engraving, inscribed below: "Colt's House Pistol, Hartford, Ct. U.S.A." Nickel plated brass frame with two-piece replacement grips. Condition: Fine. With over 30% nickel remaining. Mellow patina to grips.

Provenance: Edward Stokes (court transcripts recording the revolver at trial, by serial number, and inscription); Judge Franklin Taylor (Typed Letter Signed, on Court letterhead describing his acquisition of the gun), by descent; acquired Robert Q. Sutherland Arms Collection (printed description on his letterhead, correspondence with R.L. Wilson); sold to Jim and Theresa Earle (through Bob Berryman), March 7, 1975.

Literature: Elman, Robert. *Fired in Anger*, New York, 1968. Wilson, R.L. and Sutherland, R.Q. *The Book of Colt Firearms*, Minneapolis, 2008.

THE ORIGINAL JIM FISK CLOVERLEAF, USED BY STOKES TO KILL "DIAMOND JIM" FISK, and the reason that the Colt House Model became known as the "Fisk Cloverleaf." "Diamond Jim" Fisk, or "Jubilee Jim," was one of the most famous, and infamous, "robber barons" of the Gilded Age. Most famously, he and Jay Gould attempted to corner the gold market in 1869, leading to the first "Black Friday" in September 1869 as the financial markets collapsed after President Grant released \$4 million in government gold into the markets.

However, Fisk's business exploits would soon be overshadowed by his personal life. In 1867, he began a relationship with Josie Mansfield, a voluptuous beauty who had up until then led a hard life. Fisk gave her money and bought her a four-story brownstone on West 24th St in New York. In 1869, Fisk befriended Edward Stokes, went into business with him, and on New Year's Day, 1870, introduced Mansfield to Stokes. Stokes and Mansfield soon began an affair, leading to a contentious love triangle and legal battles both personal and in their businesses. When Stokes tried to extort Fisk for \$200,000, threatening to release the love letters of Fisk & Mansfield to the press, Fisk refused to pay. As the tension mounted, and Fisk threatened to expose the blackmail, Stokes snapped. On January 6, 1872, Stokes waited for Fisk at the Grand Central Hotel. As Fisk entered through the Ladies' entrance, as he always did, Stokes descended from the second floor, shooting Fisk twice with this Colt House Model.

An historic gun, commemorating one of the great scandals of the Gilded Age, as well as the origin of the classic Jim Fisk Cloverleaf.

\$20,000 - 30,000



2

BALLARD NO. 38 RIFLE, APPARENTLY PRESENTED BY JOSIE MANSFIELD TO DIAMOND JIM FISK.

Serial no. 20436 by Brown Manufacturing Co. Newburyport, with 28 inch octagonal barrel, folding rear sight. Varnished figured walnut stock with oval border engraved presentation plaque: "JAMES FISK JR / FROM / J.H.M. / MAY 1871." Condition: Excellent. Some flaking and loss to nickel with around 90% remaining.

Provenance: Engraved presentation from JHM ["Josie Helen Mansfield"] to "James Fisk, Jr."; purchased Dallas Arms Collectors Society show, 1977.

Assumed to be a presentation from Josie Mansfield to Fisk, the rifle all original, with a period presentation plaque in the stock befitting the style of the time.

\$15,000 - 20,000





“His skill in the use of the rifle and pistol was unerring; while his deportment was exactly the opposite of what might be expected from a man of his surroundings. It was entirely free from all bluster or bravado. He seldom spoke of himself unless requested to do so. His influence was unbounded, his word was law.”

- General George Armstrong Custer on “Wild Bill” Hickok.

3

WILD BILL HICKOK’S SPRINGFIELD TRAPDOOR RIFLE BURIED BY HIS SIDE AT DEADWOOD SOUTH DAKOTA ON AUGUST 3, 1876.

No visible serial number, circa 1870, .45-70 caliber 29 5/8 inch barrel, 1863 on tail of lock. Eaglehead and US arsenal marks. Cleaning rod. J.B. Hickock crudely carved on left side of walnut stock. JB monogram on the right. Condition: Fair to Good. Contemporary modifications for sporting use. Stock shortened. Pewter fore-end cap. Large chunks missing from fore-end and above action. Stock re-carved with cheekpieces. Buttplate with long scheutzen style tail. *Provenance:* “Wild Bill” Hickok, buried with him at Deadwood, South Dakota, 1876; removed when the grave was moved to Mount Moriah Cemetery, September 3, 1879 (McClintock, *Pioneer Days in the Black Hills*, 1939, and Rosa, *Wild Bill Hickok: Gunfighter*, 2013); John Bradley, Spearfish, SD; sold to Allen Toomey, Spearfish, SD; by descent to Isabel Toomey Duffy; EXHIBITED, Adams Museum, Deadwood, South Dakota, 1940-1953 (letters from Adams Museum, and Deadwood Chamber of Commerce); sold to Jim and Theresa Earle (signed letter of documentation and transfer of ownership from Isabel Toomey Duffy and her son William Duffy, May 24, 1993).

Literature: McClintock, John S, *Pioneer Days in the Black Hills*, Norman, OK, 1939, p 114; Rosa, Joseph, *Wild Bill Hickok: Gunfighter*, College Station, TX, 2001, pp 188-197; Rosa, Joseph, “Letter of Documentation,” signed, May 4, 1996.

THE MOST DOCUMENTED WILD BILL HICKOK GUN KNOWN: HIS PRIZED SPRINGFIELD SPORTER WHICH WAS BURIED WITH HIM AT DEADWOOD IN 1876.

Even if tales of James Butler “Wild Bill” Hickok having killed “over one-hundred men” are overstated, Hickok remains in many ways the archetypal gunfighter of the Wild West: cool, calm, deadly when necessary, but acting with attention to law and justice. Called “Bill” or “William” since the mid-1850s, Hickok served the Union during the Civil War as a wagonmaster, courier, and a scout, earning the nickname “Wild Bill” in the process. An 1867 *Harper’s New Monthly Magazine* article brought his exploits to the general public, and Hickok again went to work as a scout, meeting Lt. Col. George Armstrong Custer for the first time.

By 1876, he made his way to Deadwood, South Dakota, where he prospected with Colorado Charlie Utter and gambled. On August 2, 1876, he was shot in the back of the head by Jack McCall, holding a poker hand of aces and eights (now popularly known as the “dead man’s hand”). At the time of his death, he was revered and feared in the west for his quickness and skill, both as a lawman and as a gunfighter.

Journalist Leander Richardson, who had met Hickok just days earlier, recalled the scene at the funeral: “The body was clothed in a full suit of broad-cloth, the hair brushed back from the broad forehead, and the blood washed from the pallid cheek. Beside the dead hero lay his rifle, which was buried with him. The funeral ceremony was brief and touching, hundreds of rough miners standing around the bier with bowed heads and tear-dimmed eyes,—for with the better class ‘Wild Bill’ had been a great favorite” (Richardson, “A Trip to the Black Hills,” *Scribners Monthly* 13, April 1877).



Vintage image of the Hickok gun

In 1879, with the growth of the town of Deadwood, the original site of "boot hill" (the Ingleside Cemetery) had to be moved, and on September 3 of that year, Colorado Charlie Utter, William Austin, Lewis Schoenfeld and John S. McClintock moved him to the current resting place in Mount Moriah Cemetery. John S. McClintock describes the move in vivid terms in his 1939 memoir *Pioneer Days in the Black Hills* p (114). In the description, and according to the foremost authority on Hickok, Joseph Rosa, McClintock notes that this Springfield rifle "with the name of J.B. Hickok engraved [carved] in the wood" was removed and came into the hands of John Bradley of Spearfish, SD, "who used the gun for many years afterwards." Rosa gives a detailed description of the provenance, descending from Bradley to Allen Toomey, its exhibition for many years at the Adams Museum in Deadwood, to Isabel Toomey, and then sold to Jim Earle in 1993. Rosa's description encompasses the entirety of Chapter 13 ("Wild Bill Hickok's Rifle") in his book *Wild Bill Hickok: Gunfighter*.

In an article for *Wild West Magazine* in 2014, Rosa wrote that the "only authenticated Hickok weapon is the rifle removed from his coffin in 1879 and now owned by Jim Earle in Texas." While we have seen other Hickok weapons that are likely authentic, it is extremely rare to find such an excellent provenance on one of the West's most important icons.

\$150,000 - 200,000



Wild Bill Hickok



4

WINCHESTER MODEL 1873 LEVER ACTION RIFLE ATTRIBUTED TO CAPTAIN JACK CRAWFORD.

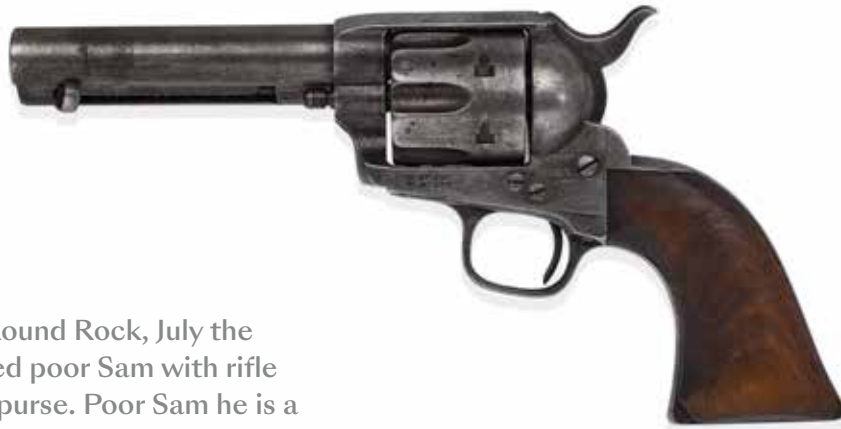
Serial no. 179541A, .32 caliber 24 1/4 inch part round/octagonal sighted barrel, horned ramped rear sight, 3rd model dust cover. Condition: Very Fine. 40% thinning blued finish, traces of color on hammer and lever. Steel buttplate. Minor dents in the magazine. Minor areas of pinprick pitting. Varnished walnut with scratches and bruises. *Provenance:* Captain Jack Crawford; by descent to his grandson Harry R. Crawford (signed letter of documentation, June 2, 1974); Len Cave, acquired from the above, 1975 (signed letter of documentation, November 16, 1976); acquired by Jim and Theresa Earle, November 28, 1976.



Captain Jack with rifle and book; detail of lot 115

WINCHESTER BELONGING TO CAPTAIN JACK CRAWFORD, ALSO KNOWN AS THE POET-SCOUT. Captain Jack Crawford was a friend to "Wild Bill" Hickok and Buffalo Bill Cody, and rode as a scout for Generals Phillip Sheridan and George Crook, among others. As Cody recalls in his *Autobiography of Buffalo Bill*, Crawford, a teetotaler, famously delivered a bottle of whiskey to Cody in camp, a gift from General Jones in Cheyenne, after a 300 mile ride: "I will say in passing that I don't believe there is another scout in the West that would have brought a *full* bottle of whiskey 300 miles." Crawford joined Buffalo Bill's Wild West Show in 1876, but left in 1877 after he accidentally shot himself on stage during a battle scene, and blamed Cody's drunkenness. After an unsuccessful attempt to form his own troupe, the "Poet-Scout" went back to scouting. When he retired in the mid-1890s, however, he finally found fame both on stage and in print, and his touring show "The Campfire and the Trail" charmed audiences across the U.S. and briefly, in England. His broadsides announced, "This is Not a Lecture, but a Budget of Jewels, Sparkling, Pathetic, Humorous and Original," and audiences, sometimes numbering in the thousands, were "held ... spell-bound for two hours by a simple narration of his life," according to the *New York World*.

\$15,000 - 20,000



“Sam met his fate at Round Rock, July the twenty-first, They pierced poor Sam with rifle balls and emptied out his purse. Poor Sam he is a corpse and six foot under clay, And Jackson’s in the bushes trying to get away.”

- From “The Ballad of Sam Bass,” John Lomax’s 1910 edition of *Cowboy Songs and Other Frontier Ballads*.

5

TEXAS RANGER GEORGE HEROLD’S COLT SINGLE ACTION ARMY REVOLVER USED TO KILL SAM BASS AT ROUND ROCK TEXAS, 1878.

Serial no. 29569, .45 caliber 4 1/2 inch barrel (shortened) one line Hartford address. Walnut grip crescent ejector. Condition: Fair. Grey patina overall. Worn grips with chips on toes and heels. Action stiff. *Provenance:* George Herold (signed and notarized statement, May 24, 1900, attesting to the history of the gun; photocopies and transcription of journal carried by Ranger N.O. Reynolds with first-hand account of Herold’s shooting of Sam Bass); loaned to George Look, who displayed it in the Gem Saloon; sold to Myers and Co for \$210 (Probate of George Herold’s estate, May 7, 1918); Carl Beers, former owner of Myers Co; sold to Robert McNellis (signed and notarized statement, October 9, 1975); sold to Jim and Theresa Earle.

THE GUN THAT KILLED SAM BASS—TEXAS RANGER GEORGE HEROLD’S COLT.

After a successful stint in horse racing in Texas, running the Denton mare, and another running cattle up North, Bass and his friend Joel Collins found themselves flush with \$8000 in their pockets. After squandering the money in Nebraska and Deadwood, they found themselves in more dire straits. Joining with Jack Davis and Tom Nixon, they began robbing stagecoaches, and when that proved not to be lucrative enough they switched to trains. At Big Springs, Nebraska in September 1877, the gang successfully robbed a gold train from San Francisco, netting a whopping \$60,000. The gang split up and Sam Bass made his way to Denton, Texas, with Jack Davis, each carrying \$10,000 in the seat of their buggy. Reportedly, they encountered a troop of soldiers and Pinkerton detectives along the way who were searching for them, but were able to convince them that they too were after the train robbers, hoping to earn the reward money.

Bass and Davis arrived in Denton rich, explaining their wealth by a supposed Black Hills gold strike. By February 1878, however, Sam

Bass had formed a new gang and was again robbing trains, with Frank Jackson and Seaborn Barnes. The quickness with which Bass seems to have spent his money led to rumors that he had hidden it in the hills, reinforcing his legend. Throughout the spring of 1878, four robberies by the Bass gang netted little profit, but did manage to attract a great deal of attention from Texas law enforcement. Throughout these months their escapes, using Bass’s knowledge of the landscape, became the stuff of legend. Finally, though, his friend Jim Murphy, who had harbored Bass and his gang, betrayed Sam in order to escape his own charges. He tipped the Texas Rangers that the gang was heading to Round Rock in order to rob a bank there. Rangers Dick Ware, George Herold and Chris Conner headed there and a shootout broke out on July 19 in Round Rock. Ware hit Seaborn Barnes, killing him, and Herold wounded Sam Bass, who managed to escape into the surrounding hills. In the subsequent pursuit, he was taken into custody where he soon died.

\$20,000 - 30,000



Sam Bass



Dallas Stoudenmire

6

**1860 COLT MODEL ARMY CARTRIDGE CONVERSION
ATTRIBUTED TO DALLAS SToudenMIRE.**

Serial no. 6904, .44 caliber 2 3/4 inch round barrel with remains of single line Hartford barrel address. Walnut grips. Condition: Good. Grey patina overall. Worn grips both toes chipped.

Provenance: Dallas Stoudenmire; picked up by "Scotty" along with a tintype of Stoudenmire's sister on his person when he was killed (present in this lot); both sold to Don Thompson (signed and notarized statement, now lost); both sold to H. Gordon Frost (signed and notarized statement giving the history of the gun, as told to him); both sold to Jim and Theresa Earle (signed statement).

Literature: Garavaglia & Warman, *Firearms of the American West, 1866-1894*, Albuquerque, 1985, p 278; Metz, Leon, *Dallas Stoudenmire*, Norman, OK, 1969; Wilson, R.L. *The Peacemakers*, 1992, p 314.

DALLAS SToudenMIRE'S "HIDEOUT" COLT CARRIED IN A SMALL LEATHER-LINED POCKET INSIDE HIS PANTS. Dallas Stoudenmire was a former Civil War soldier, a Texas Ranger, and eventually the City Marshal in El Paso, Texas, in 1881. His tenure in El Paso was short-lived and stormy. In his first 6 days on the job, he killed four men, including three of them in the famous "Four Dead in Five Seconds" gunfight. On April 14, 1881, El Paso Constable Gus Krempkau was shot by suspected cattle rustler John Hale. As Krempkau fell, Stoudenmire rushed in and in quick succession shot three men including Hale and his friend George Campbell. Unfortunately for Stoudenmire, Campbell and Hale were long time El Paso figures, with friends who were less than appreciative of Stoudenmire's introduction, including in particular the Manning brothers.

Stoudenmire was an effective marshal, but the animosity between him and the Mannings continued to grow, culminating in the murder of Stoudenmire's brother-in-law and friend "Doc" Cummings. Afterwards, tensions increased, and Stoudenmire began to drink more heavily, putting the town on edge with public displays of his gun skills. In an effort to soothe the situation, Stoudenmire and the Mannings signed a public "peace treaty" appearing in the *Daily Herald* April 16, 1881, to aver that they had "settled all differences and unfriendly feelings between us." Clearly, however, that wasn't the case and Stoudenmire continued to make threats when he was drinking, resigning his position as marshal in May.

On September 18, the parties met again for another "peace treaty" sealed over a drink. Quickly however the situation deteriorated, and "Doc" Manning pulled a gun on Stoudenmire and shot him in the arm, followed by a shot to the chest which was miraculously deflected by a thick roll of papers in his pocket. However, the force carried him through the doors of the saloon and into the street. With his second gun, Stoudenmire fired at Manning and the two began to wrestle, before Jim Manning shot Stoudenmire behind the ear, killing him. According to Thompson and Frost's account, Stoudenmire's friend "Scotty" was one of the first on the scene and helped carry Stoudenmire's body back to the saloon, grabbing his small "hideout" colt with its barrel cut down in the process. As he helped remove the clothes from his body, Scotty found the small picture of Stoudenmire's sister and took that as well, giving them to El Paso collector Don Thompson as a thank you, and to hold for posterity.

\$15,000 - 20,000



7

**PAT GARRETT'S SMITH & WESSON "FRONTIER" REVOLVER
USED WHILE HE WAS A BUFFALO HUNTER AT FORT GRIFFIN.**

Serial no. 1096, circa 1874, 6 1/2 inch barrel with single line patent date. Spurred trigger guard. 1874 over serial number. Lanyard ring. Two-piece walnut grips. In period leather holster. Condition: Very Good. Traces of nickel finish. Some areas of varnish on grips. Small chips to bottom of right grip.

Provenance: Pat Garrett; by descent to Jarvis Garrett (signed and notarized letter of documentation, April 26, 1978); sold to Jim and Theresa Earle.

The man who would find lasting fame (and infamy) as the killer of Billy the Kid was born in 1850. The Civil War was unkind to the Garrett family, and after the death of both parents in a short span, Garrett set out for Texas where he began work as a cowboy. By 1876, he was working as a buffalo hunter for Skelton Glenn out of the infamous Fort Griffin, Texas. He killed his first man here, a young buffalo hunter who attacked Garrett with an axe following an offhand remark, and Garrett soon turned himself into the authorities at Fort Griffin. He was acquitted, but by 1878 he had moved on to Fort Sumner, New Mexico, working for Pete Maxwell at first, and meeting Billy the Kid, beginning their march toward history.

\$30,000 - 50,000



Detail of lot 185



8

PAT GARRETT'S WINCHESTER TAKEN FROM BILLY WILSON WHEN HE WAS CAPTURED AT STINKING SPRINGS.

Serial no. 47629 for 1880, 20 inch round barrel, folding rear sight, walnut stock. Condition: Good to Very good. No finish remaining. Some areas with plum brown patina. Small dent in magazine tube. Well worn wood the left side of stock with gouges at wrist and a carved cross.

Provenance: Billy Wilson (alias of David L. Anderson); taken by Pat Garrett when he arrested Wilson and the rest of the Regulators at Stinking Springs (notarized copy of a 1906 letter signed from Garrett); loaned to Tom Powers for exhibit at his Coney Island Saloon (appears in Tom Powers inventory and probate; letter from Ed Warren, who worked at the saloon at the time of exhibition); recovered by Garrett's widow, Apolinaria (Pauline) Garrett, from Powers estate, 1933 (signed and notarized letter from Jarvis P. Garrett, April 20, 1983); sold to Robert E. McNellis, El Paso, TX; sold to Jim and Theresa Earle, February 2, 1979.

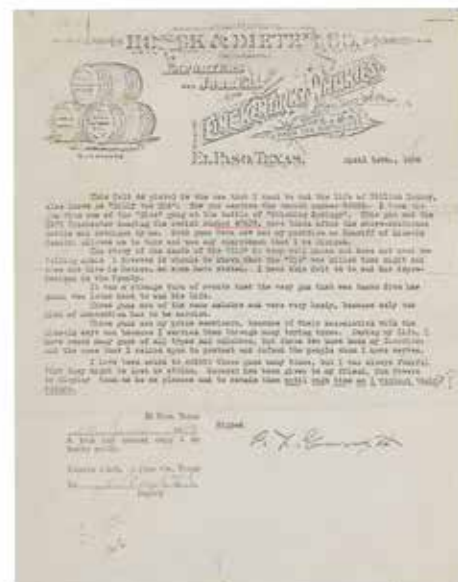
PAT GARRETT'S WINCHESTER TAKEN FROM REGULATOR BILLY WILSON WHEN HE WAS CAPTURED AT STINKING SPRINGS WITH BILLY THE KID. After nearly a month of conflicts with Kid and his gang, in December 29, 1880, Pat Garrett and his posse tracked down Billy the Kid at Stinking Springs, capturing not only the Kid, but also Billy Wilson, Dave Rudabaugh, and Tom Pickett, and killing Charlie Bowdre, who they had mistaken for the Kid. Garrett took two guns from Billy Wilson, which being nearly brand new, he continued to use: this Winchester used through much of his later career, and a Colt Single Action serial number 55093 which he would use to kill Billy the Kid half a year later (see lot 11), the Wild West's most epic tale.



Engraving of Stinking Springs, from *The Authentic Life of Billy the Kid*.

Billy Wilson was born David Anderson in 1862. Raised in Texas, he moved to White Oaks, New Mexico, in 1880 and bought a stable, which he quickly then sold. Unsuspectingly, he received \$400 in counterfeit bills for the sale, which he then spent around town, at which point he was arrested as a counterfeiter. Skipping bail, he fell in with Billy the Kid and the Regulators in late 1880, setting himself up for the confrontations at White Oaks, Fort Sumner and Stinking Springs. After being arrested, Wilson served four years, primarily for his participation in those battles with the Kid, before he escaped to Texas in 1884 to live a law abiding life as David Anderson. In a fitting turn of events, Garrett himself discovered him there in 1896, but noting his apparent transformation, he managed to arrange a Presidential pardon for Anderson/Wilson, which he received. His 1897 pardon notes that he has “gained the respect and good will of his neighbors ... He was very young when convicted ... and representations now made to me cause very grave doubts in my mind as to his guilt.” To complete the circle of events, Anderson would become Sheriff of Terrell County in 1905, before being killed while trying to arrest Ed Valentine in Sanderson, Texas, in 1918.

\$50,000 - 100,000



Pat Garrett, Letter Signed, 1906.



9

BILLY THE KID WHITNEY DOUBLE BARREL HAMMER SHOTGUN TAKEN FROM DEPUTY BOB OLINGER AND USED TO KILL HIM DURING BILLY THE KID'S DRAMATIC LINCOLN COUNTY COURTHOUSE ESCAPE ON APRIL 28, 1881.

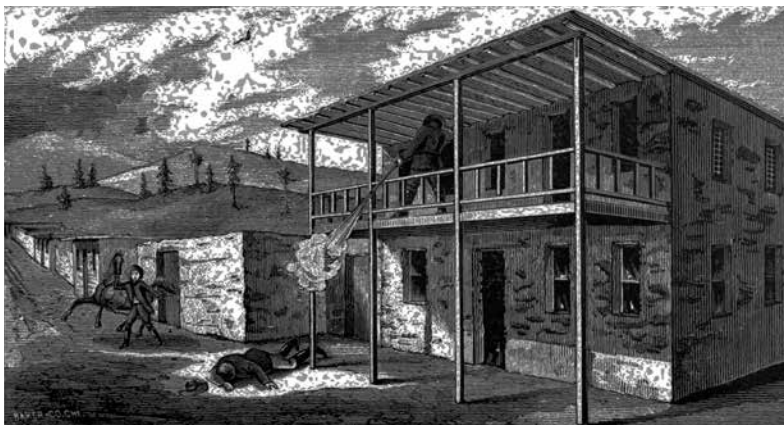
Serial no. 903, circa 1880, 10 gauge 25 1/4 inch round brown Damascus twist pattern. One line Whitney address. Scroll engraved action and hammers. Trigger lever release. Double trigger. Checkered walnut stock with steel buttplate. No. 19 stamped on left barrel at breach. Condition: Good to Very Good. Traces of twist pattern. Action cracked near triggers. Large chips to fore-end. Worn checkering with areas of remaining varnish. Grip with copper wire wrap an old repair to crack at wrist.

Provenance: Robert Olinger; stolen by Billy the Kid during his escape, and broken after killing Olinger, left with Olinger's body; retrieved by Pat Garrett (appears, identified by serial number, in Olinger's probate, signed by Garrett); given to Joseph C. Lea (signed and notarized statement, January 18, 1897, and signed handbill, November 15, 1903);

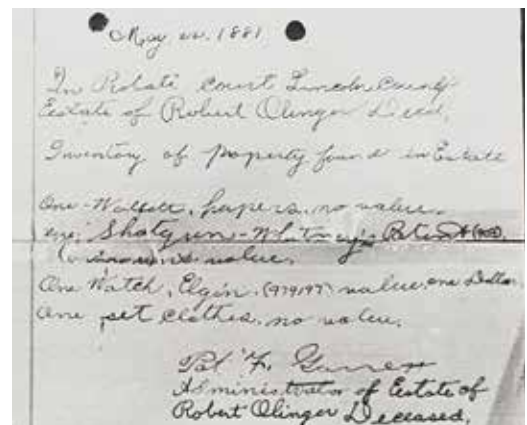
EXHIBITED, New Mexico Military Institute, 1898-1925; by descent to cousin Joseph Smith Lea, also bookkeeper to John Poe; to John Bunting (photocopy of a letter from Hiram Dow, executor of Lea's estate, giving the history); to Fred Zaffley; sold by his estate to Robert E. McNellis, El Paso, TX (signed and notarized statement); sold to Jim and Theresa Earle, Fall, 1975; EXHIBITED: Texas Ranger Hall of Fame and Museum, c.1990-2000.

BOB OLINGER'S WHITNEY SHOTGUN USED BY BILLY THE KID TO KILL OLINGER WHILE ESCAPING FROM THE LINCOLN COUNTY JAIL — THE ONLY IDENTIFIED BILLY THE KID GUN KNOWN TO HAVE BEEN USED, AND IN HIS LAST GUNFIGHT.

After the events at Stinking Springs, with Tom O'Folliard and Charlie Bowdre dead, Pat Garrett took Billy the Kid, Billy Wilson, Rudabaugh and Pickett to jail in Santa Fe. Billy the Kid was convicted in District Court at Mesilla on April 13, 1881, for the murder of Sheriff William Brady, who had been suspected of siding with James Dolan in the so-called Lincoln County War. He was to be hanged on May 13th. However, in his last and greatest escape on April 28th, he seized an opportunity, killing Deputy James W. Bell, before stealing Olinger's own shotgun from Garrett's office and shooting Olinger.



Engraving of Lincoln County Jail, from *The Authentic Life of Billy the Kid*.



Robert Olinger Probate Document, 1881.

Lincoln County had never had a jail up till two weeks before Billy the Kid's arrival, and even then the most notorious outlaw in the West was housed in the old Dolan-Murphy Mercantile House, now converted into a makeshift jail. Garrett appointed Olinger and Bell to guard the Kid. Bob Olinger and Billy the Kid had been in opposite factions during the earlier Lincoln County Wars, and there was a deep mutual animosity. As his jailer, Olinger taunted The Kid, who told him, "Careful Bob, I ain't hung yet." Olinger had a reputation as a mean and petty killer, not beyond shooting unarmed prisoners. His own mother would say, "Bob was a murderer from the cradle, and if there is a hell hereafter then he is there." With Garrett in White Oaks on business, Billy the Kid seized his opportunity. When Olinger took the other prisoners across the street for dinner, the Kid asked Bell to use the outhouse, located out back of the building. Upon returning, the Kid used a long staircase to bound ahead of Bell, breaking into the armory at the top and grabbing a pistol. He turned the pistol on Bell, killing him, and then went back to the armory and grabbed Olinger's shotgun from against the wall. Olinger had loaded it that morning in Kid's presence, remarking as he poured 18 buckshot in each barrel, "The man who gets one of those loads will feel it."

When Olinger heard the shots, he came back across the street, but the Kid was waiting on him from the second floor and fired the first barrel hitting him full in the chest. The Kid then came out on the balcony, and fired the second barrel hitting him in the same spot. He then broke the gun across the balcony railing, throwing it down at Olinger, reportedly saying, "Take it damn you, you won't follow me anymore with that gun." He then returned inside and grabbed a Winchester 1873 (see lot 10) and two revolvers, before stealing a horse and leaving town. Garrett received news of the escape the following day, and returned to Lincoln to search for any trail that might lead him to the Kid. He was still in Lincoln on May 22, when acting as the executor for Olinger's estate, he noted his possessions, including "one shotgun, Whitney patent (serial #903), broken, no value," as well as his pocket watch (see lot 190), and very little else.

\$200,000 - 300,000



10

BILLY THE KID'S WINCHESTER 1873 WHICH HE STOLE FROM THE LINCOLN COUNTY COURTHOUSE DURING HIS DRAMATIC ESCAPE.

Serial no. 20181 for 1876, 20 inch round barrel folding rear-sight blued finish. Walnut stock with steel buttplate with cleaning rod compartment. Condition: Very good. Traces of blued finish mainly on magazine balance turning plum brown. Areas of light pitting/corrosion/flaking. Well worn stock with bruising scratches and losses/separation to wood. No dust cover.

Provenance: Billy the Kid, taken from the Lincoln County Courthouse during his escape; obtained by Pat Garrett at Pete Maxwell's farm after he killed Billy the Kid; given to Joseph C. Lea (signed and notarized statement, January 18, 1897, and signed handbill, November 15, 1903); EXHIBITED: New Mexico Military Institute, 1898-1925; by descent to cousin Joseph Smith Lea, also bookkeeper to John Poe; to John Bunting (photocopy of a letter from Hiram Dow, executor of Lea's estate, giving the history); to Fred Zaffley; sold by his estate to Robert E. McNellis, El Paso, TX (signed and notarized statement); sold to Jim and Theresa Earle, Fall, 1980.

BILLY THE KID'S WINCHESTER 1873 WHICH HE STOLE FROM THE LINCOLN COUNTY COURTHOUSE DURING HIS DRAMATIC ESCAPE, TAKEN FROM THE MAXWELL RANCH WHEN HE WAS KILLED BY PAT GARRETT, given by Garrett in 1884 to Joseph C. Lea, known as the "Father of Roswell," who had brought Garrett to Lincoln County to run for sheriff.

As Billy the Kid escaped from the Lincoln County jail on April 28, 1881, weeks before he was to be hanged, he grabbed from the open armory this Winchester 1873, as well as two revolvers. As he came down the stairs, Bob Brookshire, a local stonemason, was coming out into the street, and the Kid told him, "Go back, young fellow, go back. I don't want to hurt you, but I am fighting for my life. I don't want to see anybody leave that house." He road out of town on Billy Burt's horse, saying as he left, "Tell Billy Burt I will send his horse back to him." When Garrett returned and was searching for the Kid's trail, Billy Burt's horse came in dragging a rope. For the next few month's Billy the Kid stayed in the vicinity of Fort Sumner, staying with or near Pete Maxwell, and reportedly carrying on an affair with Pete's sister Paulita.



When Garrett came to Pete Maxwell's ranch near midnight on July 14, 1881 with John W. Poe and Thomas McKinney, he unintentionally stumbled into Billy the Kid. The Kid had stopped in for food, and hearing noises in Maxwell's room, he stepped in, asking "Quien es?" Garrett, by Maxwell's bedside asked the same, "Who is it, Pete?" and Maxwell replied, "That's him," and Garrett fired hitting the Kid in the chest, ending the year long pursuit of one of the West's most notorious outlaws.

The Winchester 1873 was Billy the Kid's most trusted gun, and the same model appears at his side in the only surviving photograph of the Kid.

\$300,000 - 500,000



Billy the Kid



11

THE GUN THAT KILLED BILLY THE KID: PAT GARRETT'S COLT SINGLE ACTION ARMY REVOLVER USED TO KILL BILLY THE KID.

Serial number 55093 for 1880, .44-40 caliber 7 1/2 inch barrel, one line Hartford address crescent ejector rod head. DFC stamped over serial number on frame. Walnut grip. Condition: Very good with traces of blue on barrel and cylinder flutes and other protected areas. Well worn grips.

Provenance: Billy Wilson (alias of David L. Anderson); taken by Pat Garrett when he arrested Wilson and the rest of the Billy the Kid gang at Stinking Springs; used by Garrett to kill Billy the Kid at Pete Maxwell's, July 14, 1881 (notarized copy of a 1906 letter signed from Garrett); loaned to Tom Powers for exhibition at his Coney Island Saloon (appears in Tom Powers inventory and probate); recovered by Garrett's widow, Apolinaria (Pauline) Garrett, from Powers estate, 1933 (signed and notarized letter from Jarvis P. Garrett, April 20, 1983; contemporary newspaper documentation, including pictures of her with the gun); sold to Calvin Moerbe of Round Rock, Texas, 1976; sold to Jim and Theresa Earle, July 14, 1983.

Literature: Garavaglia & Worman, *Firearms of the American West, 1866-1894*, Albuquerque, NM, 1985, p 293; Metz, Leon Claire, *Pat Garrett: The Story of a Western Lawman*, Norman, OK, 1973, p 102; Wilson, R.L., *The Peacemakers*, New York, 1992.

SHERIFF PAT GARRETT'S COLT SINGLE ACTION WHICH HE USED TO KILL BILLY THE KID, JULY 14, 1881, AT PETE MAXWELL'S RANCH.

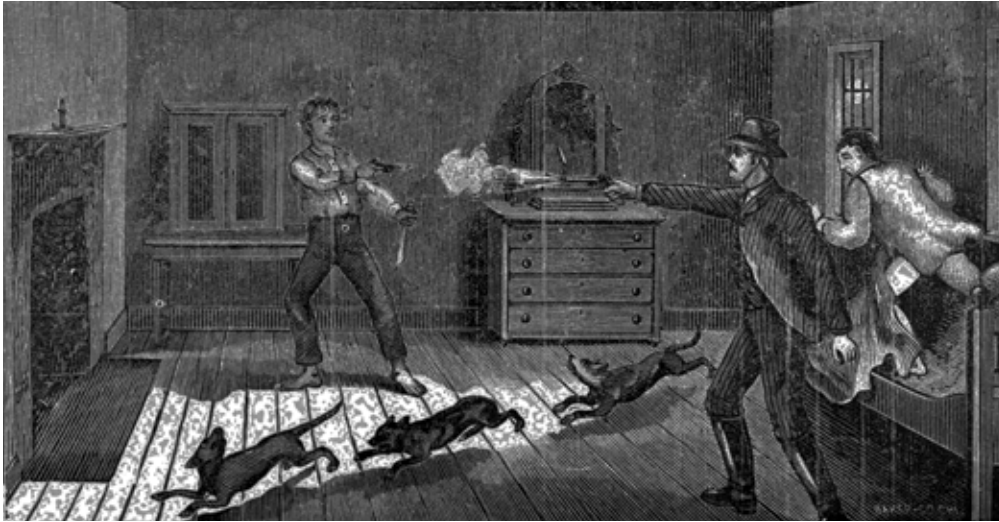
An iconic piece of history from one of the most important events of the early west, Sheriff Pat Garrett's yearlong pursuit of the notorious Billy the Kid. Now part of the American mythology, Garrett's friendship with the Kid, their mutual respect, and his subsequent hunt, capture, escape and death have become the stuff of legend. The subject of hundreds of songs, films from Cecil B. DeMille to Sam Peckinpah, and books, not to mention Aaron Copland's opera, casting the Kid as both villainous outlaw and unsung hero fighting for justice, the story of Billy the Kid has woven its way into the American imagination. As early as 1929, historian J. Frank Dobie noted, "... because his daring apotheosized youth—youth in the saddle—youth with a flaming gun—and because his daring kept him running and balancing on the edge of a frightful precipice ... Billy the Kid will always be interesting, will always appeal to the popular imagination" (Dobie, *A Vaquero of the Brush Country*, Austin, 1998, p 169).



Like many legends, it can be hard to sort out the fact from the fiction. Pat Garrett's *Authentic Life and Death of Billy the Kid*, written with his friend Ash Upson, has been criticized for stretching the truth, but it is also generally acknowledged that the second half detailing Garrett's pursuit and capture of Billy the Kid is both factual and largely written by Garrett. According to numerous reports, including Pete Maxwell's sister Juanita, Billy the Kid and Garrett were close friends since Garrett had arrived in Fort Sumner, working for Pete Maxwell at his ranch in late 1878, and then tending bar. Miguel Otero, who knew both, reports that they were often seen together in the gambling halls, where they were referred to as "Big Casino" and "Little Casino." In the fall of 1880, Garrett was recruited by cattlemen John Chisum and J.C. Lea to run for sheriff, and to subdue Billy the Kid. He won by a landslide and by November had been appointed as Deputy Sheriff, his official Sheriff commission to begin on January 1.



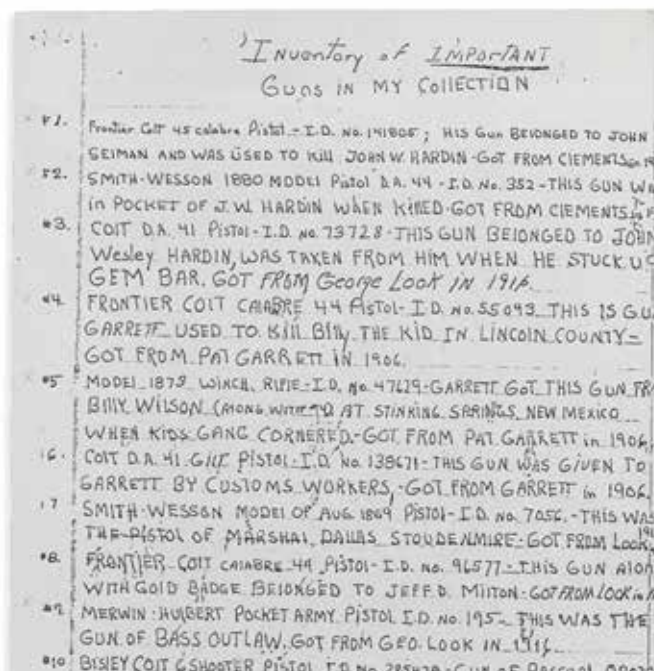
Serial Number (detail).



Engraving of Pete Maxwell's Ranch, from *The Authentic Life of Billy the Kid*.

Things began to move quickly, with Tom O'Folliard killed in Fort Sumner by Garrett and his posse on December 19, and then the entire gang pursued to Stinking Springs, Charlie Bowdre killed, and Billy the Kid, Billy Wilson and the rest captured on December 23. Significantly, this Colt, serial number 55093, along with a Winchester rifle (see lot 8), was taken from Wilson as he was captured, and being nearly new, Garrett began to use the guns in his professional capacity. Here, before even the turn of the New Year, before his official commission had even begun, he had accomplished what he set out to do: Billy the Kid and his gang were in custody or killed.

Of course, it wouldn't last. Convicted on April 13th and sentenced to hang, Billy the Kid made his last great escape on April 28th from the Lincoln County jail, dramatically killing deputies James W. Bell and Bob Olinger (see lot 9). The Kid, instead of leaving the country, started hanging around Fort Sumner and putting in time at Pete Maxwell's ranch again, possibly having an affair with Maxwell's sister Juanita. According to Garrett, The Kid left little trace of his whereabouts. In July Garrett and two men, John W. Poe and Deputy Thomas McKinney, rode for Fort Sumner, arriving outside the Maxwell ranch on July 14, 1881.



Tom Powers Probate (detail).



Apolonia Garrett, with gun, 1933.

In a remarkable coincidence, the Kid, who, like Garrett, had worked as Maxwell's ranch hand, also made his way that night to Maxwell's bedroom at the ranch. Garrett arrived first, looking for information, and as he sat with Maxwell in the dark, Billy the Kid, looking for food in Maxwell's kitchen, entered Maxwell's room to see what was going on. He could see someone in the dark, but trusting Maxwell, did not want to shoot, asking "Quien es? Quien es?" Garrett fired, hitting the Kid in the chest, who himself managed a single shot which lodged above Maxwell's bed. Garrett fired once more, missing, but unnecessary, as the West's most notorious outlaw, Billy the Kid, died in Maxwell's bedroom at the hands of his friend-turned-tracker.

Thus ends one of the Wild West's most enduring tales, the subject of endless rewriting and interpretation, adapted across the years into a multiplicity of forms. These retellings and adaptations create a one-hundred plus year kaleidoscope of American culture and psychology, endlessly revealing our history and changing times. The Billy the Kid gun of Pat Garrett is the most important and desirable Western firearm known, as well as one of the most well documented, and has never before appeared at public auction. An American legend made manifest, this iconic piece of history and mythology memorializes both the outlaw spirit and justice, encapsulating the notion of the code of the West.

\$2,000,000 - 3,000,000



12

JOHNNY RINGO'S COLT SINGLE ACTION ARMY REVOLVER HELD IN HIS HAND WHEN HE WAS FOUND DEAD AT TURKEY CREEK.

Serial no. 222 for 1874, .45 caliber, 7 1/4 inch barrel with single line address. Doughnut ejector. US mark on left side of frame (partially defaced), Inspector's marks on barrel. Serial number partially visible on frame and triggerguard. Number on cylinder defaced. Condition: Good. Generally no finish with traces of blue on ejector housing balance a brown patina. Toe of left grip missing. Worn grips with no visible inspectors marks. Cylinder possibly replaced. Barrel shortened through wear. A very early martially marked single action.

Provenance: Johnny Ringo, found in his hand in Morse Canyon (mentioned by serial number, containing five cartridges, in inquest document, "Statement for the information of the Coroner and Sheriff of Cochise County, A.T.," 1882); by descent to Mrs. Prigmore; to Allen Erwin (bill of sale, signed by Erwin and by Mrs. Prigmore's son Donald Wilson, on her behalf); by descent to Francis Huffstadter (signed Power of Attorney, May 2, 1979; sold European and American Firearms, Sotheby Parke Bernet, Los Angeles, 1980, to Jim and Theresa Earle.

Literature: Burrows, Jack, *John Ringo: The Gunfighter Who Never Was*, Tucson, 1980, p 101; Wilson, R.L., *The Peacemakers*, New York, 1992.

JOHNNY RINGO'S "SUICIDE" COLT FOUND IN HIS HAND AS HE SLUMPED AGAINST A TREE IN MORSE CANYON, JULY 14, 1882.

Johnny Ringo famously arrived in Tombstone in 1879, reportedly shooting Louis Hancock, who refused to drink whiskey with him, expressing a preference for beer. Ringo had journeyed overland with his family in 1864, and his father had accidentally shot himself on the journey (see lot 214, for his mother's diary of the trip). He was associated with the Cochise County Cowboys alongside the Clanton family and the McLaury brothers, and it's speculated that he missed the incident at the OK Corral only because he was visiting family in California. The Earp family suspected him of taking part in both the attempted assassination of Virgil Earp and the murder of their brother Morgan.



In July of 1882, the body of Johnny Ringo was found near Turkey Creek, with a hole from his temple through the back of his head, this Colt, serial number 222, in his hand, his feet wrapped in cloth torn from his undershirt. His horse was found nearby with his boots tied to his saddle (in order to keep out scorpions). The coroner's report called it suicide, listing this colt as the culprit, with 5 rounds still in the chamber. By all accounts, he had been drinking heavily in recent weeks, and the *Tombstone Epitaph* of July 18, in a fairly elegiac report on his death, noted that Ringo had "frequently threatened to commit suicide, and that the event was expected at any time." However, stories persist that he was killed by Wyatt Earp, who had been in the vicinity, or by Doc Holliday (who hadn't been close), or by Buckshot Frank Leslie, who reportedly confessed during a prison stint in Yuma.

A most well-documented gun from one of the West's most tragic outlaws, often portrayed as an introspective, unpredictable gunslinger quoting Shakespeare, whose death may have been as much of an enigma as his life.

\$80,000 - 120,000



Johnny Ringo



Detail of lot 127

13

SMITH & WESSON SCHOFIELD REVOLVER ATTRIBUTED TO JESSE JAMES.

Serial no. 2921, circa 1875, .38 caliber 7 inch barrel with fluted sighting channel German silver sight. Sighted barrel release blued finish. Martial US Stamp on bottom of gripstrap. Left walnut grip stamped with the number 45,292. The right grip stamped MRS38M (The Ms upside down). Condition: Good. Areas of light pitting under old reblue. Grips worn with traces of varnish.

Provenance: Jesse James; to Frank James; by descent to his son Robert James; sold at Excelsior Springs, Missouri, 1952, to Richard R. Riss II (signed and notarized affidavit from Riss, September 8, 1973); EXHIBITED, at Riss's "How the West Was Won Memorial Museum," Custer, SD, until 1973; sold, "How the West Was Won" auction, September 12, 1973, to Dr. John J. Kennedy, Atlantic Beach, FL; sold to Jim and Theresa Earle, February 4, 1991 (signed letter of documentation from Kennedy).



JESSE JAMES PERSONAL SCHOFIELD FROM FRANK'S SON, ROBERT JAMES. Jesse James may have been the most notorious of the legendary American outlaws, coordinating with his brother Frank and the Younger brothers a series of high stakes bank and train robberies, and becoming a folk hero in the process. His penchant for the Schofield revolver is well documented. His son vividly recalls in his 1899 biography/autobiography *Jesse James, My Father*: "In those days in St. Joseph, father always kept at least two horses in the stable back of the house. Father was heavily armed at all times. In the house he kept a double barreled shot gun loaded with buckshot, a Winchester rifle, a 45-calibre Colt's revolver, a 45-calibre Schofield revolver, and three cartridge belts. He never left the house without both of the revolvers and the three cartridge belts loaded, and some cartridges in his pockets...."

This Schofield .45 descended directly through Frank James, to his son Robert James and sold in 1952 to Robert R. Riss II, who displayed it at his How the West was Won Memorial Museum, Custer City, South Dakota. The Riss Collection was then sold at auction in 1973, and the revolver was purchased by Dr. John J. Kennedy, who sold it to Jim and Theresa Earle in 1991.

\$100,000 - 200,000



Bat Masterson, c.1879

14

BAT MASTERSON'S COLT SINGLE ACTION ARMY REVOLVER, CUSTOM ORDERED FROM THE OPERA HOUSE SALOON, DODGE CITY, JULY 24, 1885.

Serial no. 112737 for 1884, .45 caliber 4 3/4 inch barrel. G stamped under serial number at triggerguard and backstrap. Nickel plated. Crescent ejector rod. Black gutta percha grips. Extra grips. Condition: Excellent. 98% nickel finish. Light areas of pinprick flaking particularly within cylinder flutes, some areas with light frosting. Housed in gilt tooled green leather concealed book casing by famed bookbinder Arno Werner.

Provenance: W.B. "Bat" Masterson (letter from the Opera House Saloon, July 24th, 1885; shipped to Masterson on July 30th, 1885, according to Colt Firearms letter, October 16, 1976); George Walton, Roanoke, VA; sold at auction to Paul Selley, Palatine, IL; sold to Paul Pasko, Jr., Palatine, IL; Walter Buel Ford Collection; sold, his sale, Sotheby Parke Bernet, Los Angeles, March 7, 1976 to Jim and Theresa Earle; EXHIBITED: Homer Garrison Museum at Waco, Texas (now the Texas Ranger Hall of Fame and Museum), c.1980.

Literature: Used as the model for Bat Masterson .45, Colt Firearms Company, Lawman Series, 1967; Elman, Robert, *Fired in Anger*, New York, 1968; Wilson, R.L., *The Peacemakers*, New York, 1992.

THE MOST FAMOUS OF BAT MASTERSON'S COLT SINGLE ACTIONS, ORDERED JULY 24, 1885 FROM THE OPERA HOUSE SALOON, DODGE CITY, KANSAS.

According to Masterson's famous letter, still present in the Colt Archives in Hartford, CT (and reproduced here), Masterson took great care in requesting his weapon, asking for an easy trigger, higher site, and gutta percha grips, details one would expect from a man who expected to use it. Masterson ordered nine Colt Single Actions between 1879 and 1888, but this is the most famous: ordered with his fantastically detailed letter at the height of his popularity and fame—and specifically stating that he is ordering it for his own use.

Masterson first arrived in Dodge City in 1876, quickly assuming a legendary role in Western law enforcement alongside his friend Wyatt Earp. He served as Sheriff of Dodge City as well as a U.S. Marshal, but was defeated in 1879, in part because of his participation with Earp and Doc Holliday in the Royal Gorge Railroad War. He spent time gambling in Colorado, as well as dealing Faro in Tombstone in early 1881 with Earp and Holliday, before returning to Dodge in order to help his brother Jim in April 1881. After a wide open shootout in the town square outside the Long Branch Saloon, he left again for Colorado, only to return to Dodge in 1883 to assist Luke Short against Masterson's old nemesis Larry Deger, bringing Earp, Holliday, as well as a host of other gunfighters. He returned again in 1885, acting as house dealer in the Long Branch and the Opera House Saloons, and taking the occasional deputy appointment when called. Indeed, during the July 4th celebrations, he was voted the "most popular man in



Dodge City," receiving 170 of 310 votes, and awarded an engraved Elgin pocketwatch and gold cane. With the specter of temperance creeping through Dodge City in late 1885, Masterson removed himself from Dodge for the last time.

Masterson's exploits are legendary and varied. As the *Medicine Lodge Cresset* noted on December 3, 1885, "It is to his credit that he has never been known to take cowardly advantage of any opponent, and that most, if not all, the men he killed were more of an ornament to a graveyard than to society." This is an important relic, with exquisite documentation, from one of the West's most important and iconic figures.

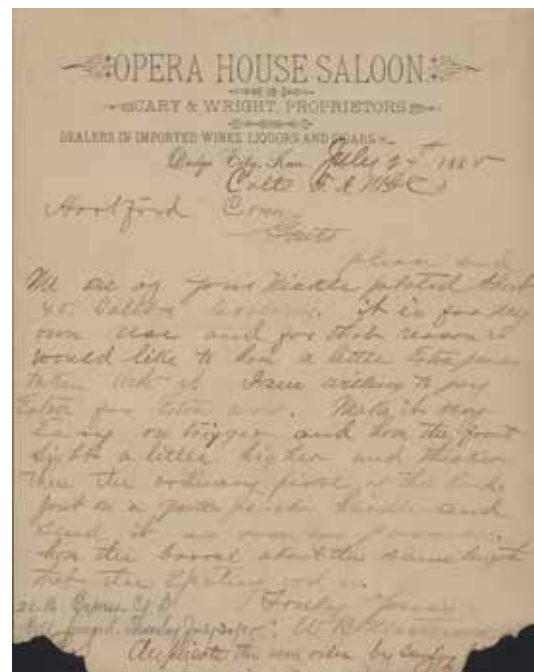
Gents

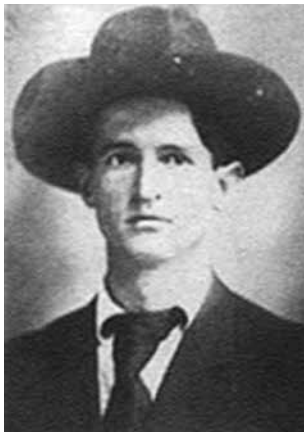
Please send Me one of your nickel plated short .45 calibre revolvers. It is for my own use and for that reason I would like to have a little Extra pains taken with it. I am willing to pay Extra for Extra work. Make it very Easy on the trigger and have the front Sight a little higher and thicker than the ordinary pistol of this Kind. Put on a gutta percha handle and send it as soon as possible, have the barrel about the same length that the ejector rod is.

Truly Yours,
W B Masterson

(Sent from the Opera House Saloon, Dodge City, July 24th, 1885).

\$200,000 - 300,000





Bob Dalton

15

BOB DALTON'S WINCHESTER MODEL 1886 LEVER-ACTION RIFLE USED BY HIM DURING THE COFFEYVILLE RAID ON OCTOBER 5, 1892 WHERE HE WAS KILLED.

Serial no. 40302, 38-56 caliber 22 inch round sighted blued barrel with horn ramped rear-sight. Color hardened action faintly inscribed Bob Dalton. Adjustable tang peep sight. Condition: Very Good to Fine. Traces of blue finish. Traces of color balance mottled. Stock with various mars and scratches commensurate with age and use.

Provenance: Bob Dalton; sold by probate court, January 14, 1893 to W.S. Upham (photocopy of bill of sale); to R.C. Jenkins (bill of sale); by descent to Tibby Engeler (signed and notarized statement giving the full history of the gun); sold, *European and American Firearms/Property of Gordon F. Engeler*, Sotheby Parke Bernet, Los Angeles, April 20, 1980, lot 16; sold to Jim and Theresa Earle.

BOB DALTON'S WINCHESTER 1886 RIFLE USED BY HIM DURING THE OCTOBER 5, 1892, COFFEYVILLE RAID.

Bob Dalton was the leader of the infamous Dalton Gang, and had engineered the plan to rob two banks in Coffeyville, Kansas at the same time, providing both financial security and cementing their place in history. Dalton ordered 10 brand new engraved colts specially from St. Louis, with pearl grips, ordered by an A.E. Williams (likely a Dalton alias) and shipped to Simmons hardware in St. Louis, August 1892, but on the day of the robbery, according to all accounts, he and the gang turned to their Winchesters.



Similar to the Colts, Bob Dalton's Winchester 1886 was shipped from the factory in August 1892, lending credence to the idea that Bob Dalton was planning an extraordinary event for October. According to Dalton himself (perhaps apocryphally), he would "beat anything Jesse James ever did, rob two banks at once, in broad daylight." Outfitted with new Colts, Winchesters, as well as brand new saddles, the gang made their way into town hoping to maintain their disguises, however as they rode shopkeeper Alex McKenna recognized them, and when he saw three of them enter the Condon Bank, he raised the alarm. The town responded in force, shopkeepers and tradesmen taking up arms against the Daltons, and greeting them with a barrage of gunfire as they tried to make their escapes. In a deadly exchange, the townspeople took down all of the Dalton gang, killing four of them; Emmett Dalton remarkably surviving despite being shot 23 times. While the townspeople gathered round the bodies, taking souvenirs, the police confiscated at least eight of the revolvers, as well as Bob Dalton's Winchester. After the trial, the court auctioned them through probate, where this Winchester was purchased directly from the estate of Bob Dalton on January 14, 1893 by W.S. Upham (also sold that day were one of the Colts, a saddle and a scabbard), and the provenance from Upham through the present owner is complete and unbroken.

\$100,000 - 150,000

State of Kansas, In the Probate Court of said County					
In the Estate of the Estate of					
Bob Dalton					
Deceased					
Sole Heir of Personal Property Sold at a Public Sale					
W.S. Upham, Auctioneer					
January 14, 1893					
Item	Quantity	Unit	Price	Total	Remarks
1 Winchester	1	rifle	\$100.00	\$100.00	
1 Colt	1	revolver	20.00	20.00	
1 Saddle	1	saddle	20.00	20.00	
1 Scabbard	1	scabbard	1.00	1.00	
				\$141.00	



16



17

16

DALTON BROTHERS' WINCHESTER MODEL 1873 LEVER ACTION RIFLE.

Serial no. 276980B, .38 WCF Caliber 18 3/4 inch octagonal barrel. Brass round magazine terminal cap (replaced) horn rear-sight. H.C. crudely carved in fore-end. R.H. crudely carved on right side of stock. Hole drilled through stock. Steel buttplate. Condition: Fair. Release button on cleaning rod trap missing. No dust cover. Sight ramp missing.

Provenance: Emmett Dalton; by descent to Julia Dalton; sold to Ernest Franklin Bishop (signed and notarized affidavit, July 16, 1940, attesting to the history); to Cliff Dietrich, Lyman, Nebraska; sold to Don Deckert; sold (through Carl Breihan) to Jim and Theresa Earle, November, 1976.

WINCHESTER 1873 CARRIED BY EMMETT DALTON AND HIS BROTHERS DURING THEIR DAYS AS DEPUTY U.S. MARSHALS, AND EARLY IN THEIR CAREER AS HIGHWAYMEN. Long before Coffeyville, and before they turned criminal, Emmett, Bob and Gratton worked for a time in law enforcement, following in the footsteps of their older brother Frank. Frank Dalton worked as a Deputy U.S. Marshal under Hanging Judge Isaac Parker before he was killed during an arrest along the Arkansas River in 1887. Both Bob and Grat Dalton would take positions as deputy marshals in Oklahoma Territory and the Osage Nation outside of Wichita. While Emmett Dalton was never commissioned marshal, he did serve with his brothers as both posseman and guard.

\$30,000 - 50,000

17

H.R. HILLEBRAND'S SMITH AND WESSON DOUBLE ACTION BREAKTOP REVOLVER.

Serial no. 174,464, 3 1/4 inch barrel. Parcel gilt scroll engraved barrel and frame. Backstrap engraved H.R. HILLEBRAND Mother-of-pearl grips. In period leather holster. Condition. Very Fine. Generous amounts of gilding remaining. Very minor chips to fore-edge of left grip.

Provenance: item number 17 on Tom Power's "Inventory of Important Guns in My Collection" (a copy of which is present with this lot), with a note that he acquired it in 1915 from Ed Bryant; acquired by Robert McNellis of El Paso; sold by him to Stanley Shapiro of New Jersey, c.1977; sold by Shapiro to Jim Earle at the Fall 1979 Texas Gun Collector's Association at the Royal Coach Inn of Dallas.

H.R. Hillebrand served as Sheriff of El Paso from 1890-92, when he was swept out of office by Frank Simmons. Ed Bryant was a Texas Ranger and associate of Hillebrand. Tom Powers was the proprietor of the Coney Island Saloon in El Paso, where he exhibited his superb arms collection, until forced to sell after prohibition.

\$5,000 - 7,000



“Bass Outlaw is dead. Bass, my friend is gone. Before he died he shot and killed Joe McKidric. Maybe all of us knew something like this would come to Bass— Bass, who was so brave and kind, who could laugh louder, ride longer, and cuss harder than the rest of us, and who could be more sympathetic, more tender, more patient than all of us when necessary. Bass had one weakness, that—at last—proved to be stronger than all his virtues. Bass couldn’t leave liquor alone, and when Bass was drunk, Bass was a maniac; none of us could handle him; none of us could reason with him, we just stayed with him until he sobered up.”

- Alonzo Van Oden, fellow Texas Ranger

18

BASS OUTLAW’S MERWIN & HULBERT SIX-SHOT POCKET ARMY REVOLVER.

Serial no. 195, circa 1885, .44-40 caliber, 3 1/4 inch round barrel, single line patent address on left side of barrel. Nickel plated. Replacement grips. Lanyard ring. Condition: Fine. 90% nickel finish overall. Light patches of pitting with some areas of flaking. Grips with patina and age striations.

WITH: Document Signed of A.A. Smith, Deputy, 1 p, 4to, El Paso, October 15, 1892, being affidavit number 1485 in the case of the State of Texas vs. Bass Outlaw, on line paper, fully separated at horizontal crease. Document purchased from Bob Eder, 1992. “*On the fifteenth day of October 1892 the said Bass Outlaw go into and near a public place in the City of El Paso and did then and there unlawfully and willfully, rudely display a pistol [Merwin & Hulbert Pocket Army identified as being numbered #195] in a manner calculated to disturb the inhabitants of said public places.*”

Provenance: Bass Outlaw, see above document; held by Deputy Sheriff Will Ten Eyck (signed and notarized statement from Ten Eyck that the gun was taken from Outlaw and not returned, July 8, 1897); sold to George Look of the Gem Saloon; sold to Tom Powers (copy of the original bill of sale, dated July 5, 1897, signed and notarized by Bob McNellis and Jim Earle, July 19, 1974); Tom Powers (“Inventory of Important Guns in my Collection,” no 9 and Tom Powers Probate); Bob McNellis, El Paso; Acquired by Jim and Theresa Earle, July 19, 1974.

Literature: Alexander, Bob. *Whiskey River Ranger: The Old West Life of Baz Outlaw*, Denton, TX, 2016, p 238, 246.

BASS OUTLAW’S MERWIN & HULBERT TAKEN FROM HIM ON OCTOBER 15, 1894, FOR BRANDISHING IT IN PUBLIC.

Revered Texas Ranger Frank Jones, Captain of Company D, called his sergeant Bass (or “Baz”) Outlaw, “A man of unusual courage and coolness and in a close place is worth two or three ordinary men.” However, his colleague Alonzo Oden would add, “Bass couldn’t leave liquor alone, and when Bass was drunk, Bass was a maniac.” In a career filled with ups and downs, Sergeant Bass Outlaw resigned his commission as a special Texas Ranger at the end of September 1892. On October 15, he was arrested by Sheriff Will Ten Eyck for “*unlawfully and willfully, rudely*” displaying this pistol in a public place “*in a manner calculated to disturb the inhabitants.*” The pistol was not returned.

Two years later, once again commissioned but now under John R. Hughes, Outlaw terrorized El Paso with his frequent drunken gunplay. Policeman C.B. Dowd warned him, “Mr. Outlaw, I advise you to keep sober, for if you make any more gun plays in El Paso somebody will kill you.” Sure enough, on April 5, 1894 after a night of drinking, fellow Ranger Joe McKidric and Constable John Selman escorted Outlaw to Tillie Howard’s house of ill repute, in an effort to either sober him up or let him pass out. Outlaw however wandered out back, and fired a single shot, causing McKidric to investigate. “Baz, why’d you shoot?” he asked. “You want some too?” Outlaw retorted, and shot McKidric in the head. Selman arrived at about the same time, and before he could draw his gun, Outlaw fired at him as well, the powder flash blinding Selman temporarily. As Outlaw fired again, Selman managed to fire twice, hitting Outlaw in the chest, mortally wounding him. Selman was hit in the knee, and again in the thigh, but not fatally. Selman would, of course, achieve fame and possibly ignominy the following year when he killed John Wesley Hardin in the Acme Saloon.

\$20,000 - 30,000



Acme Saloon, c.1895

19

JOHN WESLEY HARDIN'S SMITH & WESSON DOUBLE ACTION "FRONTIER" REVOLVER CARRIED WHEN HE WAS KILLED BY JOHN SELMAN.

Serial no. 352, circa 1887, .44-40 caliber 6 inch barrel with two line address. Nickel plated. Hard rubber grips. Condition: Very Good to Fine. Around 20% flaked nickel finish mostly on the frame. Slightly rubbed hard rubber grips with minor bruising and small chip to left heel.

Provenance: John Wesley Hardin (sold to Hardin by Arthur A. Kline, May 21, 1895; photocopies of court documents from the trial, citing this gun by serial number as "Exhibit B," "taken from John Hardin by Carr"); purchased from the court by Mannen Clements, 1908 (bill of sale, see lot 234); sold to Tom Powers of the Coney Island Saloon (bill of sale, see lot 234); appears in his "Inventory of Important Guns in My Collection;" appears in his probate); Ron Peterson Collection; sold to Jim and Theresa Earle (through Jack Funderburgh), March 14, 1974.

Literature: Garavaglia & Worman, *Firearms of the American West, 1866-1894*, Albuquerque, NM, 1985, p 321; Marohn, Richard, *John Wesley Hardin: The Last Gunfighter*, College Station, TX, 1995, pp 294-301; Wilson, R.L., *The Peacemakers*, New York, 1992.

THE SMITH & WESSON CARRIED BY JOHN WESLEY HARDIN WHEN HE WAS KILLED BY JOHN SELMAN.

On the afternoon of August 19, 1895, John Wesley Hardin threatened Constable John Selman and his son in El Paso, Texas. Later that evening, as Hardin continued drinking and playing dice, Selman shot him, likely from behind, although that is a matter of some dispute. The Reverend E.W. Higgins, called to attend the body, was asked how Hardin had looked: "Better than I ever saw him," he replied. He added that if Hardin was shot through the eye from the front, 'It would be remarkably good marksmanship,' and if he was shot behind the right ear and not from the front, "it was probably remarkably good judgment."

Of all the early gunfighters, John Wesley Hardin may have been the most dangerous. Rumor has it that he once shot a man for snoring. However, as is often the case, the truth is much more complicated. Hardin was born in Bonham, TX, in 1856. He killed his first man at 15, although likely in self-defense. Post-Civil War Texas was governed largely by the military, and Hardin and his father did not believe he could get a fair trial, so he ran from the authorities, beginning a near-20-year flight and fight with the law becoming both a villain and a folk hero. According to Leon Metz, however, "In his own mind, he never killed a man that did not deserve it" (*John Wesley Hardin: Dark Angel of Texas*, Norman, OK, 1998).



John Wesley Hardin

After being sentenced to prison in 1877 for 25 years, Hardin, after numerous failed escape attempts, began to study law. His letters to his wife and the advice to his children as they grow reflect his outlook, exhibiting an obsession with lawfulness, righteousness, and character. Upon his release in 1894, he joined his children in Gonzalez, TX, his wife having died in late 1892. He applied to the state bar of TX and was admitted (see lot 227), and he arranged a pardon from the Governor. However, he soon discovered that his grown children had their own lives. His law work—largely with indigent populations he grew up with—was paid largely in trade and consideration, but little cash. He soon began to drink and gamble again. After his unsuccessful opposition to a local political race, he left Gonzalez for El Paso.

Throughout 1895, he bounced from town to town, reconnected with his cousin “Killing Jim” Miller, and met Helen Beulah Mrose (or M’Rose), marching inexorably towards his death. In June, Beulah’s husband Martin Mrose was ambushed and killed, in the presence of Texas Ranger George Scarborough (who would, coincidentally or not, kill Old John Selman a year after Selman killed Hardin, see lot 225). In early August, Hardin, while drinking, bragged that he had paid Scarborough for the killing, only to retract the statement publicly in the newspaper the following day. Around the same time, with Hardin out of town, John Selman, Jr., arrested Beulah Mrose on a drunk and disorderly charge, holding her for \$50 bond (which normally would have been \$5). Hardin confronted Selman, Sr. about the affront on August 19th, and insulted the younger Selman. After the confrontation

Hardin returned to the Acme Saloon, and dined at the corner of the bar. “You have four sixes to beat,” he said to Henry Brown. Selman then entered the Acme and shot Hardin in the back of the head, firing 3 more shots until Selman Jr. pulled him back, reporting “He’s dead,” according to his court testimony (see lot 233).

At trial, according to the court documents, John Wesley Hardin’s Smith & Wesson .44 caliber revolver, serial number 352, “taken from John Hardin by Carr,” became exhibit B; and Selman’s Colt .45, serial number 141805, which he killed Hardin with, was exhibit A (see lot 234). After the trial, both guns were held by the court, until they were sold at auction by the court, and both were bought by Hardin’s cousin Mannen Clements, who sold them to Tom Powers of the famed Coney Island Saloon on the same day.

\$100,000 - 200,000



Exhibit B



Exhibit A

20

**JOHN SELMAN'S COLT SINGLE ACTION ARMY REVOLVER
USED TO SHOOT JOHN WESLEY HARDIN AT THE ACME
SALOON IN EL PASO, TEXAS, AUGUST 19, 1895.**

Serial no. 141805 for 1891, .45 caliber 5 ½ inch barrel with single line address. Crescent ejector rod. Hard rubber rampant colt grips. Exhibit A scratched on bottom of backstrap. Condition. Good. Generally no finish with traces of blue on ejector housing. Well worn/rubbed grips with small chip on right grip at toe.

Provenance: John Selman (photocopies of court documents from the trial, citing this gun by serial number as "Exhibit A," "taken from John Selman by Carr"); purchased from the courts by Mannen Clements, 1908 (bill of sale, see lot 234); sold to Tom Powers of the Coney Island Saloon (bill of sale, see lot 234; appears in his "Inventory of Important Guns in My Collection;" appears in his probate); Ron Peterson Collection; sold to Jim and Theresa Earle (through Jack Funderburgh), March 14, 1974.

Literature: Garavaglia & Worman, *Firearms of the American West, 1866-1894*, Albuquerque, NM, 1985, p 321; Marohn, Richard, *John Wesley Hardin: The Last Gunfighter*, College Station, TX, 1995, p 299; Wilson, R.L., *The Peacemakers*, New York, 1992.

THE GUN THAT KILLED FAMED GUNFIGHTER JOHN WESLEY HARDIN. Constable John Selman led a long and varied life as both a lawman and an outlaw, but will most famously be remembered as the man who killed John Wesley Hardin (see previous lot 19). Selman served in the 22nd Texas regiment in the Civil War but faced charges of desertion. During the Lincoln County Wars, he was the leader of "Selman's Scouts," also known as the "Rustlers," for which exploits he was captured by Texas Ranger Joe McKidric and jailed to stand trial. He escaped and fled to Mexico, returning to the U.S. in 1888 in El Paso. By 1892, he was elected constable, and served a short but tumultuous four years. On April 5, 1894, he killed the famed but unstable Texas Ranger Baz Outlaw, after a drunken Outlaw shot Joe McKidric.



On August 19, 1895, inside the Acme Saloon, Selman used his “remarkably good judgement” when he shot John Wesley Hardin in the back of the head with this Colt Single Action serial number, 141805, taken into evidence as Exhibit A during the resulting trial. The killing ended the career of one of the West’s most dangerous gunfighters, and immortalized Selman, forever after referred to as “the killer of John Wesley Hardin.”

On April 6, 1896, just about two years to the day he had killed Outlaw, he got into an argument with Texas Ranger George Scarborough, the same Scarborough Hardin had drunkenly declared as the hired killer of Martin Mrose. According to Scarborough at trial, Selman had asked him to help break his son out of jail across the Mexican border. When Scarborough refused to head back in to drink on it, Selman, not renowned for his quickness on the draw, had pulled his gun. Scarborough shot him dead before Selman could get off a shot.

\$100,000 - 150,000



John Selman



21



22

21

COLT NEW LINE REVOLVER BELONGING TO FRONTIERSMAN BILL GAY TAKEN BY GEORGE WILLIAMS UPON HIS ARREST.

Serial no. 9030, .32 caliber 2 1/4 inch round barrel with two line Hartford address and panel etched Colt New 32 Nickel finish. Pearl grips. Condition: Very Good to Fine. Around 30 percent nickel finish remaining. Etched panel barely visible. Grips excellent with small chips to right grip.

Provenance: taken from Bill Gay in 1896 at his arrest by George Williams; by descent to George Williams II (affidavit signed March 13, 1970); sold to E. Dixon Larson, 1970; sold to Jim and Theresa Earle, 1974.

Bill Gay (1844-1896) was a frontiersman and businessman who shot a man he suspected of having an affair with his wife, though he was pardoned for that crime. Later he was accused of taking part in a robbery, and while fleeing from a posse, he shot and killed a lawman. He was hanged for his crime in 1896.

\$4,000 - 6,000

22

AL JENNINGS COLT SINGLE ACTION ARMY ARTILLERY MODEL REVOLVER.

Serial number 120209 on frame with D.F.C. Inspector mark. Mixed serial numbers on other elements. 4 3/4 inch barrel with one line Hartford address. WF CO marks on barrel and right side of frame. Traces of serial no. and RAC on cylinder. US stamp on left side of frame. Walnut grip. In tooled leather holster.

Condition: Good. Around 20 percent reblued finish remaining. Wear to muzzle. Woods with heavy marring and remnants of Al Jennings scratched on grip.

Provenance: Al Jennings; sold to H.L. Murray (letter of documentation, August 31, 1955); sold by Murray to Walt O'Connor; Walter Buel Ford Collection, sold Sotheby's Los Angeles, March 7, 1976, to Jim and Theresa Earle.

Al Jennings (1863-1961) trained as an attorney before turning to crime, robbing trains with the "Jennings Gang" in 1897. He was captured and convicted, and while in prison befriended Sydney Porter, better known as O. Henry. The story "Holding Up a Train" appeared in 1904, and letters have revealed it was Jennings who provided the raw material, which O. Henry "cut up and added some stuff that never happened, but followed your ideas and facts" (O. Henry, *The Complete Works....*, Garden City, 1911, p 849). He was pardoned by Theodore Roosevelt in 1907, and went on to have a career in law, politics, and Hollywood. Accompanying this firearm is an album of letters (including the Jennings letter selling the present gun to H.L. Murray), signed photographs, newspaper clippings, and other important research.

\$8,000 - 12,000



23

CLARENCE L. "GUNPLAY" MAXWELL'S COLT MODEL 1878 DOUBLE ACTION REVOLVER.

Serial no. 30245, 5 3/8 inch barrel stamped on left side COLT FRONTIER SIX SHOOTER. Single line Hartford address, rampant Colt hard rubber grips. Lanyard ring. With modern leather holster. Condition: Very Good to Fine. 85% nickel finish with some areas of flaking. Right grip repaired. Traces of blue to hammer and trigger. *Provenance:* Clarence "Gunplay" Maxwell, taken at Springfield, Utah; James Weight, Chief of Police, Springville, Utah; by descent to Audrey Weight (signed and notarized statement, April 11, 1974); sold to E. Dixon Larsen (signed statement on his letterhead attesting to the history of the gun); acquired by Jim and Theresa Earle, 1977.

ASSOCIATE OF BUTCH CASSIDY: "GUNPLAY" MAXWELL'S COLT USED IN HIS NOTORIOUS ROBBERY OF THE BANK AT SPRINGVILLE, UTAH, 1898. Clarence L. "Gunplay" Maxwell first went to prison for larceny in 1893 and was incarcerated at Wyoming State Prison at Laramie until 1896. During his stay he met Butch Cassidy and the two men were released within a week of each other, continuing to associate for a time in and around Robber's Roost, although rumors suggest that Cassidy rejected Maxwell from riding with the Wild Bunch. In 1898, Maxwell and an unknown partner robbed the Springville, Utah, bank of \$3000 in gold coins. They were pursued by a posse, and Maxwell's partner, called Porter, was killed by blacksmith Joe Allen (see following lot 24). Maxwell was captured and convicted of his crimes by an eight-person jury in Utah. In an interesting footnote, Maxwell appealed the case all the way to the Supreme Court, arguing that he was denied due process due to the composition of the jury, as it did not meet the "national standard" established by the 14th Amendment. The Supreme Court rejected his contention, noting in particular that the 14th Amendment had effected no new curbs on the behavior of the states.

\$20,000 - 30,000



24

JOSEPH ALLEN'S BANNERMAN/SPENCER SLIDE ACTION REPEATING SHOTGUN CARRIED IN PURSUIT OF "GUNPLAY" MAXWELL, SPRINGFIELD UT.

Serial no. 17582. 12 Gauge 30 inch brown Damascus twist barrel. Frame stamped F. BANNERMAN MANUFACTURER NEW YORK U.S.A./MODEL 1896. Six groove fore-end slide grip. Walnut stock with pistolgrip. Checkered steel buttplate. The right side of receiver scratched DEAL. Condition: Good. Generous trace of Damascus pattern on barrel. Grey patina overall. Stock heavily bruised and marred with traces of varnish.

Provenance: Joe Allen to Will Parry; Parry to the Strong family of Springville, UT (notarized statement dated October 4, 1975); sold by them to E. Dixon Larson; sold to Jim and Theresa Earle, 1974.

On May 13, 1898 C.L. "Gunplay" Maxwell and an accomplice robbed the Springville Bank. They were pursued by local townspeople, including blacksmith Joseph Allen. Maxwell was captured, but his accomplice Porter resisted and shot Allen through the leg, after which Allen shot and killed him. Allen was likely carrying a rifle as well as this shotgun; Earle did not think this is the gun used to shoot Porter, but was likely with him during the pursuit.

The Allen gun was given to Allen's assistant blacksmith, Will Parry, who traded it to the Strong Plumbing and Heating company for a plumbing job done on his apartment.

\$8,000 - 12,000



Butch Cassidy and the members of the Wild Bunch

25

COLT SINGLE ACTION ARMY REVOLVER ATTRIBUTED TO "KID CURRY," MEMBER OF BUTCH CASSIDY AND SUNDANCE KID'S WILD BUNCH.

Serial no. 147144 for 1892, .45 caliber 4 ¾ inch barrel with caliber in barrel on left. NY style border and scroll engraved. Later horn grips. Condition: Good. No finish. Engraving worn. Possible period replacements including hammer and ejector housing.

Provenance: Charles Judd, gun salesman; stolen by Kid Curry, during the Wilcox robbery, June 2, 1899; taken from Curry upon his death by Deputy Fred Carlson, a member of the posse who chased and wounded Curry near Glenwood Springs, June 8, 1904; by descent to Fred Carlson, Jr (signed and notarized affidavit, March 18, 1974, attesting to the history of the gun); sold to E. Dixon Larson; sold to Jim and Theresa Earle, 1974.

Literature: Wilson, R.L. *The Peacemakers*, New York, 1992; Horan, James David. *The Authentic Wild West, Volume 2*, New York, 1976, p 258; Wilson, Gary A. *The Life and Death of Kid Curry: Tiger of the Wild Bunch*, Guilford, 2015, p 193.

COLT SINGLE ACTION BELONGING TO KID CURRY, "THE WILDEST OF THE WILD BUNCH." Kid Curry, born Harvey Logan, has been referred to as "the wildest of the bunch," riding with Butch Cassidy and the Sundance Kid at the height of their fame and success. His first job with the Wild Bunch was the June 2, 1899, heist of the Union Pacific Overland Flyer outside of Wilcox, Wyoming, immortalized in the 1969 George Roy Hill film *Butch Cassidy and the Sundance Kid*. According to the signed affidavit, during the robbery, Kid took the Colt SAA from Colt salesman Charles Judd, and began using it when the Wild Bunch pulled off a series of lucrative thefts. After Butch and Sundance left for South America in 1901, the Wild Bunch continued to operate. On June 7, 1904, following a bungled train robbery outside of Parachute, Colorado, an unrecognized Curry and his accomplices fled into the mountains near Glenwood Springs. On the morning of the 9th, a posse caught up with them, and in the ensuing gunfight Curry was wounded in his arm and both lungs. Having vowed never to be captured, Kid Curry turned this Colt to his own temple and denied them the pleasure.

\$50,000 - 70,000



26



27

26

COLT SINGLE ACTION ARMY REVOLVER ATTRIBUTED TO BILLY STILES AT THE NOGALES AND BENSON ARIZONA TRAIN AT FAIRBANKS.

Serial no. 161578. .45 caliber 4 3/4 inch barrel stamped on left side .45 Colt. Two line Hartford address. Crescent ejector. Hard rubber grips. Condition: Very Good. Grey patina overall. Some wear and mars to grips.

Provenance: A. English, lawyer for Billy Stiles, who claimed the gun for his services when Stiles skipped bail; to Fred L. Pusch, Pima County Deputy Sheriff; sold to Hack Proper (signed and attested affidavit from Fred Pusch, July 14, 1952); through a Tucson gun shop to Gordon Garland (newspaper article, *Tucson Daily Citizen*, August 4, 1976); sold to Jim and Theresa Earle, July 20, 1976.

BILLY STILES COLT USED IN THE FAIRBANKS RAILROAD DEPOT ROBBERY ON FEBRUARY 15, 1900. Billy Stiles and Burt Alvord were both working in law enforcement around Willcox, Arizona, but had begun to rob trains as a way to supplement their incomes. They had purposely chosen a day they knew that Expressman Jeff Milton would not be working, but were surprised to find him in the open door of the express car when they arrived. As fighting broke out, Alvord shot Milton in the shoulder, but Milton still managed to hit "Three Fingered Jack" Dunlop, mortally wounding him. The gang escaped into the surrounding mountains along with the wounded Dunlop, eventually leaving him with his wounds and a bottle of whiskey. He would die in a Tombstone hospital, but not before he had a chance to out his other gang members (who had after all left him to die).

At first authorities were surprised to hear Alvord's name and not inclined to believe Dunlop. They changed their minds when Stiles turned himself in, also giving up his accomplices. In return for Stiles confession, he was released, and he quickly returned to break Alvord out of jail as well. Jailed again in 1903, they once again escaped, and this time they thought they could finally escape the eyes of the law... if they were dead. So they arranged for the delivery of two dead bodies to Tombstone in sealed coffins, spreading the word that it was Stiles and Alvord. Lawmen were justifiably suspicious however, and the ruse was easily revealed when the coffins were opened.

\$15,000 - 20,000

27

BURT ALVORD'S COLT SINGLE ACTION ARMY REVOLVER.

Serial no.150545. 5 1/2 inch barrel with single line Hartford address. Rampant Colt hard rubber grips. Condition: Very good. With around 90% factory blue refinish. Mottled color hardening with traces. Crisp grips.

Provenance: Burt Alvord; given by his sister to Ben J. McKinney, U.S. Marshal of Arizona and longtime friend of the Alvords, who had it restored (signed and notarized affidavit, June 11, 1952); to Gordon Garland, through a Tucson gun dealer; sold to Jim and Theresa Earle, date unrecorded.

BURT ALVORD'S COLT SINGLE ACTION ARMY REVOLVER. Most famous for the train robbery at Fairbanks, in which he shot U.S. Marshal Jeff Milton, Burt Alvord, along with friend and another former deputy Billy Stiles, was a lawman turned train robber. As Marshal McKinney states in his affidavit, "I was foreman of a big ranch, and Burt worked for me awhile and then quit and got himself a job as deputy sheriff and then constable, he was a pretty good sort of fellow as I knew him. Later on he got himself involved with a bad bunch and was always in some trouble. He always managed to escape jail and it seemed no one was able to hold him." It's possible that this is the gun that was used in shooting Milton, but that has not been documented.

\$8,000 - 12,000



Tom Horn

28

COLT MODEL 1878 DOUBLE ACTION REVOLVER, ATTRIBUTED TO TOM HORN.

Serial no. 1867, .45 caliber 5 1/2 inch barrel, one line Hartford address. Hard rubber rampant Colt grips. Lanyard ring. In leather holster. Condition: Fine to Excellent. 85% nickel finish with some areas of flaking and frosting. Some areas of wear to grips.

Provenance: Tom Horn, confiscated and sold in a sale of unclaimed evidence to Deputy D.E. Brown; by descent, to Donald Evert Brown (signed and notarized statement, January 7, 1973); E. Dixon Larson, acquired from the above; acquired by Jim and Theresa Earle, 1974.

TOM HORN'S COLT FRONTIER MODEL 1878 DOUBLE ACTION AND SLIM LEATHER HOLSTER, TAKEN FROM HIM WHEN HE WAS ARRESTED FOR THE KILLING OF WILLIE NICKELL.

Tom Horn was a former U.S. Scout turned detective, and was known to work as a gun for hire in the stockmans' war against rustlers. By most accounts, he killed 17 men, but ironically when he was finally arrested it was for a murder which he may not have committed. In 1901, in Laramie County, Wyoming, ranchman Jim Miller had been feuding with the family of Kels Nickell, who had introduced sheep into the Iron Mountain area. On July 18, Willie Nickell, Kels's 14-year old son was murdered outside of the Nickell's ranch, and on August 4, Kels Nickell himself was shot and wounded, and 60 to 80 of his sheep were killed. All eyes pointed to the Millers. But on January 6,

1902, Deputy Marshall Joe Lefors who was heading the investigation questioned Tom Horn regarding the killing of Willie Nickell, to which Horn confessed during the interview, according to Lefors. He was arrested the following day. According to Marty McCord's history of stock detectives in the west, *Calling All Brands* (TwoDot Publishing, 2018) deputy sheriff Richard Proctor took from Tom Horn and checked into evidence "two nickeled 5 1/2 barrel .45 caliber 1878 Colt Frontier Model Double Actions, in slim flap style holsters" (p 72).

In October, 1902, Horn finally stood trial, and despite a lack of hard evidence, was convicted on the basis of his confession — the truth of which he still denied in his final moments. As he was led to the gallows by Proctor and Deputy T. Joe Cahill, he made small talk with the assembled law enforcement officials, who appeared solemn and nervous. "Ain't losing your nerve, are you Joe?" he is said to have remarked. Adding, "Don't be nervous boys, you're only doing your duty." At Horn's request, his friends Charley and George Irwin sang "Life is Like a Mountain Railroad," "an odd, wild song," as described by the *Denver Republican*. With Proctor's prompting, Charles Irwin asked Horn, "Did you make a confession to this murder to a minister, as reported in the *Denver Times*?" "No sir, I did not," was Horn's reply.

\$20,000 - 30,000



29



30

29

BARNEY LEWIS'S COLT SINGLE ACTION ARMY REVOLVER.

Serial no. 26959, 45 caliber, 7 1/2 inch barrel with single line Hartford address. Doughnut ejector rod. Walnut grips. Condition: Very Good. With dark grey/brown patina overall. Traces of varnish to grips. Cylinder screw-head broken off.

Provenance: Barney Lewis; to Colonel Edmund W. Starling (Autograph Note Signed, May 16, 1943, giving history of the gun); given to Victor V. Martin (Typed Note Signed, October 21, 1953); Robert Abels, New York City; Dr. James Brown, Huron, South Dakota, 1967; Acquired by Jim and Theresa Earle, 1974.

Literature: Elman, Bob. *Fired in Anger*. New York, 1968.

BARNEY LEWIS'S COLT TAKEN FROM HIM WHEN HE WAS FINALLY ARRESTED IN 1913. In the early morning of May 14, eight miles outside of Hattiesburg, Mississippi, Barney Lewis and Jerry Enis held up the no 2 train headed to New Orleans when it stopped for water. They blew up the safe, and made away with \$92,000 in cash. Initially some profligate spending on the part of Enis drew the attention of the authorities. The pair, along with Enis's brother Henry, were pursued for more than a year and finally arrested in August 1913. According to an autograph note from famed White House Secret Service man Colonel E.W. Starling, who then worked as an Express detective on the case, the two men received 20 years in prison for the crime.

Colonel Starling would become famous as a Secret Service agent, and his posthumously published *Starling of the White House* based on the 11,000 letters he wrote to his mother detailing his career serving five U.S. Presidents from Wilson to F.D.R. At the time of the Lewis-Enis robbery, he was still employed as a detective with the Railroad Express Agency. Barney Lewis's daring robbery made headlines for its audacious success.

\$10,000 - 15,000



30

30

BILL CARLISLE COLT MODEL 1851 NAVY CONVERSION HOLSTER AND RIG.

Serial no. 59880, .36 caliber 4 1/2 inch octagonal barrel. Mixed serial numbers. Single line NYC address. P/GG stamped on cylinder. The walnut grip carved in low relief of left. With Steer's head and on right with Eagle. With leather holster. Condition: Good as reconfigured. Grips worn with both toes chipped.

Provenance: Bill Carlisle to Fred Mazzulla of Colorado, 1961; sold to Jim and Theresa Earle, August 1976.

Bill Carlisle is remembered as the "Gentleman Bandit" and the "Robin Hood of the Rails" for a series of train robberies in 1916. He never shot anyone, never took money from women, children, or servicemen, and gave money to a guard to make up for lost tips. In a September 9, 1976 letter to Jim Earle, former owner Fred M. Mazzulla explains the history of the Colt: "*Bill told me that he had the gun in his bed roll that had been left with a farmer in Cheyenne, Wyoming for safekeeping before he was captured by the law in 1916 ... After serving 19 years in prison, Governor A.M. Clark paroled him ... Carlisle later visited the farmer in Cheyenne, Wyoming and retrieved his bed rolls, his gun, and other belongings.*"

\$6,000 - 8,000



Bill Carlisle, c.1916



31



32

31

A NEW HAVEN ARMS COMPANY HENRY RIFLE.

Serial no. 6327, c. 1860, .44 Henry caliber 24 inch octagonal-mono-block barrel/tube magazine. Folding adjustable rear sight. Sling swivels buttplate with cleaning rod compartment, no rods. Condition: Fine. Around 30% thinning blue finish with balance turning plum brown. Mustard color patina to action and buttplate. Small patches of pinprick pitting. Scratches and bruising commensurate with age and use. *Provenance:* Buck Westbrook; sold to Jim and Theresa Earle, September 27, 1980, TGCA, Dallas.

THE FORERUNNER OF THE WINCHESTER. Designed by Benjamin Tyler Henry in 1860 and manufactured by the New Haven Arms Company, the Henry Rifle was the first repeating lever action rifle, offering a much faster shot when used correctly.

\$15,000 - 20,000

32

SHARPS PATENT PISTOL GRIP RIFLE RECOVERED FROM CONFEDERATE MCCLAIN OF THE MCCULLOUGH RANGERS BY THOMAS EARLE OF THE UNION ARMY.

Number 68 stamped on tang, 27 3/4 inch round barrel. Adjustable rising rear sight. Blued action. Silvered patchbox. Condition: Fair to Good. Plum brown patina to barrel. Missing parts. Broken hammer. *Provenance:* purchased from Len Cave, Jamestown, ND, December 1976.

The engraved plaque on the side of the stock documents the recovery of the gun by Union soldier Thomas Earle from a Confederate soldier.

\$6,000 - 8,000



33

SHARPS BUFFALO RIFLE SOLD TO R.W. SNYDER, KANSAS.

Serial no. C53221, .50 caliber 30 inch octagonal barrel with R.S. Lawrence folding adjustable sight, Sling Swivel. US marked steel buttplate. Frame stamped "R.S. Lawrence Patent / April 12th 1859" and "C. Sharps Pat. / Oct 5th 1852." With period hide scabbard. Condition: Good. Brown patina overall. Fore-end shortened (probably a period replacement). Stock with heavy scratches wear and divots commensurate with age and use. Hide wrapped grip covering old repair at wrist. The buttstock probably a period replacement from a trapdoor Springfield.

Provenance: R.W. Snyder of Buffalo, Kansas, sold to him October 25, 1872 (located in Sharps Rifle Company records, confirmed by Sharps letter, October, 2004); Ex James Dresslar Collection, sold Cowan's, Cincinnati, OH, December 2, 2004, lot 266.

R.W. SNYDER SHARPS BUFFALO RIFLE. R.W. Snyder was a buffalo hunter on the Kansas plains, most well known for two effusive letters to Sharps, which they included in their 1875 Catalog: "The gun, I must say, is a success, and the Pet of the Plains, in fact, has no equal to my knowledge. I killed twelve Buffalo with it in thirteen shots, the third day after it arrived, which is much better than I have ever done with any gun. Wow!"

\$20,000 - 30,000



34



35

34

**COLT SINGLE ARMY REVOLVER BELONGING TO JACK DIANE
GOLDFIELD NEVADA.**

Serial no. 110088, 4 5/8 inch barrel with one line Hartford address. Rampant Colt hard rubber grips. Bridgeport Alterations with holster & belt. Condition: Fair to Good. Fine pitting evidence of cleaned old corrosion. Grips worn.

Provenance: Purchased from A&S Auction Company, Waco, TX, January 13, 2007, lot 271.

\$6,000 - 8,000

35

COLT FIRST MODEL DRAGOON REVOLVER.

Serial no. 6425, 7 1/2 inch part round/octagonal barrel with single line NYC address. Condition: Very Good. Traces of blue finish. Mottled color hardening. Good cylinder scene. Worn walnut grips with some bruising. *Provenance:* purchased from Harry Thomas, Austin, TX, April 2, 1983.

Jim Earle's notes indicate this gun was previously owned by Jack Dutton, Vic Frederichs, and Vic Frederichs' daughter, who sold the gun to Harry Thomas. Dutton and Frederichs were well known Texas gun collectors.

\$6,000 - 8,000



36



37



38

36
COLT SECOND MODEL DRAGOON REVOLVER.

Serial no. 8866, .44 caliber 7 1/2 inch part round/octagonal barrel with single line NYC address. Condition: Fine with around 30% thinning blue finish, mottle color hardening. Visible martial markings on varnished walnut grips. Good cylinder scene. Small areas of pinprick pitting.

Provenance: purchased from Harry Thomas, Austin, TX, January 20, 1985.

\$8,000 - 12,000

37
COLT SECOND MODEL DRAGOON REVOLVER.

Serial no. 8904, .44 caliber 7 1/2 inch part round/octagonal barrel with single line NYC address. Walnut grips. Condition: Very Good. Traces of blue. Mottled color hardening. Good cylinder scene. Grips with minor bruises on bottom.

Provenance: purchased from Harry Thomas, Austin, TX, November 20, 1982.

\$6,000 - 8,000

38
A SCARCE COLT THIRD MODEL DRAGOON REVOLVER.

Serial no. 19427. .44 caliber 8 inch part round/octagonal barrel with single line NYC address. Condition: Very good to fine with around 20% thinning blued finish. Fine cylinder scene. Mottled color hardening. Varnished walnut grips with some scratching/bruising.

Provenance: purchased from Harry Thomas, Waco, TX, June 5, 1983.

Jim Earle's notes indicate that this gun was previously owned by John Woodall of San Antonio.

\$6,000 - 8,000



39



40



41

39

WINCHESTER MODEL 1873.

Serial number 91114A, .38 caliber 28 inch octagonal blued barrel. Hooded foresight. Ramped rear-sight. Adjustable folding tang sight. Blued frame. Color hardened hammer, lever and buttplate with compartment. Walnut stock. Condition: Very Fine to Excellent. Over 90 percent blued finish remaining. Wood with minor mars. Mottled case colors.

Provenance: purchased from Harry Thomas, College Station, TX, March 1975.

\$3,000 - 5,000

40

WINCHESTER MODEL 1873.

Serial number 443209B, .38 caliber 24 1/4 inch round blued barrel. Ramped rear sight. Blued framed engraved with bordered scrolls. The right round vignette with a bison. The left with a vacant scrolled ribbon. Color hardened hammer, lever and buttplate with compartment. Walnut stock. Condition: Very Fine. With over 70 percent blued finish. Small areas of thinning and loss. Wood with minor mars and scratches. Mottled colors.

Provenance: purchased from Harry Thomas, College Station, TX, 1980.

\$3,000 - 5,000

41

WELLS FARGO MARKED COLT MODEL 1878 DOUBLE BARRELED HAMMER SHOTGUN.

Serial number 11613, 18 1/2 inch browned "Damascus" twist barrels. The action stamped on the water-table "W.F. & Co." Checkered pistolgrip walnut stock. Steel buttplate. Locks stamped Colt's Pt. F.A. Mfg Co. Condition: Fair. With around 50 percent brown finish remaining. Missing fore-end cap. Stock with large chips. Left hammer with modern nut. Stock cracked at wrist and tang repaired. Possibly an old restock.

Provenance: purchased fall 1977, vendor unrecorded.

\$2,000 - 3,000



42



43



44

42

BURGESS FOLDING SHOTGUN.

Serial number 3165, 19 1/2 inch round blued barrel. Blued receiver marked BURGESS GUN CO. BUFFALO N.Y. U.S.A.. Walnut stock. Condition: Very Good. With areas of light pitting overall. Stock with some mars and losses and discoloration to varnish.

Provenance: purchased from Amoskeag Auction Company, Manchester, NH, January 8, 2011.

This is the same model of folding shotgun that Pat Garrett was carrying when he was shot and killed on the way to Las Cruces, NM in 1908.

\$5,000 - 7,000

43

A CUSTOM ENGRAVED COLT SINGLE ACTION ARMY REVOLVER OWNED BY WESTERN MOVIE STAR LASH LARUE.

Serial no. 107896 for 1884, .45 caliber 7 1/2 inch barrel. Silver-plated finish. Barrel, ejector rod housing, cylinder, frame and triggerguard/gripstrap profusely scroll-engraved by Jerry Harper, the design incorporating animal heads on the left side of the frame and Lash LaRue's facsimile signature on the gripstrap. Casehardened hammer. Varnished walnut grips with shaped, finely checkered panels in the style of Colt deluxe factory grips. Condition: Excellent as refinished. *Provenance:* personal collection of Lash LaRue (notarized statement dated July 5, 1995); sold Bonhams & Butterfields, November 17, 2008, to Jim and Theresa Earle. Lot includes 6 Eddie Fisher baseball cards and related correspondence of Fisher and Autry.

\$5,000 - 7,000

44

GENE AUTRY'S SCREEN-USED COLT SINGLE ACTION ARMY REVOLVER.

No visible serial number., 5 1/2 inch barrel with single line Hartford address. US stamp on left of frame. Chrome finish. Mother-of-pearl grips. Assembly number 383 on loading gate. Condition: Excellent as redone. Minor areas of loss and some discoloration to finish. Minor chips to grips.

Provenance: gift of of Gene Autry to Angels pitcher Eddie G. Fisher, 1971 (1977 letter from Autry); sold by Fisher at High Noon Wild West Auction, January 22, 2000, lot 129, to Jim and Theresa Earle.

In a letter to Jim Earle, Eddie Fisher, the All-Star pitcher for the California Angels, explains how, after giving Gene Autry a new Winchester rifle commemorating the driving of the "Golden Spike," Autry came to the locker room the next day and gave Fisher the present Colt .45 which had been used by Autry onscreen in the 1930s and 1940s. Fisher writes, "He [Autry] said that the grips had to be replaced two or three times during every movie he made because they were broken when dropped from horseback when riding Champion."

Lash LaRue starred as the "Cheyenne Kid" in a series of westerns before introducing the "Marshall Lash LaRue" series of films in the late 1940s.

\$5,000 - 7,000



45

45

HUGH O'BRIAN'S "WYATT EARP" COLT SINGLE ACTION ARMY REVOLVER.

Serial no. 61237, with 10 inch round "Buntline" barrel. Non-factory grips. On wooden shield plaque with engraved presentation: "THE BUNTLINE SPECIAL / To- ED SULLIVAN / From - HUGH O'BRIAN / The LIFE And LEGEND of WYATT EARP." Condition: Fair. Re-blued. Some parts possibly re-serialized.

Provenance: Hugh O'Brian, used on "The Life and Legend of Wyatt Earp;" presented to Ed Sullivan, along with inscribed photograph in 1959 (signed letter of documentation from Hugh O'Brian to Jim Earle, March 19, 2001); Sold Leland's Auctions, Seaford, NY, December 7, 2001; purchased by Jim and Theresa Earle.

A HUGH O'BRIAN PRESENTATION COLT, PRESENTED TO ED SULLIVAN, BROADCAST LEGEND AND TV HOST. The Life and Legend of Wyatt Earp was the first "Western" television series for adults, premiering four days before *Gunsmoke*, and went on to win two Emmys during its run. O'Brian's Wyatt Earp carried a Buntline in the show (based on Stuart Lake's erroneous portrayal) and the gun became a cultural sensation for a brief period in the late '50s, feeding the American fascination with the Wild West.

According to O'Brian, Ed Sullivan was a great supporter of the show, and, as he attests in his letter, in 1959 he gave to Sullivan this modified Colt Single Action revolver, one of many that had been used on the show, as a gesture of thanks. Sold with the presentation photograph, inscribed to Sullivan.

\$10,000 - 15,000



46



45 Hugh O'Brian

46

RANCH COLT SAA REVOLVER BELONGING TO WILLIAM O. MUELLER, USED IN THE 101 RANCH SHOW..

Serial no. 112216, 4 1/2 inch barrel with two line Hartford address. Crescent ejector. Non-factory horn grips. The griptrap stamped on bottom. 101. With leather holster tooled ☆101☆. Condition: Very Good. Gray patina overall.

Provenance: purchased by Jim and Theresa Earle from Col. William O. Mueller, January 15, 1991.

The 101 Ranch Wild West Show was inspired by and competed with Pawnee Bill's show. Beginning in 1907 the show, run by the Miller family, began touring nationally. The show continued until 1939, when the Miller family declared bankruptcy. As a college student, Colonel William O. Mueller performed for the 101 Ranch Shows during summer vacation. In a letter provided to Jim Earle, he explains, "Revolvers that were used in the shows had smooth bores for the firing of birdshot at various targets instead of regular bullets. 101 Ranch guns were stamped with '101' to identify them as ranch property."

\$6,000 - 8,000



47



49

47

COLT SINGLE ACTION ARMY REVOLVER CLAIMED BY FRED SUTTON TO HAVE CARRIED BY WILD BILL HICKOK WHEN HE WAS KILLED AND GIVEN TO PAT GARRETT WHO KILLED BILLY THE KID WITH IT.

Serial no. 139345, .45 caliber 4 5/8 inch barrel stamped .45 Colt. Nickel finish. Checkered hard rubber rampant Colt grips, the heels with 14 notches. Backstrap engraved "Wild Bill" {sic}. In later wooden case.

Provenance: Fred Sutton (signed letter claiming that the gun was carried by "Wild Bill" Hickok, whose sister, after he was killed by McCall, sent it to Pat Garrett, who used it to kill Billy the Kid, and then sent it to Sutton in 1902); a typed letter signed purportedly from Garrett, dated 1902, attesting to the provenance (a forgery); sold to R.C. Jenkins; by descent to Tibby Engeler; sold to Jim and Theresa Earle in 1980.

A CLASSIC CURIO OF WILD WEST COLLECTING. This Colt from Fred Sutton was for a period of years written about as the real thing, never mind that Hickok's sister Lydia Barnes stated as early as 1915 that the family had never been given any of Hickok's guns. Additionally, according to Colt, the gun was produced in 1891, long after Billy the Kid was killed, and even longer since "Wild Bill" could have held it.

\$4,000 - 6,000

48

COLT SINGLE ACTION ARMY REVOLVER, ATTRIBUTED TO BILL DOOLIN BY FRED SUTTON.

Serial no. 97445, .44. Caliber 4 3/4 inch barrel with single line address. Different serial no. on cylinder. Replacement grips with later inscription: LAFE SHADLEY/BILL DOOLIN/ BILL TILGHMAN/FRED SUTTON. With tooled leather holster. Condition: Mellow patina to grips. Old nickel refinish. 6 vertical score marks on left side of barrel. 2 vertical score marks on right side of frame. Probably renumbered.

Provenance: Lafe Shadley; taken by Bill Doolin; Recovered by Bill Tilghman; to Fred Sutton (all according to a signed letter from Sutton).

On the heels of the fiasco at Coffeyville, Bill Doolin and Bill Dalton continued to ride together as the heads of the Dalton-Dooley gang, albeit with a reconfigured cast. On September 1, 1893, a posse led by U.S. Marshal E.D. Nix confronted the gang at Ingalls, Oklahoma, in a gun battle that left three U.S. Marshals dead including Lafe Shadley.

Fred Sutton, an author who knew many of the early west's primary figures, testifies that this Colt was Shadley's, and was taken by Doolin at Ingalls. When Bill Tilghman finally caught up with Doolin, capturing him in a bath house in early 1896, the gun was taken by Tilghman, who gave it to Sutton. Sutton then loaned it to Tilghman, who was carrying it when he was killed in Cromwell, Oklahoma, 1924. Sutton made his name writing dramatically of the Wild West, but his tales have often been accused of being a bit too wild.

\$5,000 - 7,000

49

COLT MODEL 1877 "LIGHTNING" D.A. REVOLVER.

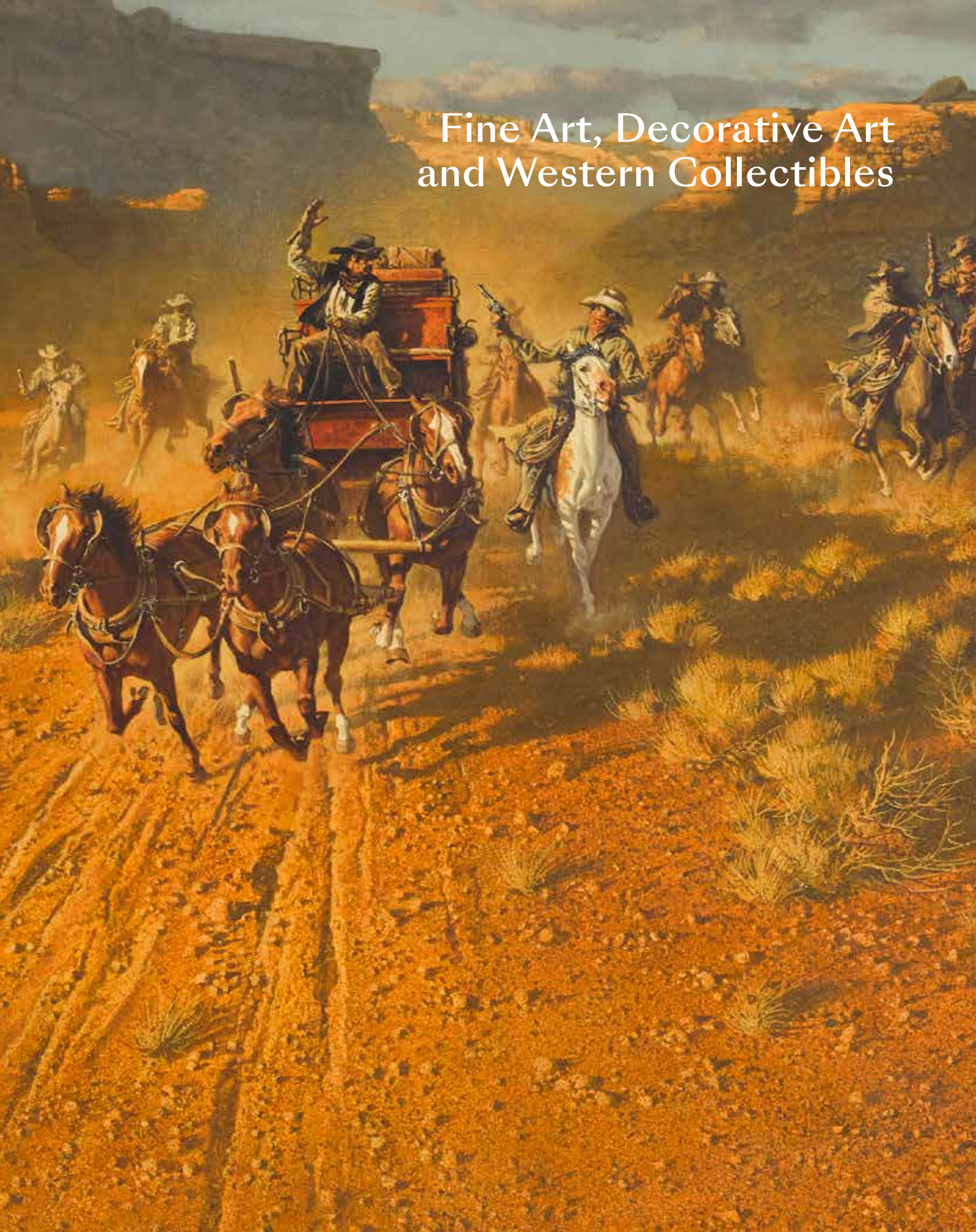
Serial number 89686, .38 caliber 3 1/2 inch barrel with two line Hartford address stamped COLT DA 38. Backstrap inscribed "To PEARL From BELL ☆." Rampant Colt hard rubber grips.

Provenance: purchased from David Hall, Chicago, c.1985.

Attributed to Belle Starr, although it seems to be a later addition to add value.

\$6,000 - 8,000

Fine Art, Decorative Art
and Western Collectibles





50

FRANK MCCARTHY (1924-2002)

Pull Up and Throw Down the Box signed and dated "McCarthy /
© 74" (lower left), signed again, numbered, titled and inscribed
"All reproduction rights held by the artist" (on the reverse)

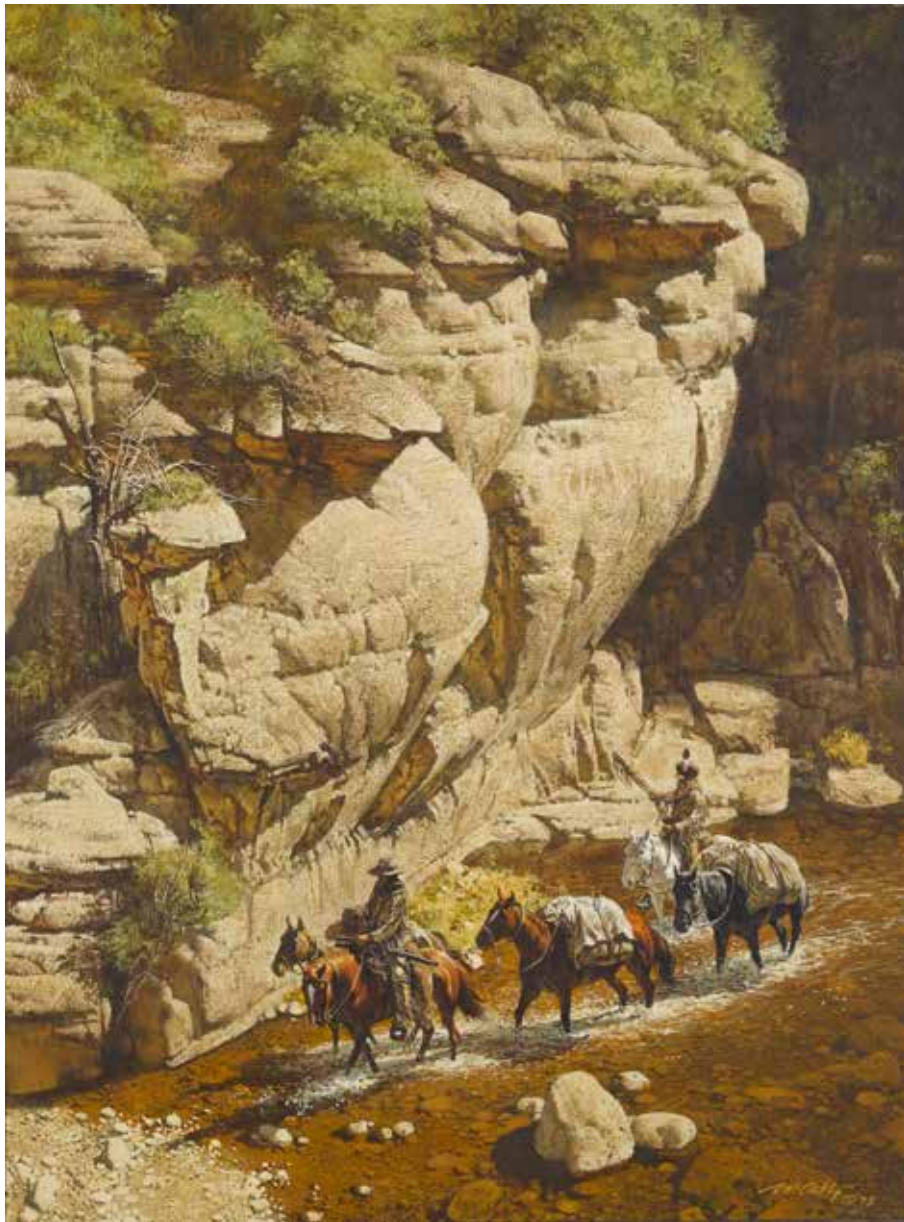
oil on board

22 x 31in

framed 33 x 42in

Purchased from McCully Galleries, Dallas, c.1980.

\$15,000 - 25,000



51

FRANK MCCARTHY (1924-2002)

Canyon Trek signed and dated "McCarthy © 75" (lower right), signed again, numbered, and inscribed "#273 / All reproduction rights retained by artist" (on the reverse)

oil on Masonite

26 x 20in

framed 31 1/2 x 25 1/2in

Purchased from McCully Galleries of Dallas, c.1980.

\$8,000 - 12,000



52

52

CARL HANTMAN (BORN 1935)

The Downhill Ride signed "Carl Hantman" (lower right)

oil on canvas

36 x 30in

framed 45 x 39in

\$2,000 - 3,000

53

CARL HANTMAN (BORN 1935)

Black Water signed "CARL HANTMAN" (lower right), titled and dated on the artist label (on the reverse)

oil on board

27 x 19 1/2in

framed 37 x 29in

Painted circa April 1975.

\$1,000 - 1,500



53

54

JIMMY WALKER (1927-2017)

Hardin and Selman Guns signed and dated "Jimmy Walker / 1977" (lower right), with the artist's Absolute Realism label (on the reverse), titled on the presentation plaque

oil on Masonite

16 x 20in

27 x 31in

Painted in 1977.

Exhibited

Waco, Texas Ranger Hall of Fame & Museum, 1978-1985.

\$800 - 1,200

55

JIMMY WALKER (1927-2017)

The Gun that Killed Sam Bass signed and dated "Jimmy Walker / 1978" (lower right), titled on the presentation plaque

oil on board with artist painted frame

20 x 16in

framed 22 x 17 1/2in

Painted in 1978.

Exhibited

Waco, Texas Ranger Hall of Fame and Museum, 1978-2001.

\$800 - 1,200



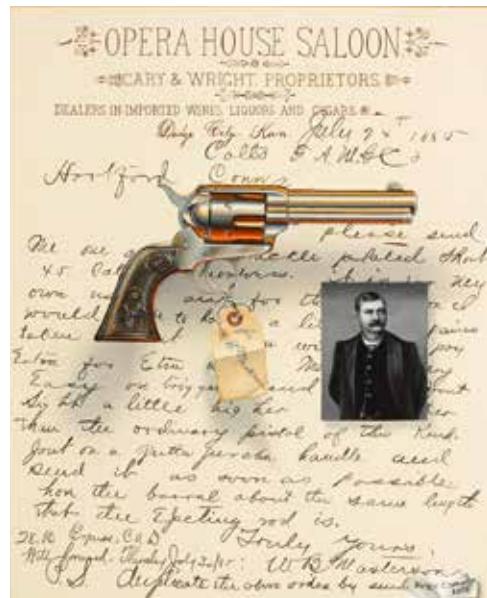
54



55



56



57

56

JIMMY WALKER (1927-2017)

Olinger's Shotgun

signed and dated "Jimmy Walker / 1979" (lower right), the artist's Absolute Realism label (on the reverse), titled on the presentation plaque

oil on Masonite

21 x 17in

framed 30 x 26in

Painted in 1979.

Exhibited

Waco, Texas Ranger Hall of Fame and Museum, 1980-2001.

\$800 - 1,200

57

JIMMY WALKER (1927-2017)

Bat Masterson's Gun signed and dated "Jimmy Walker / 1978" (lower right), with the artist's Absolute Realism label (on the reverse), titled on the presentation plaque

oil on Masonite

20 x 16in

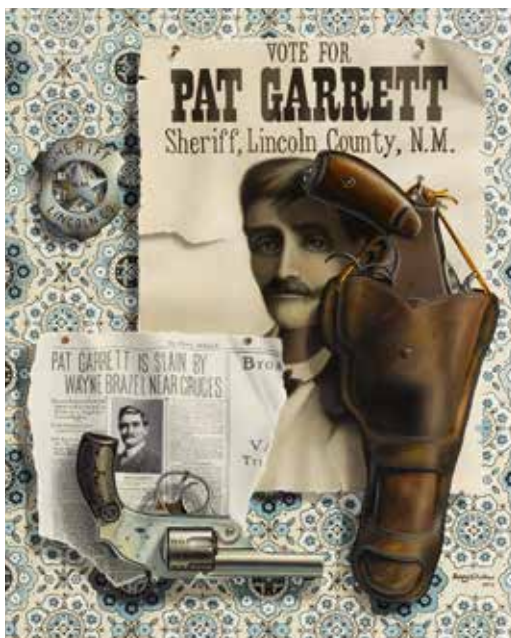
framed 30 x 25in

Painted in 1978.

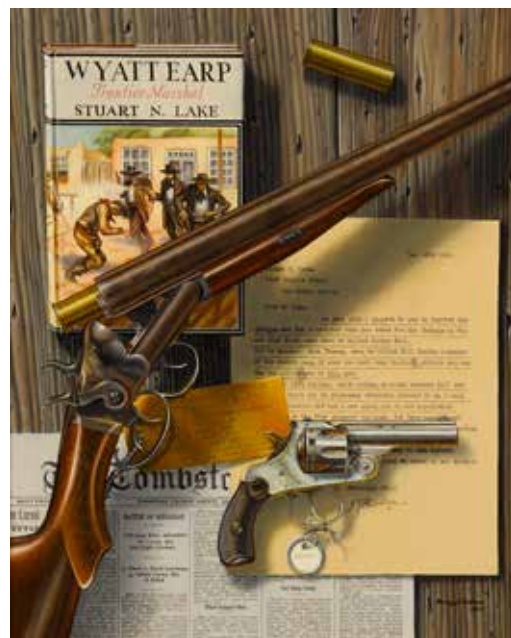
Exhibited

Waco, Texas Ranger Hall of Fame and Museum, 1978-1985.

\$800 - 1,200



58



59



60



61

58

JIMMY WALKER (1927-2017)

Pat Garrett's Guns signed and dated "Jimmy Walker / 1978" (lower right), with the artist's Absolute Realism label (on the reverse), titled on the presentation plaque
oil on Masonite
20 x 16in
framed 27 x 22in
Painted in 1978.

Exhibited

Waco, Texas Ranger Hall of Fame and Museum, 1980-2001.

\$800 - 1,200

59

JIMMY WALKER (1927-2017)

Wyatt Earp's Guns signed and dated "Jimmy Walker / 1979" (lower right), with the artist's Absolute Realism label (on the reverse), titled on the presentation plaque
oil on Masonite
20 x 16in
framed 31 x 29 1/2in
Painted in 1979.

Exhibited

Waco, Texas Ranger Hall of Fame & Museum, 1978-1985.

\$800 - 1,200

60

JIMMY WALKER (1927-2017)

Garrett-Kid Winchester signed and dated "Jimmy Walker / 1979" (lower right), with the artist's Absolute Realism label (on the reverse), titled on the presentation plaque
oil on Masonite
20 x 16in
framed 28 x 24in
Painted in 1979.

Exhibited

Waco, Texas Ranger Hall of Fame and Museum,
1980-2001.

\$800 - 1,200



62

61

JIMMY WALKER (1927-2017)

General Leonard Wood's Gun signed and dated "Jimmy Walker / 1977" (lower left), with the artist's Absolute Realism label (on the reverse), titled on an artist label (tied to the frame)
oil on Masonite
20 x 16in
32 x 27 1/2in
Painted in 1977.

\$800 - 1,200



63

62

CARL HENCKEL (GERMAN, 1862-1929)

Dying Bison signed "Carl Henckel" (on the base)
bronze with reddish-brown patina
11in high
Modeled in 1900.
Purchased from Tom Keilman Auctions, November
29, 1979.

\$800 - 1,200



64

63

JACK BRYANT SR. (1929-2012)

Doubling Back signed and numbered "Jack Bryant © 2/12" (on the base)
bronze with golden brown patina
13in high

\$800 - 1,200

64

JACK BRYANT SR. (1929-2012)

Quirt and Spurs signed, titled and numbered "Jack Bryant / 1 of 10" (on the base)
bronze with medium brown patina
15in high

\$800 - 1,200

64



65

65⁰

GREG POLUTANOVICH (BORN 1966)

Tom Horn signed with initials and numbered "9/10 GP ©" (on the base)

bronze with golden brown patina
19in high

\$300 - 500



66

66⁰

METZ CASTLEBERRY (1929-2017)

The Monarch signed, titled and numbered "METZ CASTLEBERRY 31/50" (on the base)

bronze with golden brown patina
8in high

\$200 - 300



67

67

JACK BRYANT SR. (1929-2012)

Doubling Back signed and numbered "Jack Bryant © 4 of 12" (on the base)

bronze with medium brown patina
13in high

\$800 - 1,200

68

JACK BRYANT SR. (1929-2012)

Trouble Downhill signed "Jack Bryant / No. 3 of 6 ©"
(on the base)

bronze with brown patina

16 1/2in high

\$1,000 - 2,000



68



69

69

GREG POLUTANOVICH (BORN 1966)

Hickok signed with initials and numbered "GP 9/10"
(on the left bar side)

bronze with multihued patina

17in high

Cast 2007

Purchased directly from the artist, September 2007.

\$300 - 500

70

GREG POLUTANOVICH (BORN 1966)

Billy the Kid signed with initials and numbered '© GP
1/14' (on the reverse)

bronze with dark brown patina

10in high

Cast 2002

Purchased directly from the artist, 2002

\$300 - 500



70



71

**AN AMERICAN POLYCHROME PAINTED WOOD AND VELLUM
CIVIL WAR DRUM.**

Inscribed *10th Mass. Infantry Co. C Myron P. Walker.*
height 12 1/2in (32cm); diameter 17in (43cm)

WITH: photocopies of Walker's pension paperwork, April 1909,
confirming details of his service.

"Mr. [Myron Philo] Walker (1885), at the breaking out of the War, when only fourteen years of age, left school and entered the service as a drummer boy. The Belchertown company, which he intended to accompany, being disbanded, he went to Springfield, offered his services to a Northampton company in the Tenth Regiment of Massachusetts Volunteer Infantry. At first his services were declined on account of his size and age, but afterwards he was accepted as a drummer boy in this regiment, with which he remained at the front until the return of the regiment in June, 1864." See Roberts, *History of the Military Company of the Massachusetts*, Vol IV, Boston, 1901, p 395.

\$3,000 - 5,000



72



73

72

A WELLS FARGO AND COMPANY WOODEN STRONG BOX

Circa 1879

Painted on box *WELLS FARGO & CO.*

height 10in (26cm); width 20in (51cm); depth 12in (31cm)

Provenance: Gerald Fox Collection, sold Sotheby's Los Angeles, March 1973, to Ray Whitesides; sold to Jim Earle, date unrecorded.

\$10,000 - 15,000

73

A WELLS FARGO AND COMPANY PAINTED WOODEN STRONG BOX WITH RARE CHAIN AND LOCK

Circa 1879

Painted on box *WELLS FARGO & CO.*

height 10 1/2in (27cm); width 20in (51cm); depth 12in (30cm)

Provenance: part of the Gerald Fox Collection sold at Sotheby's Los Angeles, March 1973.

\$10,000 - 15,000



74

74
**A WELLS FARGO AND COMPANY PAINTED
 WOODEN STRONGBOX WITH METAL MOUNTS**

Circa 1879
 height 10in (26cm); width 20in (51cm); depth 12in (31cm)
 Provenance: previously in the YO Ranch Collection;
 sold by Charles Schriener III to Jim Earle, date
 unrecorded.

\$4,000 - 6,000



75

75
**A WELLS FARGO ST. LOUIS CAST IRON
 LOCK BOX**

The top is inscribed *W. F. & CO., ST. LOUIS*
 height 8 1/2in (22cm); width 13 1/2in (34cm); depth
 9 1/2in (24cm)

\$1,000 - 2,000



76

76
**A RED AND BLACK PAINTED WOOD RAILWAY
 EXPRESS AGENCY STRONGBOX**

Together with a striped canvas mail bag. (2)
 box height 33in (84cm); width 18in (46cm); depth
 18in (46cm)

\$1,000 - 2,000



77

77
FOUR REPRODUCTION PAINTED WOODEN STRONGBOXES WITH METAL MOUNTS

1990s
 Each painted on box, comprising one *TOMBSTONE*, one *DEADWOOD*, and two *WELLS FARGO*
 greatest height 12in (30cm); width 24in (61cm);
 depth 12in (30cm)

\$800 - 1,200



78

78
A PAINTED WOODEN DOCUMENT BOX
 height 12in (30cm); width 19 1/2in (50cm); depth 13in (33cm)

\$700 - 900

79
A SMALL HIDE COVERED TRUNK WITH NAIL HEAD DECORATION
 The lock stamped *J. Terry & Co.* and monogrammed *T.P.T.* c.1849
 height 9in (23cm); width 20in (51cm); depth 11in (28cm)

\$800 - 1,200



79



80

80

THREE DOCUMENT BOXES

19th century

Comprising one cowhide box, one Eaton & Gray leather box, and another leather box.

the largest height 7 1/2in (19cm); width 12in (31cm); depth 7 1/2in (19cm)

\$600 - 900



81

81

TWO LEATHER CASES

19th century

Comprising one briefcase stamped *G. MUNRO KERR CONSERVATIVE CLUB LONDON* with fitted wood interior and leather straps and one Christy's London hat box with beaver fur hat circa 1911.

the largest height 7 1/2in (19cm); width 14in (36cm); depth 11in (28cm)

\$300 - 500



82

82

A LARGE CARPETBAG AND A SMALLER LEATHER BAG WITH METAL CLASP

height of carpet bag 22in (56cm); width 19in (49cm); depth 3 1/2in (9cm)

\$300 - 500

83

**A KEUFFEL AND ESSER BRASS SURVEYOR'S
TRANSIT INSTRUMENT AND OAK
CARRYING CASE**

Circa 1939

Marked on dial *Keuffel & Esser/ 13086*, together
with another telescope with brass fittings (2)
dimensions of transit instrument height 8in (20cm);
width 12in (30.5cm); width 9 1/2in (24cm)

\$300 - 500



83



84

84

SIX WOOD AND METAL DRINKING VESSELS

19th century

Comprising three wood with metal mounts, one
wood, one metal, and one U.S. Military canteen in
canvas case.

greatest diameter of circular vessel 10in (26cm)

\$800 - 1,200

85

THREE METAL LOCKS AND A JAIL KEY

Including two Wells Fargo locks (4).
length of key 7in (18cm)

\$700 - 900



85



86

86
**A PAINTED AND CARVED WOOD GUNS & AMMUNITION
STORE ADVERTISING COWBOY FIGURE**
height 58in (147cm)

\$800 - 1,200



87

87
A PAIR OF PRE-TEEN STORE MANNEQUINS MOUNTED
Circa 1900
On cast iron shoes.
height of taller 48in (122cm)

\$800 - 1,200



88



89



90



91

88

A WELLS FARGO TINY REPLICA STAGECOACH BY FRANKLIN MINT

*Together with a collection of twelve miniature trunks, rifles, and hat boxes. (13)
height 7in (18cm); width 10in (26cm); depth 4 1/2in (12cm)*

\$200 - 300

89

A CARVED WOOD SIGN

*Inscribed EARLE'S MUSEUM.
height 6in (15cm); width 17 1/2in (45cm)
Hung over the fireplace in Jim Earle's gun room.*

\$100 - 200

90

A FULL-SIZED BROWN HIGH FORK SADDLE

*Circa 1900
Together with a wooden stand with various branding marks.
Sold with stand.
length 25in (64cm)*

\$800 - 1,200

91

TWO COWHIDE CHILD'S SADDLES WITH STIRRUPS

*Comprising one by Schoellkopf Company circa 1940 and one by H. S. Leberman Brown circa 1935.
Sold with stands.
lengths 19in (48cm)*

\$500 - 700



92

92

TWO COWHIDE CHILD'S SADDLES WITH STIRRUPS

Comprising one Mexican-style circa 1881 with bridle and one by Brahma Brand with studded nickle button decoration circa 1935.

Sold with stands.

lengths 19in (48cm)

\$500 - 700



93

93

THREE COWHIDE CHILD'S SADDLES WITH STIRRUPS

Comprising one high-back brown saddle circa 1890, one brown saddle circa 1940 by Ben Varga, and one black studded saddle with bridle circa 1930s.

Sold with stands.

lengths 19in (48cm)

\$600 - 900



94

94

A GROUP OF LEATHER CHAPS.

4 pair of western-style leather chaps, 2 with fringe one with tooled leather; WITH: a vintage cowhide saddlebag and bridle.

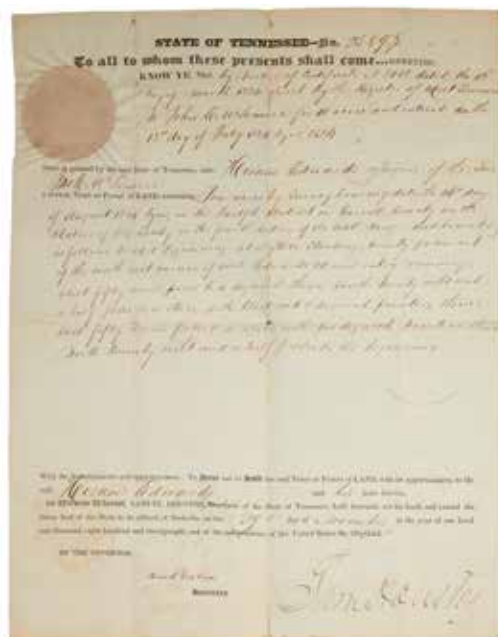
\$500 - 700

Manuscripts and Memorabilia





95



96



97

THE ORIGINS OF THE WILD WEST

95^o

SANTA ANNA, ANTONIO LOPEZ DE. 1794-1876.

Document Signed ("Ant. Lopez de Santa Anna"), partially printed and accomplished in manuscript, 1 p, folio, "Palacio del gobierno federal," August 14, 1834, also signed by other Mexican military officials, dampstaining to center, toning and creasing overall.

Early Santa Anna document commending a member of the "Battalion permanente Jimenes," Jose M. Sasha Peniente de Gros.

\$600 - 800

96

HOUSTON, SAM. 1793-1863.

Document Signed ("Sam Houston") as Governor of the state of Tennessee, 1 p, folio, partially printed and accomplished in manuscript, Nashville, November 29, 1828, awarding a tract of 10 acres in Carroll County to Hiram Edwards, with red wax/white wafer seal, leaf creased horizontally and vertically, minor separation at folds.

Provenance: purchased from Dixie Gun Works, Union City, TN, November 15, 1990. With copy of LOA of Criswell's, December 12, 1988, attesting to the authenticity of the piece.

Houston served as governor of two states: Tennessee from 1827-1829 and Texas from 1859-1861. In between he also served as the first and third President of the Republic of Texas, as well as its US Senator.

\$1,000 - 1,500

97

HOUSTON, SAM. 1793-1863.

KENNEDY, JOHN F. *Sam Houston and the Senate*. Austin and New York: The Pemberton Press / Jenkins Publishing Company, 1970. 4to (285 x 220 mm). Half pigskin over marbled boards, slipcase. Illustrated with photographs and an image of the Sam Houston stamp design by Tom Lea.

LIMITED EDITION, number 6 of 67 copies bound and slipcased by the Adolphus Bindery, with an original Sam Houston endorsed check dated November 19, 1860 laid in. Handsome artist's book reprinting JFK's chapter on Houston from *Profiles in Courage*.

\$800 - 1,200



98

98

HOUSTON, SAM. 1793-1863.

Autograph Letter Signed ("Sam Houston"), a letter of introduction for his friend Capt. Allen raising troops for the revolution, 1 p with integral autograph address leaf, 4to, Washington, TX, January 1, 1836, to Col. I.B. Manny, some creasing and toning, leaves expertly restored. Provenance: Published *The Writings of Sam Houston 1813-1863*, Volume 2, Austin, TX, 1939; then in the collection of Mr. W.A. Philpott, Jr., Dallas, TX.

COMMANDER-IN-CHIEF OF THE TEXAS ARMY SAM HOUSTON SENDS HIS FRIEND JOHN M. ALLEN TO ORLEANS TO RAISE ADDITIONAL TROOPS FOR THE REVOLUTION. Written to Col I.B. Manny at Fort Jesup during the height of the Texas Revolution, Houston sends this letter of introduction for Captain John H. Allen, who was on his way to Orleans to further Houston's December 12 orders to raise additional troops for the Texans. With the revolution still going well, but Santa Anna and Cos building up the Mexican armies, Houston realizes that the Texans need more regulars in order to continue their battle. Captain Allen, a friend and later Mayor of Galveston, was an important ally in the battle to raise the troops bringing regulars from Orleans by boat in March, and again lending support at the Battle of San Jacinto when the Texans finally emerged victorious.

\$2,000 - 3,000



99



99

CIVIL WAR ERA PHOTOGRAPHY.

2 period *carte-de-visite* albums:

1. 109 albumen print *cartes-de-visite*, 11 tintypes, 4 albumen print cabinet cards and 4 others, 1860s-1870s, various imprints, including Brady, housed in 9 x 7 inch album with decorated calf gilt over board covers. Includes images of GRANT, SHERMAN, ANDREW JOHNSON, MCLCLELLAN, MCCLELLAN AND WIFE, BURNSIDE, CUSTER, GEORGE MEADE, and others, plus a wide selection of junior Union Army officers, including some who have signed their cards, including JOHN C. WHITING, Co G, 13th Regiment; C.M. COTES, Zouave Cadets, Chicago; and others.
2. 35 albumen print *cartes-de-visite* and 4 tintypes, 1860s-1870s, various imprints, housed in 6 1/4 x 4 1/2 inch album, rebound. Includes images of THE KING OF PORTUGAL, EMPEROR MAXIMILLIAN, ABRAHAM LINCOLN, GENERAL GRANT, SHERMAN, and MRS. TOM THUMB, among others.

\$1,000 - 1,500



100

100

SIGNED PHOTO OF SHERMAN, WITH LETTER TO PHOTOGRAPHER DESCRIBING IT AS HIS PREFERRED POSE.
SHERMAN, WILLIAM TECUMSEH. 1820-1891.

1. Photograph Signed twice ("W.T. Sherman Genl"), albumen print cabinet card portrait, 5 1/2 x 4 inches laid down to 6 1/2 x 4 1/4 inch board, 1888, photographer's imprint to lower mount ("Sarony / 87 Union Sqr. / N.Y."), minor thumbing to mount, otherwise very fine.
2. Autograph Letter Signed ("W.T. Sherman"), to Mr. Sarony of the photography studio, 3 pp recto and verso, 8vo (conjoining leaves), New York, March 2, 1888, sending a check for the photograph and ordering more prints, light creasing and toning. In part: "... you may prepare & send me six 7 1/2 by 13. [?] (\$1. each) with envelopes to match. The Particular photograph of this size which I prefer is 'Standing' left side reposed so as to conceal the sword but showing the Sash & Epauettes ... I would like to have enough white space underneath for the autograph—always asked for by my correspondents."

\$1,500 - 2,000

101

SHERMAN, WILLIAM TECUMSEH. 1820-1891.

4 Autograph Letters Signed ("W.T. Sherman"), 7 pp recto and verso, 4to and 8vo, various places including St. Louis, Washington, D.C., and New York, December 2, 1868 to February 2, 1890, to various correspondents, many on personal or professional stationery, the 1886 letter with original autograph transmittal envelope, minor toning throughout.
Provenance: purchased at auction in Maine, 1988 (all four letters).

A fine group of post-war Sherman correspondence, the most compelling being a 3-page missive to General Devins mentioning their Civil War experiences: "I first saw you at Manchester opposite Richmond as we engaged from the Dark Land to the South bearing aloft the proud banner of Liberty, Justice and victory."

\$1,000 - 1,500



101



102

102

BENJAMIN, JUDAH P. 1811-1884.

Autograph Letter Signed ("J.P. Benjamin"), to Henry A. Wise regarding a court martial, 4 pp recto and verso, 4to (conjoining leaves), Richmond, VA, October 24, 1861, on CSA War Department stationery, very mild creasing and toning, small mounting remnants at upper margin of p 4.

Provenance: sold Sotheby's, Highly Important American Historical Documents, December 4, 1981, lot 1071.

Benjamin writes this letter as Secretary of War for the Confederacy, responding to Vice President Henry Wilson's letter regarding an officer who Wilson would very much like to see drummed out of the service. The officer, a Captain McLean, had been ordered back to service after a suspension because, as Benjamin writes, "I was not aware that there was any further charge against him, but will of course order his trial on any charges you think proper to make." Wilson clearly wants to just kick the man out because he doesn't actually have a physical commission from the government. The problem, however, is that very few officers of the CSA had an actual commission, because the Confederacy did not have the infrastructure to produce them, and so muster-rolls served as proof of an officer's commission. Benjamin writes, "I must therefore consider Capt. McLean as holding a Commission, (he having been mustered into service as Captain) altho' one has not in fact been issued to him."

\$1,500 - 2,500



103

103

SAMUEL COLT'S GOLD-HANDLED EBONIZED WALKING CANE.

Inscribed *Every Man Equal / Each Soldier Six / Samuel Colt / Armorer*, inscribed around band *A Gift of William A. Buckingham-1861*. length 36 3/4in (93.5cm)

WITH: 4 war-date ALSs of William A. Buckingham on State of Connecticut letterhead.

Provenance: purchased from Paul Wiesner at the Austin Gun Show, c.1977.

At the outbreak of the Civil War, Connecticut Governor William Alfred Buckingham (1804-1875) put forth the call to raise regiments of Connecticut soldiers. Samuel Colt offered to raise and arm his own regiment with Colt revolving breech rifles. Buckingham's biographer records, "[Colt's] purpose was to have every man some six feet high and a good shot,—a regiment of sharpshooters" (*The Life of William A. Buckingham* 1894, p 134). Colt also offered the services of the Colt Guard, a private drill organization, to train the volunteers. Buckingham, unaware of exactly how difficult Colt was, accepted the offer and enlistment for "the First Regiment of Colt's Revolving Rifles of Connecticut" began on May 10. Soon the relationship between the Governor and Colt soured over Colt's outrageous demands, and the regiment was disbanded by late June.

\$3,000 - 5,000



104

104

SAMUEL COLT ARCHIVE.

COLT, SAMUEL. 1814-1862.

1. Letter Signed ("Sam. Colt") to John Standiff, the Chairman of the Committee on Human Contrivances, 2 pp, 8vo (conjoining leaves), Hartford, July 5, 1857, leaf toned, browned at edges, some creasing and thumbing. Extending an invitation.
2. Letter Signed ("Sam. Colt"), sending an autograph, 1 p, 8vo, Troy, NY, February 13, 1860.
3. 11 patents, mostly US, 1893-1925, relating to improvements in firearms or Colt trademarks.
4. Album of photographs and descriptions of the Colt collection of Captain John R. Hegeman, likely the collector's personal inventory of the property sold by Kimball Arms Company in 1940, each leaf partially printed and accomplished in manuscript, describing each firearm, and illustrated with a gelatin silver print portrait of the piece. In album bound in linen over boards. Note from Jim Earle indicates the previous owner purchased it from the estate of W.G.C. Kimball, the dealer who liquidated Hegeman's collection.

\$1,000 - 2,000



105



106

105^a

19TH CENTURY CONNECTICUT LETTER ARCHIVE.

LIVERMORE, SAMUEL T. Fl.1870s. Approx. 52 Autograph Letters Signed of S.T. Livermore to his sister Mariette in Andover, approx. 110 pp recto and verso, 4to and 8vo, various places including Hartford, Bridgeport, New Shoreham, and Black Island, March 3, 1866 to December 9, 1878, many on letterhead of Charter Oak Life Insurance Company, most with original transmittal envelopes, some toning, thumbing and creasing, but generally good.

A remarkably literary series of letters from a life insurance salesman turned minister. S.T. Livermore writes to his sister, often during his travels across country, describing the wondrous things he has seen: from September 25, 1872, *"It would be useless, in a single communication, to attempt an account of my journey of over 10,000 miles. I kept a journal from the day I left until the day I returned. It seems to me that more real earthly and spiritual pleasure was crowded into those three months, on the way to California, stopping at Salt Lake City a few days, in San Francisco several weeks, going up and down in the rivers Vallejo, Mounts of Cal. Visiting Yosemite with a splendid party of ladies and gentlemen from New York, Boston, Milwaukee, St. Louis, Chicago and San Francisco, succeeding admirably in business, and returning home by Panama, seeing whales in the Pacific and experiencing all sorts of vicissitudes, sick four days after leaving Aspinwall, expenses all borne by the kindness of the Company—Yes more solid pleasure in that tour than I have had before in many years."* At some point not long after this letter was written, Livermore left the Insurance company to pursue a career as a minister and a farmer of blackberries. Interesting content.

\$800 - 1,200

106^a

PHOTOGRAPHS AND BOOKS RELATING TO THE FISK-STOKES-MANSFIELD AFFAIR.

1. 14 albumen print *cartes-de-visite* of the principles in the Fisk-Stokes affair, each approx. 3 1/2 x 2 1/4 inches laid down to larger board, c.1872, comprising 7 portraits of JIM FISK, 4 of NED STOKES, and 3 of Josie Mansfield, some thumbing and wear throughout.
2. MANSFIELD, HELEN JOSEPHINE. *The Life and Murder of Col. James Fisk, Jr.* [New York: 1872.] 8vo (227 x 132 mm). Modern blue half sheep, original green printed wrappers bound in. Possibly a pirated version of Mansfield's story, as no publisher information appears anywhere in the text. WITH: a copy of the 1928 biography of Fisk, *Jubilee Jim*.

Jim Fisk (1835-1872) was a 19th century robber baron who was involved in the 1869 Black Friday scandal. In 1867 he met actress Josephine Mansfield, and Fisk quickly became her benefactor. In 1870, he introduced her to his friend and business partner Edward "Ned" Stokes (1841-1901), and Stokes and Mansfield began a passionate affair behind Fisk's back. When Fisk discovered the affair, he launched a legal battle with Stokes that threatened to ruin him. Stokes tried to blackmail Fisk by threatening to publish his love letters to Mansfield. When he realized he was facing charges for blackmail, Stokes confronted Fisk in the Grand Central Hotel on January 6, 1872, and shot him (See lots 1 & 2).

\$800 - 1,200



107



108

THE UPPER MIDWEST AND THE BADLANDS

107

CUSTER IN BUCKSKIN.

BARRY, D.F., photographer (credited). *Gen. Geo. A. Custer, in Buckskin (titled in pencil to verso)*. Superior, Wisconsin: D.F. Barry, c.1872. Gelatin silver print full-length portrait 6 3/8 x 4 3/8 inches (sight) in 11 3/4 x 8 1/4 inch double matte, blindstamped ("Barry") to image and mount and with "Barry 1312 Tower Ave." label to verso, mild thumbsoiling to mount, otherwise very fine.

Barry began his career in Bismark, SD in 1878, then moved to his hometown of Superior, WI in 1890, opening a studio at Tower Ave. In spite of the multiple Barry credits on this image, he did not take the picture. The original photo is generally credited to a photographer named John A. Scholten of St. Louis, and is from the series taken during Custer's buffalo hunting expedition with Russian Grand Duke Alexis in early 1872 in Nebraska.

\$700 - 900

108

LAST STUDIO PORTRAIT OF CUSTER.

MORA, JOSE MARIA, photographer. Albumen print carte-de-visite portrait, 3 1/2 x 2 1/4 inches laid down to 4 x 2 5/8 inch board, a head and shoulders portrait of General George Armstrong Custer in civilian clothes, photographer's imprint ("Mora / 707 Broadway, N.Y.") to lower mount, some toning, otherwise fine.

Rare and uncharacteristic portrait of Custer, hatless and in evening clothes.

\$800 - 1,200



109

109

CUSTER'S SCOUT CURLEY.

HAYNES, F. JAY, photographer. Mammoth albumen print portrait of Ashishishe (Curley), 12 x 8 inches, with photographer's stamp ("Haynes Photo / St Paul") to verso and penciled notation identifying the sitter, minor toning to center, crease at upper right corner, otherwise very fine.

Handsome portrait by the Northern Pacific Railroad photographer F. Jay Haynes of Curley, Custer's scout and one of the few U.S. survivors of the Battle of Little Bighorn.

\$800 - 1,200

110

CUSTER'S CIRCLE.

A collection of photographs of fellow officers, scouts, and women within General Custer's circle, including:

1. BARRY, D.F., photographer. [*Ashishishe (Curley).*] Albumen print cabinet card portrait, 5 3/4 x 4 inches laid down to 6 1/2 x 4 1/4 inch board, c. 1876, photographer's imprint on the verso ("D.F. Barry ... Bismarck, Dak"), hole at upper margin, some thumbing. Handsome Barry portrait of the sole survivor among Custer's forces of the Battle of Little Bighorn.
 2. RINEHART, A.E., photographer. Albumen print cabinet card of Jim Baker, photographer's imprint to lower mount.
 3. BARRY, D.F., photographer. A group of unmounted gelatin silver print portraits of Custer's circle, including images of GALL'S WIFE, KIT CARSON, CAPTAIN WILLIAM COOKE, LIBBY CUSTER, TOM CUSTER, CAPTAIN CHARLES DE RUDIO, CAPTAIN TOM MCDUGALL, MAJOR MARCUS RENO (stamped, signed and tinted), CAPTAIN GEORGE W.M. YATES, and GENERAL NELSON MILES, various sizes (7 x 8 inches to 8 1/2 x 6 1/2 inches), all acquired from the Rock Jenkins Collection of photography.
- Also present are images of CALIFORNIA JOE, IDAHO BILL (2), CHARLES A. VARNUM and GENERAL NELSON MILES (cabinet card by Sarony).



110

\$1,500 - 2,500

111

GENERAL CROOK AND STAFF.

Mammoth albumen print photograph of General George Crook and staff, 11 x 18 3/4 inches, c.1876, photographer's label to verso ("Brand Portraits / 210 & 212 Wabash Ave. Chicago"), mild spotting to image, otherwise fine, matted.

A penciled note on the verso indicates that this image was taken after the Battle of Little Bighorn. General George Crook (1828-1890) led the US forces at the Battle of the Rosebud just a week before Little Bighorn, and also led the "Horsemeat March" in pursuit of Sioux chief American Horse in the aftermath, so-called because his troops were not able to find enough game to feed themselves. Later Geronimo surrendered to him.



111

\$1,000 - 2,000



112



113

112

C.S. FLY PHOTO OF GERONIMO AND NATCHES.

FLY, C.S., photographer. *Scene in Geronimo's Camp, the Apache Outlaw and Murderer ... No. 171—Geronimo and Natches mounted, Natches with hat on; son of Geronimo standing by his side.* Tombstone, AZ: c.1886.

Albumen print photograph, 4 3/4 x 8 inches laid down to 5 1/4 x 8 1/2 inch board, with photographer's label to verso ("C.S. Fly, Portrait and Landscape Photographer"), some soiling and wear to surface, corners bumped, tape remnants to verso.

Provenance: purchased from Margaret Leussler, widow of Harrison Leussler of Houghton Mifflin publishing, Santa Barbara, CA, 1978.

The label on the verso of this photograph notes that this photograph was taken at the request of Geronimo before the surrender to Gen. Crook on March 27, 1886 in the Sierra Madre mountains of Mexico.

\$2,000 - 3,000

113

GERONIMO, HIS SON, AND TWO BRAVES.

Albumen print cabinet card, 4 1/4 x 7 1/8 inches laid down to 5 1/4 x 8 1/2 inch board, c.1886, featuring full-length portrait of four men titled in the negative ("Geronimo, his son and two braves"), photographer's imprint to mount ("Elite Studio ... San Diego, Cal."), some fading to image, mount thumbsoiled and with pinholes at all corners.

Provenance: purchased from Margaret Leussler, widow of Harrison Leussler of Houghton Mifflin Publishing, Santa Barbara, CA, 1978.

In spite of the San Diego studio credit on the mount, this is the famous image of Geronimo and three others taken by C.S. Fly in 1886. A note on the verso in Margaret Leussler's hand mentions a fort in Rucker Canon where the Charlie Raks lived after the government abandoned it, which may be where Harrison Leussler acquired this image.

\$1,200 - 1,800



114

114^o

CODY, BUNTLINE AND OMOHUNDRO.

Albumen print cabinet portrait of William F. Cody, Ned Buntline and Texas Jack Omohundro, 5 5/8 x 4 inches laid down to 6 1/2 x 4 1/8 inches, photographer's imprint to lower mount ("Rockwood / 17 Union Square N.Y."), penciled notes on verso identifying sitters and date of 1875, very crisp image. *Provenance:* purchased Cowan's Auctions, Cincinnati, OH, December 3, 2004.

RARE, EARLY PORTRAIT OF CODY AND TEXAS JACK, LIKELY DATING FROM THEIR EARLIEST STAGE APPEARANCES. In 1872, dime novelist Ned Buntline invited Cody and Texas Jack to appear in his traveling stage show, *The Scouts of the Prairie*.

\$1,000 - 2,000



115

115^o

PHOTOS AND MANUSCRIPTS OF "CAPTAIN JACK."

CRAWFORD, JOHN WALLACE "CAPTAIN JACK." 1847-1917.

1. 5 albumen print cabinet card portraits, 2 full length and 3 head and shoulders portraits, each 5 1/2 x 3 3/4 inches laid down to larger board, 1880s-1890s, one by Werner & Kern, three by Obermuller & Son and one with no imprint, some fading throughout.
2. Autograph Letter Signed ("J.W. Crawford"), 1 p, 4to, Ft. Craig, July 1, 1882, to A.A. Goldberg, regarding recent expenses.
3. Autograph Note Signed ("J.W. Crawford") on printed portrait, 1 p, 4to, Denver, January 16, 1885.
4. *Captain Jack Crawford the Poet Scout*. Hamilton, OH: Brown & Whitaker, c.1907. Printed broadside, bifoliate leaf, likely a proof of a show program, with edits to text in Crawford's hand.

Crawford rose to national fame carrying dispatches regarding General Crook's victory to Fort Laramie for the *New York Herald*. He was a master storyteller and one of the most popular entertainers of the late 19th century (see lot 4).

\$1,000 - 1,500

116

SITTING BULL CABINET CARD.

Albumen print cabinet card portrait of Sitting Bull, 5 1/2 x 3 3/4 inches laid down to 6 1/2 x 4 1/4 inch board, 1880s, titled "Sitting Bull" in the negative and with photographer's imprint at lower mount ("R.L. Kelly, Pierre, S.D."), verso blank, some fading to image, thumbing to board.

Striking image of Sitting Bull with a monarch butterfly pinned to the brim of his hat. Robert L. Kelly (1851-1934) arrived in Pierre in 1881 and set up a photography studio there, photographing Calamity Jane as well as Sitting Bull.

\$800 - 1,200



116

117

BUFFALO BILL, RED CLOUD AND AMERICAN HORSE.

BARRY, D.F., photographer. *Red Cloud / Buffalo Bill / American Horse*. Mammoth albumen print full-length portrait of the three men, 10 x 13 inches laid down to 14 x 16 inch board, 1880s, with Barry stamp to lower center of image, lower right and lower left corners, framed.

Provenance: D.F. Barry to Rock Jenkins; by descent to Mrs. Gordon F. "Tibby" Engeler; sold to Jim and Theresa Earle, Mountain Home, AR, April 20, 1980.

Handsome large format portrait of Buffalo Bill with two of his stars, Lakota chief Red Cloud and Oglala Chief American Horse.

\$1,000 - 1,500



117



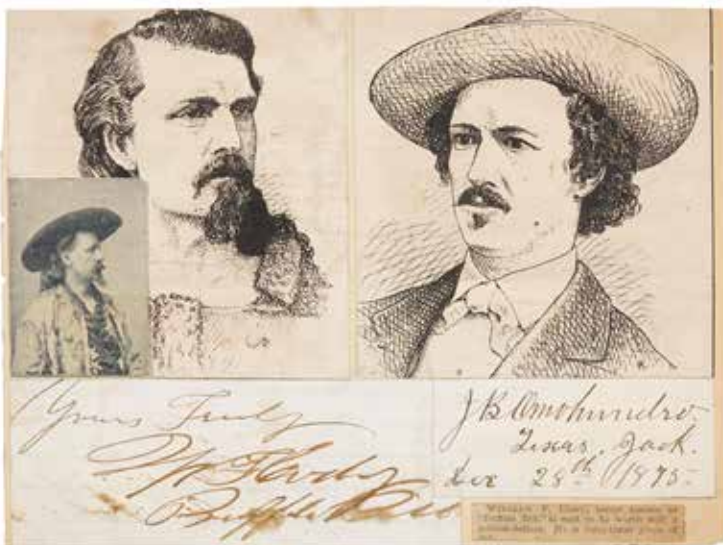
118

118

NATIVE AMERICAN PORTRAITURE.

BARRY, D.F., photographer. *Chief Gall*. * *Chief Timber Wolf*. * *Sitting Bull*. 3 gelatin silver print photographs, 7 x 9 to 6 3/4 x 5 inches, all with Barry blindstamp to lower left or right of image, Chief Gall additionally signed in white pen at lower left, Chief Gall with printed captions clipped and laid down to verso; the others with typed notes to verso. WITH: Gelatin silver print of Native woman and infant, 14 x 12 inches, no photographic imprint, dated in pencil on verso to 1938.

\$1,000 - 2,000



119

119

BUFFALO BILL AND TEXAS JACK.

CODY, WILLIAM F. and J.B. OMOHUNDRO. Cut Signatures ("W.F. Cody" and "J.B. Omohundro 'Texas Jack'"), laid down to larger leaf with cut portraits and newsprint, Cody undated but Cody c.1889 and Texas Jack dated December 28, 1875, Cody ink smudged, toning overall.

Al album leaf page featuring signatures of two of the most famous celebrity cowboys of the day. Cody and Texas Jack appeared together in Cody's Wild West Show. The snipe next to Cody's name identifies him as 43 years old, dating the signature to around 1889.

\$800 - 1,200



120

BUFFALO BILL SILVER COIN POCKET WATCH.

Designed in coin silver with a manual wind movement, engraved "Buffalo Bill" on the front of the case, with an image of a Buffalo standing atop a globe featuring the Western hemisphere on the back, measures 2 3/8 x 3 1/2in, movement signed Elgin National Watch Co., numbered #3291734 and V3949, suspended from a gold fill watch chain.

Provenance: purchased Cowan's Auctions, Cincinnati, OH, June 6, 2008, lot 472.

This Buffalo Bill pocket watch was likely a presentation in celebration of one of his world tours.

\$8,000 - 12,000





121



121^o

DEADWOOD IN PICTURES.

1. McBRIDE, C.C., photographer. *Deadwood looking north, on the B. & M. R.R....* Imperial albumen print photograph, 7 x 8 3/4 inches laid down to 8 x 10 inch board, c.1890, titled in negative, photographer's imprint to lower mount ("Lock & Peterson / Deadwood, S.D."), some toning to mount, corners bumped. A clear view of downtown Deadwood taken from the train tracks on the hills above.

Provenance: purchased from John Spellman, Austin, TX, April 14, 1993 (receipt present).

2. GRABILL, J.C.H., photographer. No. 1301. *IN MARKET. Eight yoke of oxen haul five tons of hay to Deadwood. The largest load ever in market.* Imperial albumen print photograph, 6 1/2 x 9 inches laid down to 6 3/4 x 9 1/2 inch board, 1888, titled in negative, photographer's imprint to left hand mount and verso ("J.C.H. Grabill ... Deadwood and Sturgis, Dakota Ter"), some toning and thumbing to mount. *Provenance* purchased Austin, TX, 1995, vendor unrecorded.

\$800 - 1,200



122

122

CALAMITY JANE CABINET CARD.

CANNARY, MARTHA JANE. 1852-1903. Albumen print cabinet card full-length portrait, 5 1/2 x 4 inches laid down to 6 1/2 x 4 1/4 inch board, c.1890, with photographer's imprint to lower mount ("C.E. Finn / Livingston, Mont"), loss to lower left corner of mount, some thumbsoiling to lower right, stains to verso.

Provenance: purchased Dallas, 1987, vendor unrecorded.

Martha "Calamity Jane" Cannary was a frontierswoman, sharpshooter and raconteur who was an acquaintance of Wild Bill Hickok and later in life appeared in Buffalo Bill's Wild West show. This photograph of her in buckskin trousers with a Colt revolver on her hip and a Sharps rifle in her hand dates from around 1890, which is the only verified year C.E. Finn's Livingston Studio was open for business.

\$2,000 - 3,000



123

123

CODY, WILLIAM F. "BUFFALO BILL." 1846-1917.

2 items:

1. Cut signature and inscription ("Very truly yours / W.F. Cody / Buffalo Bill / 1889"), on Treasury Department Office of the Secret Service letterhead, framed with albumen print *carte-de-visite* of Cody c.1865 to 10 1/2 x 11 1/2 inches.

2. Albumen print cabinet card of Cody in evening dress, c.1893, framed with newsprint pictorial bio of Cody to 13 2/4 x 20 inches.

\$400 - 600

124

CODY CALENDAR.

The Cody Calendar 1899 / The Date Marked Thus X Indicates the Day Buffalo Bill's Wild West and Congress of Rough Riders Will Exhibit in This City.
n.p.: 1899.

Chromolithographic broadside, 303 x 212 mm, laid down to larger sheet and framed. Dampstaining to mount but broadside generally clean.

Rare advance publicity sheet produced by Cody's Wild West show. This example is blank, but clearly the show would mark dates on the calendar in red Xs for each new city's show schedule, and then distribute them to potential customers. The artwork on this broadside includes an illustration of Buffalo Bill as a scout in 1869, a buffalo hunt, and two battle scenes.

\$3,000 - 5,000



124

125

DEADWOOD STAGE COACH.

Mammoth albumen print photograph of the Deadwood Stage, c.1890, 9 x 12 inches, c.1890, lacking photographer's imprint, 8 inch horizontal closed tear to center right, framed.

Provenance: collection of Julia Cody Goodman, sister of Buffalo Bill (note on verso of frame).

The back of the frame reads: "*The Famous Deadwood Stage Mail Coach, one of the earliest of the Buffalo Bill Wild West Show parts.*" The Coach pictured in this image was built by Abbott-Downey Company of Concord, NH in 1863. It was used in California, Eastern Wyoming and the Black Hills where it survived several robbery attempts. In 1876 the stage was used by General Crook in his campaign against the Indians, where it was abandoned in hostile territory after an attack. Buffalo Bill, at that time a scout for Crook, rescued the stage, and when he launched his Wild West show a short time later, he incorporated the coach into a larger spectacle about the west.

\$700 - 900



125

126

CODY, WILLIAM F. "BUFFALO BILL." 1846-1917.

Photograph Signed and Inscribed ("Uncle Will" / W.F. Cody"), mammoth gelatin silver print portrait of Cody with saddle, hat and gun, 10 1/2 x 13 1/2 inches laid down to board, inscribed to his niece Josie Thurston at lower right corner, creasing to lower center, chip at lower left corner.

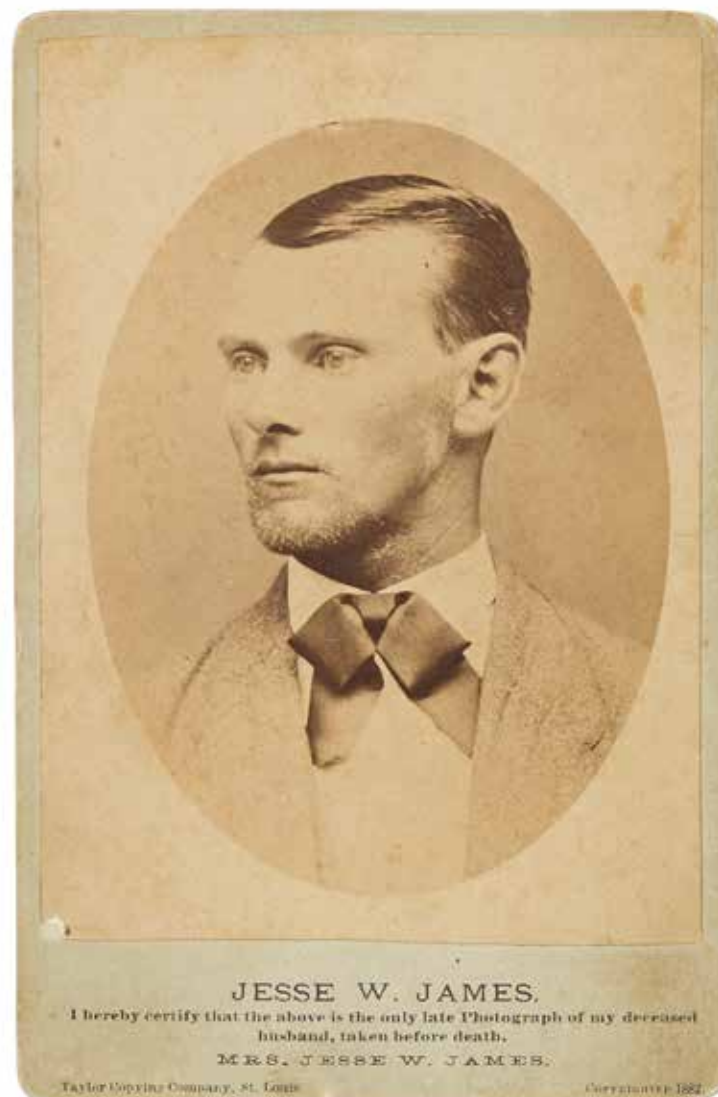
Provenance: the Mike Butler Collection of Western Photography, sold Cowan's Auctions, June 6, 2007.

According to a story on the Cody Night Rodeos from the *Des Moines Register* on August 7, 1949, this or a similar photograph inscribed to Josie Thurston hung in the Elephant Head Lodge in Cody, WY.

\$2,000 - 3,000



126



127

PORTRAIT OF JESSE JAMES.

Albumen print cabinet card portrait, 5 ½ x 4 inches laid down to 6 ½ x 4 ¼ card, with photographer's imprint ("Taylor Copying House / St. Louis") to lower mount and verso, image. additionally printed on the mount: "I hereby certify that the above is the only late Photograph of my deceased husband, taken before death. Mrs. Jesse W. James," and on reverse, additionally inscribed at upper margin, minor toning and thumbing, abrasion at lower left corner of image.

Provenance: Sold USA, March 10, 2005.

Inscription on the verso reads: "*Presented to Mrs. James W. Varble by Mrs. Jesse James Sr. in the year 1882.*" "Sr" has been added in blue pen over an erasure of what was likely "Jr." Inscription spurious, as the first Mrs. James W. Varble died in 1880, and he did not remarry until 1883.

\$6,000 - 8,000



128

128

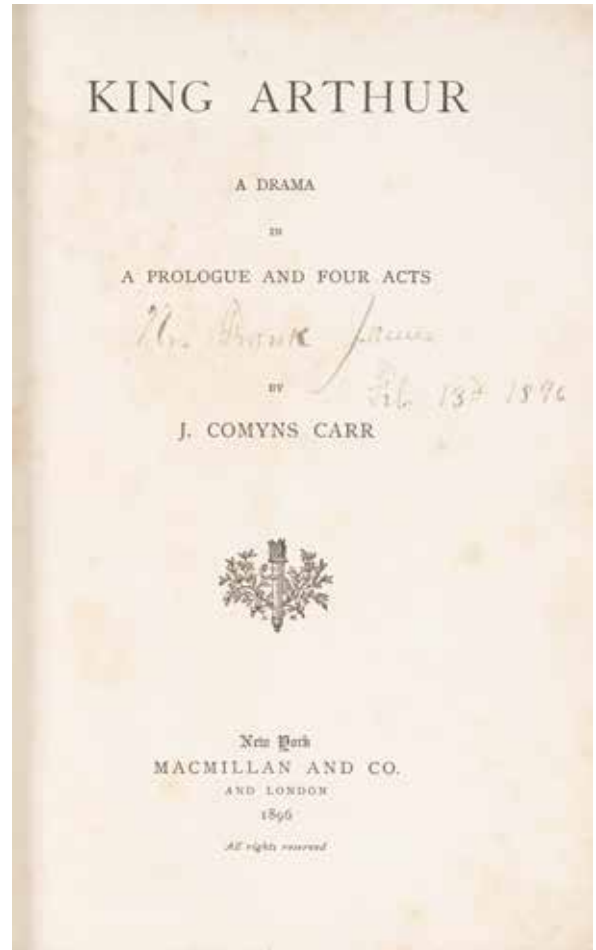
FRANK JAMES CABINET CARD.

JAMES, FRANK. 1843-1915. Gelatin silver print cabinet card, 4 x 5 ¼ inches, laid down to 7 3/8 x 5 ¼ inch board, photographer's imprint at lower mount ("Guerin / St. Louis"), titled in the negative ("Frank James / copyright 1898"), very fine condition.

Provenance: purchased Gary Hendershott Auctions, June 15, 2003.

An extremely fine copy of the later Frank James portrait, taken after his release from prison.

\$1,500 - 2,500



129

129

PRESENTATION COPY FROM FRANK JAMES TO HIS WIFE.

CARR, J. COMYNS. *King Arthur: A Drama in a Prologue and Four Acts*. New York and London: MacMillan and Co., 1896. 8vo (210 x 140 mm). Original printed wrappers. Pages toned, corners bumped, stain to lower cover, wear to upper cover, some restoration. In custom clamshell box.

Provenance: purchased from Gary Hendershott (business card).

PRESENTATION COPY, signed on the title page: "Mrs. Frank James / Feb 13th, 1896." Additionally annotated on the final ad page: "Monocyc[sic] River Frederick Co. Jan 17 [date illegible]."

\$2,000 - 3,000

130

130

ALS OF FRANK JAMES TO MR. BLACKMORE.
JAMES, FRANK. 1843-1915. Autograph Letter Signed ("Frank James") to Ted Blackmore, in blue pencil, regarding promotion for a future appearance, 2 pp recto and verso, 4to, Fletcher, OK, April 19, 1909, pages creased and toned, brittle, minor restoration at folds.

James writes a colleague about future appearances, but begs the other man not to spend money on advertisements, but to use up existing posters: "When I wrote as to Fairs as Starter I had no idea of you thinking advertising on Bill Board, and will request you not to do so. I thought as you already had a tent that it would be to your interest to get me a few Fairs and during the week run your show as I said in my former letter if a week was not filled for my starting. We could go out to other towns and show and you could use up the papers you had left over from our little trip to eastern Texas. Do not go to any expense on my account advertising or otherwise. As to going to Dallas during the Fair, I cannot go as I lived to long in tht place am satisfied I would not be a drawing card."

Theodore Sherman "Ted" Blackmore (1864-1922) is known to have been a friend of Frank James, and the organizer a road show called *The Bandit's Last Call*. In this letter and the next, he is attempting to lure Frank James out of retirement for lucrative public appearances, but not having much luck.

\$1,500 - 2,500

131

131

ALS OF FRANK JAMES.
JAMES, FRANK. Autograph Letter Signed ("Frank James"), to Ted Blackmore regarding a potential appearance, 1 p, 4to, Kearney, Mo, March 6, 1914, age creased and toned, with original autograph transmittal envelope.
Provenance: Purchased from Walter R. Benjamin Autographs, Inc., September 10, 1991 (receipt made out to Theresa Earle and canceled check).

In part: "Can see nothing in your proposition that would justify me in going out with you. Therefore, its best not discuss this matter venture further. Am good for not less than \$750.00 right here at home, not one dollar of expences...." Frank James died a few months after this letter was written.

\$1,500 - 2,500

132

FORD, ROBERT N. 1860-1892.
Cut Signature ("Robt. N. Ford / Walsenburg / Colo"), on 1 1/4 x 3 1/4 inch sheet, laid down to mount, matted with portrait and framed.

Robert Ford is the "dirty little coward who shot Mr. Howard," the gang member who murdered Jesse James for the reward, but lived the rest of his short life in infamy.

\$800 - 1,200

133

THE DEATH OF BOB FORD.

Death of "Bob" Ford / Removing the Body / 109.

Albumen print cabinet card photograph, 4 1/2 x 7 1/2 inches laid down to 5 x 8 inch board, lacking imprint or label to verso, 2 inch crease at upper margin, some wear. WITH: Albumen print cabinet card of donkey trains at similar mining camp, 5 x 8 inches, imprint of E.E. Pascoe, "Creede's Scenic Photographer," Denver and Amethyst, CO, crease at upper margin, corners bumped.

Provenance: purchased at California show, 1992.

A striking image of a large crowd gathered outside the tent labeled in the negative as "Bob Ford's Dance Hall" (next door to the Leadville "Headquarters"), as a wagon carries Ford's body away.

\$1,500 - 2,500



132

134

JAMES FAMILY PHOTOS.

A collection of images of the various members of Jesse James's family, including:

ROBERT SALLEE JAMES. Quarter plate daguerreotype, in case.

DR. REUBEN SAMUEL. Quarter plate tintype, in partial case.

An early portrait.

ZERELDA JAMES. 8 x 10 inch gelatin silver print portrait of the mother of Frank and Jesse James, c.1910.

WITH: a pair of albumen print cabinet cards of Zerelda James taken approx. 30 years apart, framed together.

MARY JAMES BARR. Albumen print cabinet card. Daughter of Jesse James.

ROBERT JAMES. Albumen print cabinet card, c.1900, plus two CDV sized tintypes of the son of Frank James as a child, with cut signature.

JOHN T. SAMUEL. 5 x 7 inch gelatin silver print portrait, c.1910, no imprint, but photographer's note identifying sitter on mat.

SUSAN JAMES PARMER. Albumen print cabinet card photograph of Jesse's sister and family, imprint of W.A. Lloyd, Wichita Falls, to mount.

SARAH SAMUEL. Albumen print cabinet card of Jesse and Frank's half sister and family, with "Strong / Kearney MO" imprint. WITH: 2 CDV size tintype portraits of Sarah.

JAMES, DRURY WOODSON, and L.M. JAMES.

Albumen print cartes-de-visite of each, each identified in script at lower image, L.M.'s possibly annotated by Frank James, with SF imprint to verso, c.1865.

LENNIE T. HOWARD and JINNIE E. CAR. Albumen print cartes-de-visite of each identified on the verso in pen (with address as well), SF imprint. Note indicates the two women were girlfriends of Frank James at one time.

WITH: a letter of Zerelda James to Frank James, April 13, 1910, in the hand of a guest who wrote for her; several additional disputed photographs.

Provenance: the majority purchased from Gary Hendershott, 1990s.

\$1,500 - 2,500



133



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135



135

SIGNED COPY OF COLE YOUNGER'S AUTOBIOGRAPHY.

YOUNGER, COLE. *The Story of Cole Younger*. Chicago: The Henneberry Company, 1903. 8vo (218 x 143 mm). Rebound in black cloth gilt with original printed wrappers bound in. Leaves toned significantly and brittle, a few leaves loose, generally fragile. Newspaper clippings to front and rear leaves. *Provenance*: J.H. O'Berne (ownership inscription to preliminary blank); sold A&S Auctions, Waco, January 13, 2007.

WITH SIGNED CARDS OF COLE YOUNGER AND FRANK JAMES laid down to rear free endpaper. WITH: a pair of albumen print cabinet cards of Zerelda James taken approx. 30 years apart, framed together. This printing of Cole Younger's autobiography was purchased by J.H. O'Berne at a showing of the 1903 Cole Young and Frank James Wild West Show. The book cost \$.50, and for an extra dollar each, O'Berne collected the signatures of both Younger and James, which are on visiting cards housed in small envelopes laid down to the last leaf of the book. There are two spurious signatures of the outlaws on the portraits at the front of the book as well.

\$6,000 - 8,000



136

136

THE YOUNGER FAMILY IN PHOTOGRAPHS.

KUHN, J.M., photographer. [*Portrait of Cole, Jim, Bob and Henrietta Younger.*] Albumen print cabinet card portrait of the four Younger siblings, 5 3/8 x 4 inches laid down to 6 3/8 x 4 1/4 inch board, 1889, with photographer's imprint at lower mount ("J.M. Kuhn / Stillwater Minn."), ink notation to verso ("Copyright secured by Mrs. Retta Younger Rawlins"), mild thumbing to mount, pinhole at upper center. *Provenance*: purchased from Johnny Spellman, College Station, 1990.

In September of 1889 Henrietta "Retta" Younger, traveled from Missouri to Minnesota to plead for the release of her beloved older brothers. She was not successful, but she was allowed to bring the brothers new suits of clothes and have a photographer take portraits.

\$2,000 - 3,000

137

YOUNGER BROTHER PHOTOGRAPHS.

4 items:

1. YOUNGER, COLE. Gelatin silver print seated portrait, 5 x 3 3/4 inches, identified and dated in ink at upper left corner ("Cole Younger 1913"), left margin rough, pinholes. Dated the year he attended tent revival and was redeemed.

Provenance: purchased from Dr. John Kennedy, Florida, 1990.

2-4. Albumen print cabinet card photographs of Bob, Jim, and Cole Younger, each 8 x 4 5/8 inches, all laid down to single sheet of linen and folded accordian style, dated in the negative ("1889") and with "Kuhn / Stillwater, MINN" imprint in the negative, stamped on the verso "N.H. Rose / Photographer ... San Antonio, Texas / This is a print from the FAMOUS ROSE COLLECTION of Old Time Photographs." Reprints of the famous Stillwater portraits by Kuhn.

\$1,200 - 1,800

138

THE VILLARD "GOLD SPIKE" EXCURSION.

HAYES, F. JAY, photographer. *Last Spike Pavillion*. Imperial albumen print photo, 7 x 10 inches laid down to larger board, 1883, photographer's imprint to lower left mount ("F. Jay Haynes, / Photo, Fargo"), stain at upper left corner, pinholes at upper and lower center.

This image is from a series of photographs taken on September 8, 1883 at the ceremony for the placement of the final "golden" spike connecting the full length of the Northern Pacific Rail Road. Former President Ulysses S. Grant was present, as was president of the railway Henry Villard, who drove in the final spike. The ceremony actually took place near Gold Creek in Powell County, Montana. The photographer must have traveled from Fargo to take the pictures.

\$500 - 700

139

SPECTACULAR ALBUM OF PHOTOGRAPHS OF RAILROAD CONSTRUCTION AT TAFT, MONTANA.

ELTON, A.J., H. ENGLISH, and others, photographers. Photographic album of Fred E. Albrecht containing 112 gelatin silver print photographs of Taft, Montana and other towns along the railroad, various sizes (8 x 10 inches to 3 1/4 x 5 1/2 inches), all laid down to album leaves and identified in white ink in a meticulous hand, 1908-1909, with 50 additional gelatin silver print personal photographs of Albrecht, c.1900, bound in full limp morocco album lettered "Photographs / F.E. Albrecht" to upper cover, wear at joints and shelfwear, some oxidation to a few photos but generally very good.

This album was kept by a young man who was likely an employee of the Chicago, Milwaukee, St. Paul and Pacific Railroad which built the line and tunnels pictured in these images. The album opens with images of Taft, Montana, at the time a thriving railroad town known for drinking, gambling, a high murder rate, and a ratio of 5 prostitutes per man. Today it is a ghost town. Albrecht's album shows images of the town before and after a devastating fire; the interior of a saloon where both a mule and a dog in a hat are among the customers; a rotary snow plow, both stationary and in action; the company office and his fellow employees; the St. Paul tunnel under construction; local residences; and other cities along the line, such as Grand Forks, ID, Saltese, MT, and the Bitter Root Mountains. Should be seen.

\$1,500 - 2,500



137



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140

140

PERFORMING COWBOYS.

LILLIE, G.W. "PAWNEE BILL." 1860-1942. 2 Photographs Signed, 9 x 7 and 7 x 4 inch gelatin silver prints, c.1906, the smaller image with Gessford blindstamp to lower margin, framed. WITH: TLS of Lillie to Frank Canton introducing friends, 1 p, 8vo, June 2, 1934, framed. OMOHUNDRO, "TEXAS JACK." Cut signature ("J.B. Omohundro / Texas Jack"), on 2 x 3 1/2 inch card, April 13, 1878, matted with portrait and framed.

\$600 - 900



141

141

BUFFALO BILL AND THE MCCANLES AFFAIR.

McCREIGHT, M.I., photographer. 1865-1958. *Col. Cody discussing the "McCandles [sic] Affair" with McCandles— Du Bois PA '08.* Mammoth gelatin silver print of Buffalo Bill in an automobile, 12 x 19 3/4 inches laid down to 17 x 25 inch board, 1908, signed and inscribed by the photographer at lower left corner ("M.I. McCreight"), dampstain to lower left mount not affecting image, framed.

In 1908 Buffalo Bill visited Major Israel McCreight in Du Bois, PA. Monroe McCandles, the son of David McCandles, was also a houseguest, and shared with Buffalo Bill his eyewitness account of the killing of his father by Wild Bill Hickok that countered the popular story of Hickok single-handedly fending off a gang of 9. McCandles argued that in fact, Hickok had staged a cowardly ambush, a story that Cody had not heard before and which he vowed to include in his upcoming autobiography.

\$700 - 900

142

**BUFFALO BILL, PAWNEE BILL AND
BUFFALO JONES.**

GESSFORD, JOSEPH GAYLORD, photographer.

[Pawnee Bill, Buffalo Bill and Buffalo Jones.]

Mammoth albumen print full length portrait of all three men, 15 1/2 x 12 3/4 inches, c.1909, with photographer's signature in the negative ("Gessford / NY"), crease at upper center and lower center, otherwise very fine, framed.

A handsome portrait of the three "Wild West" stars, likely from a portrait series taken by Gessford to celebrate the merger of Buffalo Bill's and Pawnee Bill's shows.

\$800 - 1,200



142

143

BUFFALO BILL ON HORSEBACK.

TANGEN, ED, photographer. Gelatin silver print photograph of Cody astride a bay horse, c.1910, 21 x 17 inches, photographer's imprint in negative and stamp to verso ("Photo by Ed Tangen, Boulder, Colorado"), very minimal wear.

Handsome large format photograph of Cody by well known Colorado photographer Tangen, who had a second career as a ballistics expert.

\$500 - 700



143



144



145

144^D

ANNIE OAKLEY LETTER AND PHOTOGRAPHS OF HER DOGS.

OAKLEY, ANNIE. 1860-1926.

1. Autograph Postcard Signed ("Annie Oakley Butler"), sending a thank you to a Mrs. Dunlevy in PA, 1 p, 3 1/2 x 5 inches, Dayton, Ohio, Feb 11, 1926 (postmark), to Mrs. Dunlevy, with original autograph transmittal envelope, some toning to postcard, envelope toned and thumbbed.

Provenance: purchased Superior Galleries, Los Angeles, CA, May 1992.

2. 6 gelatin silver print photographs of Oakley's hunting dogs, 2 x 3 inches to 4 x 6 inches, the two largest annotated and signed on the verso by FRANK BUTLER with instructions to the Ithaca Gun Company for a custom commemorative shotgun celebrating "Dave," the Butler's favorite hunting dog, some oxidation to images, light thumbing. WITH: another photograph of Oakley aiming a shotgun.

Provenance: photographs delivered by Butler to Bill McGraw, chief engraver of the Ithaca Gun Company; Bill McGraw to Ralph O. Alpen, his successor at the company; sold by Ralph O. Alpen to Jim Earle, West Grove, PA, May 16, 1984.

Butler's notes to the engraver reveal the care he took in commissioning a special rifle for Oakley: on the back of the photograph with Oakley, rifle and dog, he writes: "Can you put this on one side of lock / It would attract some attention / F.E. Butler." On the other he writes, "This is the position for a bird dog But it is not our dog Dave / You might use this for a pose but put the black spots on to look like Dave / Frank G. Butler." The third note in Butler's hand reads: "Engraver may get head from this."

\$1,200 - 1,800



146

145^D

BUFFALO BILL AND THE STARS OF HIS SHOW.

A collection of images and ephemera relating to Cody and others integral to the Wild West Show, as follows:

1. Albumen print cabinet card full length portrait of Cody, 5 x 3

3/4 inches laid down to 6 1/2 x 4 inch board, 1870s, lacking photographer's imprint.

2. Albumen print cabinet card head and shoulders portrait of Cody, dated 1897 in ink to verso, photographer's imprint to lower mount ("Falk ... Madison Square").

3. Albumen print cabinet card head and shoulders portrait of Cody in buckskin vest and hat, photographer's imprint to lower mount ("Stacy / Wild West / Brooklyn")

4. Albumen print cabinet card portrait of Cody, head and shoulders profile portrait, photographer's imprint to lower mount ("Brisbois").

5. Gelatin silver print portrait of Cody, Lillie, and Buffalo Jones, Gessford blindstamp to lower mount, inscribed by Pawnee Bill.

6. Gelatin silver print cabinet card of Cody and Col. Henry Inman, photographer's imprint to lower mount ("Pach Bros").

7. Panoramic gelatin silver print photo of Pawnee Bill Show preparing for a parade, 4 x 9 1/2 inches laid down to larger board, photographer's blindstamp to lower right ("F.W. Glasier / Brockton Mass").

WITH: two cut signatures of Cody and an 1895 show program featuring chromolithographic cover.

\$2,000 - 3,000

146^D

COWBOY SHOWMEN.

1. LILLIE, G.W. "PAWNEE BILL." 1860-1942.

3 photographs: Albumen print cabinet card portrait of Lillie in evening dress, 5 1/2 x 4 inches laid down to 6 12 x 4 1/4 inch board, 1870s, no imprint; albumen print cabinet card portrait of Lillie in hat and fringed jacket, 5 1/2 x 3 3/4 inches laid down to 6 1/2 x 4 1/4 inch board, c.1906, Gessford imprint to lower mount; Photograph Signed ("G.W. Lillie "Pawnee Bill"), gelatin silver print portrait in hat and beaded buckskin, 3 3/8 x 5 1/2 inches, no imprint but image by Gessford.

2. BARNUM, PHINEAS TAYLOR. 1810-1891. Photograph Signed ("P.T. Barnum. 1886"), albumen print cabinet card portrait, photographer's imprint to lower mount and verso ("Eisenmann"), pencil note indicated signature was collected in Parkersburg, WV on May 8, 1886. WITH: Signature ("Truly Yours. P.T. Barnum"), 1 p, 2 1/2 x 4 1/2 inches, London, February 7, 1890.

3. A group of cabinet cards and CDVS of performing cowboys, including: TEXAS JACK OMOHUNDRO (CDV); BILLY CRAMER (cabinet card); EDDIE FOY, JR (cabinet card and cut signature); and an anonymous circus cowboy. WITH: panoramic view of injured horse and rider, 2 1/2 by 10 1/2 inches laid down to larger board.

\$1,000 - 1,500

147

Autograph Endorsement Signed ("W.B. Masterson / Sheriff"), on the verso of a write confirming that it was executed, 1 p, 12mo, n.p., April 14, 1879, with expenses tallied in the column opposite, leaf creased and toned, framed with portrait.

In part: "Rec'd. this write Apl. 14th 1879
Executed the same by reading to the within.
Many witnesses...."

Due
 54R - - 50
 14 Miles 14 0
 11.90

Recd. This with
 Apr. 14th 1879
 Expected the
 Surge by reading
 to the within marked
 witnesses on this
 14th day of Apr
 A.D. 1879
 W. B. Masterson

148

Partially printed document signed for Bat Masterson
by Charlie Bassett ("W.B. Masterson by Charlie
Bassett"), a subpoena for L.E. Deger in the case
against Henry Born, 2 pp, 208 x 178 mm, Dodge
City, January 23, 1879, centerfold.

“Hearing that the great king of outlaws was in the hands of the Las Animas officers at Trinidad, Sheriff Masterson went up last Wednesday to see what he could see, and, if possible, secure the prisoner and bring him to Ford county to answer for the many ‘irregularities’ in his conduct toward the owners of horseflesh in this vicinity” (from the *Ford County Globe*, January 7, 1879). Dutch Henry Born(e) was the most notorious (and successful) horse thief of the Kansas plain. Larry Deger had been the first City Marshal of Dodge City, and Charlie Bassett the first Sheriff of Ford County. Masterson served as undersheriff until he was elected to replace Bassett by just 3 votes over Deger. As had happened many times before, the charming Dutch Henry, who looked little like a thief, ended up being acquitted of the charges despite Masterson’s best efforts.

[illegible]

THE EARLY WEST: THE COLLECTION OF JIM AND THERESA EARLE | 93



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SUBPOENA FOR "DUTCH HENRY" BORN.

Partially printed document signed for Bat Masterson by W. Nix ("W.B. Masterson by W. Nix"), a subpoena for "Bob Vandeburg, Lewis (Long hair), Mrs. Lewis, P.G. Reynolds - States" in the case against "Henry Born Alias Dutch Henry," 2 pp, 208 x 178 mm, Dodge City, January 22, 1879, old folds.

A SECOND SUBPOENA IN THE DUTCH HENRY CASE, this one including Bob Vandenburg, who would later serve as Marshall of Dodge City, and P.G. Reynolds, who along with James Lee, operated Lee & Reynolds, the most important supply and freight operation in the region. We have not been able to identify Lewis and Mrs. Lewis (despite the identifier "Long-hair"). This one signed for Masterson by W. Nix, a deputy.

\$2,000 - 3,000



150

150

JAMES MASTERSON CABINET CARD.

MASTERSON, JAMES. 1855-1895. Albumen print cabinet card portrait, 5 5/8 x 3 3/8 inches laid down to 6 1/2 x 4 1/4 inch board, head and shoulder portrait by D.B. CHASE, c. 1885, with photographer's imprint at lower mount and verso ("Portraits from Chase's New Studio ... Trinidad, Colo."), thumbsoiling to mount. Provenance: purchased Las Vegas, 1980 (vendor unrecorded).

Bat Masterson's younger brother James was also a buffalo hunter turned lawman, serving as the assistant marshal of Dodge City in 1878.

\$1,500 - 2,500



151

151

CABINET CARD OF TOM MASTERSON.

MASTERSON, THOMAS. 1858-1941. Albumen print cabinet card portrait, 6 x 4 1/8 inches laid down to 6 1/2 x 4 3/8 inch board, head and shoulders portrait, c. 1885, with photographer's imprint to verso ("Vancil & McDonald, Photographers ... Dodge City, Kan."), light thumbing and toning. Provenance: purchase Las Vegas, 1980.

Rare photograph of Masterson's younger brother Tom, with pencil ID to verso: "Thomas Masterson, Jr."

\$1,500 - 2,500



152

BAT MASTERSON PRESENTATION POCKET WATCH AND FOB.

Designed in gold with a manual wind movement with day/date and moon phase functions, dial detailed in red and white enamel, measures 2 x 2 7/8in., numbered #57873 on case and movement.

Provenance: the estate of Joe Crain, sold at A & S Auction Company, Waco, TX, February 26, 2011.

After a celebrated career as a Western lawman, Bat Masterson moved to New York City in 1902 to pursue a career in journalism. In 1905 he was appointed by Theodore Roosevelt as US Marshal for New York, a position he held until 1909. This deluxe pocket watch bears the lawman's name ("Bat") on the case, and a fob that reads "U.S. Marshal N.Y." on the recto and "Congratulations Bat Masterson on your appointment from your many friends in New York" on the verso.

It surfaced ten years ago among the Bat Masterson collection of Joe Crain, who had acquired several other signature pieces of Masterson memorabilia, including his walking cane, a sheriff badge, a watch given to Bat by his wife Emma, his portable typewriter, and two firearms, all of which had been originally sold to a collector by Emma Masterson. The revolver in this grouping had a presentation inscription to Masterson from his friends at the *New York Morning Telegram*, the newspaper at which he worked, and it is possible that the same group also presented the watch to him.

\$20,000 - 30,000

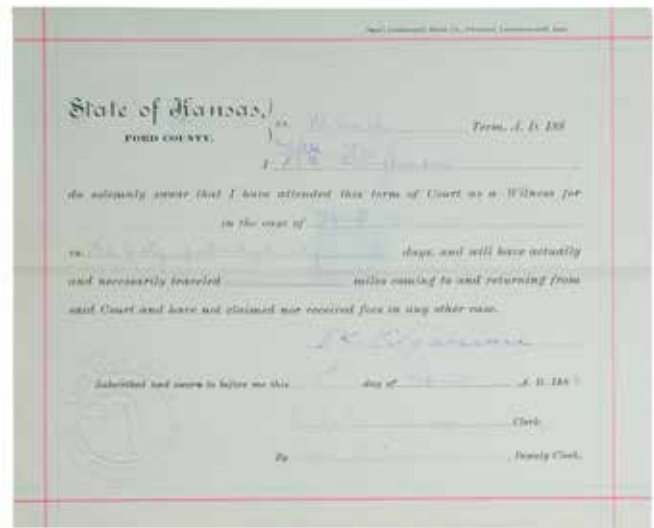
155

TILGHMAN, WILLIAM. 1854-1924.

Document Signed ("Wm Tilghman"), partially printed and accomplished in manuscript, 1 p, oblong 8vo, Ford County, KS, April 8, 1886, attesting to his action as a witness in the case of W.T. Lane vs. the City of Dodge City, docketed on the verso with notations regarding expenses, leaf lightly thumbled, fading to scribe's ink. WITH: Tilghman receipt from Dodge City treasurer.

Tilghman served as City Marshal of Dodge City from 1884-1886, and as a deputy under both Bat Masterson and Charlie Bassett. However, he is most famous for capturing outlaw Bill Doolin in a bathhouse in Arkansas, becoming known along with Chris Madsen and Heck Thomas, as the "Three Guardsman."

\$1,000 - 1,500



155

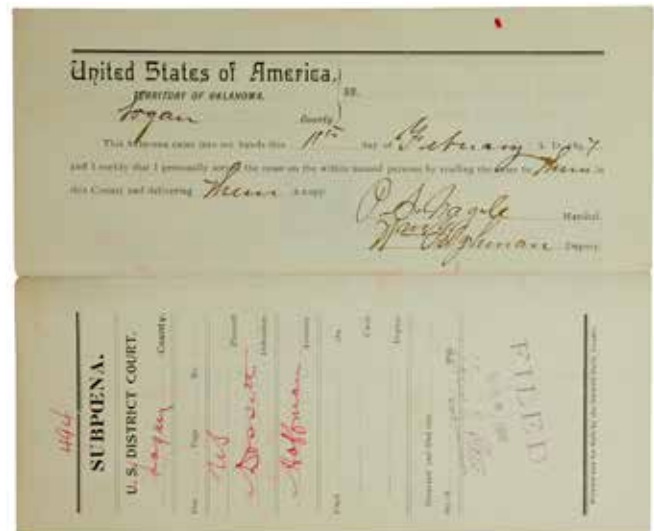
156

LATER WILLIAM TILGHMAN DOCUMENTS.

TILGHMAN, WILLIAM. 1854-1924. 2 items:

1. Document Signed ("Wm Tilghman"), subpoena for the appearance of Ignatz Dossett, partially printed and accomplished in manuscript, 2 pp recto and verso, 8vo, Logan County, OK, February 11, 1897. *Provenance:* purchased Superior Galleries, May 9, 1992.
2. Typed Document Signed ("Wm Tilghman"), a notarized statement relating to a civil suit, 1 p, 4to, Lincoln Co, OK, September 11, 1899, also signed by notary public.

\$1,000 - 1,500



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157

THE HANGING JUDGE'S GAVEL.

PARKER, ISAAC C. 11838-1896.

1. Wooden gavel, 10 1/2 X 3 1/2 X 1 3/4 inches, mounted in frame.

Provenance: by descent to Mrs. J.H. Clendening, granddaughter of Isaac C. Parker; sold by her estate to Eathel Keyes of Mountainburg, AR, July 15, 1977; sold to Jim and Theresa Earle.

2. Autograph Document Signed ("I.C. Parker") as attorney, being a bill recording the case against Robert Thompson for stealing a horse, 1 p, legal folio, Nodaway County, MO, October, 1865, docketed on the verso. An early example of Parker's legal writing.

After a long political and legal career, Parker was appointed to a seat on the US District Court for the Western District of Arkansas. During his 21 years on the bench he sentenced 160 people to death, of whom 79 were executed.

\$2,000 - 3,000



157



158

158^o

THE DALTON GANG IN PHOTOGRAPHS.

A collection of photos from the archives of photographer JOHN TACKETT, including:

1. *Bob Dalton*. Gelatin silver print portrait, 7 x 4 3/4 inches, c.1890, discoloration and loss to upper left corner.
2. *Bob and Grat Dalton Posed Dead*. * *Grat Dalton in Coffin*. * *Bob Dalton in Coffin*. * *Tim Evans*. Gelatin silver print photographs, 7 x 5 inches laid down to 8 x 10 inch board, photographer's imprint in the negative ("Copyright by Tackett / Oct 13, 1892"), discoloration and wear throughout.
3. *Daltons Laid Out in Coffeyville*. Imperial albumen print photograph, 8 x 10 inches, lacking imprint. Loss at upper right. A rare composite image of the Dalton gang, with Emmett Dalton's body inserted upper left.

WITH: studio portrait of brother Littleton Dalton, c.1937, and gelatin silver print photo of Lansing, Kansas prison, where Emmett served his time, 5 x 7 inches laid down to larger board, lacking imprint.
Provenance: estate of John Tackett, the photographer who took the photographs in 1892.

\$3,000 - 5,000

159

EMMETT DALTON'S WATCH FOB.

Designed with an elk tooth, fitted to a gold cap depicting an elk set with synthetic rubies with detailing of blue and white enamel and suspended from a gold filled toggle.

Provenance: gift of Julia Dalton to Emmett Dalton, 1930; gift of Julia Dalton to Bertrand Couch, c.1941; sold as part of the Estate of Bertrand Couch, Pacific Book Auctions, date unknown, but prior to 1998; sold to Jim and Theresa Earle by Lewis Wight of Hill City, SD, September 6, 1998. Herb Osborne and John Tackett were next door neighbors in Coffeyville, KS.



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Emmett Dalton was the only survivor of the gang that simultaneously robbed two banks in Coffeyville in 1892. He was convicted and sentenced to life in prison, but his model behavior earned him a pardon after 14 years. Upon reentering society, he married and moved to Los Angeles to work in the film industry. To signify his return to polite society, he joined the San Pedro Lodge of the Benevolent Protective Order of the Elks (B.P.O.E.) in 1928 as member number 966 (Dalton's membership number is confirmed in a 1941 letter to Herbert Couch from San Pedro Lodge secretary Robert R. Snodgrass). On their 22nd wedding anniversary, Emmett's wife Julia presented him with this gold elk tooth watch fob engraved with his initials and membership number. Dalton is photographed wearing the fob in a 1931 photograph accompanying this piece. After Dalton's death in 1937 his wife Julia made a present of the watch fob to Dalton's friend and associate, author and collector Bertrand "Frisco Bert" Couch. According to Jim Earle's notes, Couch's estate was liquidated by Pacific Book Auctions some time before 1998 (though we have not been able to locate the exact sale). It was likely purchased by Lewis Wight of Hill City, SD, who sold the fob to Jim and Theresa Earle in 1998.

\$3,000 - 5,000

160

EMMETT DALTON-FRISCO BERT CORRESPONDENCE.

DALTON, EMMETT. 1871-1937. 18 Typed Letters Signed ("Emmett Dalton") to Bertrand "Frisco Bert" Couch, 17 pp, 4to, Hollywood, CA, August 20, 1935 to July 5, 1937, regarding Couch's attempts to produce a radio or film program based on Emmett's story, together with 11 TLSs of Julia Dalton written to Couch after Emmett's death, July 27, 1937 to October 14, 1942, nearly all with original transmittal envelopes, some toning and thumbing throughout.

An interesting series of letters between "Frisco Bert," a journalist and raconteur, and the reformed bank robber Emmett Dalton. In these letters, the two men discuss potential radio appearances and upcoming writing projects. Emmett self-deprecatingly mentions *When the Daltons Rode* (which, by 1936, was out of print), and also discusses his health, which is poor (he has recently been diagnosed with diabetes). Bert may have been acting as a sort of agent as well as co-author. On March 27, 1937, Dalton writes: "I had a letter from 'Doubleday' Doran and Co yesterday saying they had transferred my book to the Sun Dial Press to be published again ... so I think you had better write to them and see what they charge for the books...." In the same letter he gives a little history: "the first time 'Bill' Doolin ever broke the law, was with us. We had robbed a train at 'Adair' Bill Doolin was with us in about three train robberies and quit us after the Adair robbery."

\$5,000 - 8,000

161

EMMETT DALTON LETTERS TO JOHN B. TACKETT.

DALTON, EMMETT. 1871-1937. 7 Typed Letters Signed ("Emmett Dalton") to John B. Tackett regarding their motion picture project, 1 pp, 4to, Hollywood, CA, December 1, 1933-February 15, 1935, most on personal stationery, light creasing and toning.

As a young man, John B. Tackett (1874-1956) moved to Coffeyville, KS and opened a photography studio. He famously photographed the Dalton Gang raid in 1892, and went on to build and run a theater in Coffeyville. After Emmett's release from prison, Tackett enticed Dalton to collaborate on a silent film Tackett was making at the behest of the Coffeyville Commercial Club to be shown at the Alaska-Pacific-Yukon Exposition to be held in Seattle in 1909. Emmett's contributions included making sure the raid was represented faithfully on film.

In this series of letters, Tackett seems to be acting as an agent or at least an advisor on Dalton's newest projects, which include the recent publication of *When the Daltons Rode*. From December 1, 1933: "If I sent you the wrong contract it was a mistake. I wish you would send it back to me. It was the only contract I had but I can get a copy of the 'copyright' at anytime ... the copy I sent you was the only copy I had on any subject. So, I must have made an awful mistake. You are right, it was 'When the Daltons Rode' that I wanted 'Julius' to handle but if you can not deal with him maby you can with Mr Powell of the 'journal.'"

\$3,000 - 5,000

162

RARE EMMETT DALTON PUBLICATION, SIGNED.

DALTON, EMMETT. 1871-1937. *Reckless Ralph's Twenty-five Cent Novel Library: Prison Delivery*. Grafton, MA: Ralph F. Cummings, [c.1935].

8vo (210 x 135 mm). 8 pp. Original yellow printed wrappers. Light discoloration to center and spine, otherwise fine.

Provenance: purchased from Herb Osborne, Coffeyville, KS, 1991.

RARE IMPRINT SIGNED BY EMMETT AND JULIA DALTON on the cover. In the years after his release, Emmett Dalton earned a living writing stories and working as a consultant in Hollywood.

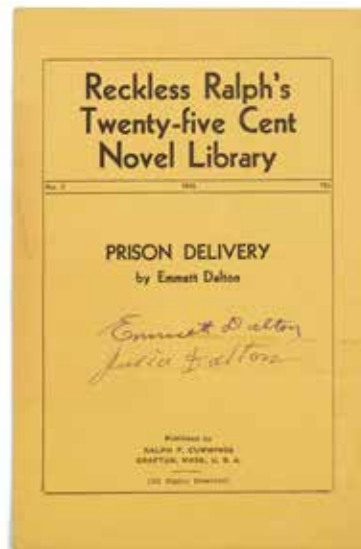
\$800 - 1,200



160



161



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THREE EMMETT DALTON PHOTOGRAPHS.

TACKETT, JOHN, photographer.

1. Gelatin silver print portrait of Emmett Dalton, 8 x 10 inches, Leavenworth, KS, 1907, taken upon Dalton's release from prison, crease and closed tear at center left margin, some oxidation.
2. Gelatin silver print portrait of Dalton on horseback crossing the Vedigris River near Coffeyville, KS, 8 x 10 inches, 1909, 2 inch vertical closed tear at lower center, 1 inch closed tear at upper center, creasing, some oxidation.
3. Gelatin silver print photo of Dalton and horse at river's edge, 8 x 10 inches, 1909, some creasing, 1 inch closed tear at upper center.

The first photograph was taken by Tackett upon Dalton's release; the second two were taken on location outside of Coffeyville. A note on the verso indicates that in 1909, Dalton was assisting Tackett in the production of a film, likely *The Last Stand of the Dalton Brothers*.

\$700 - 900



164

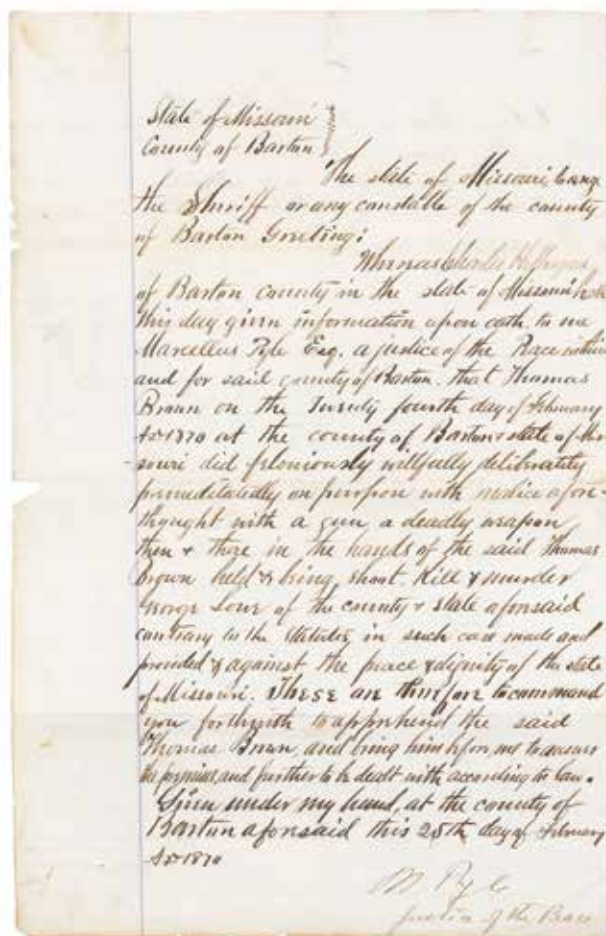
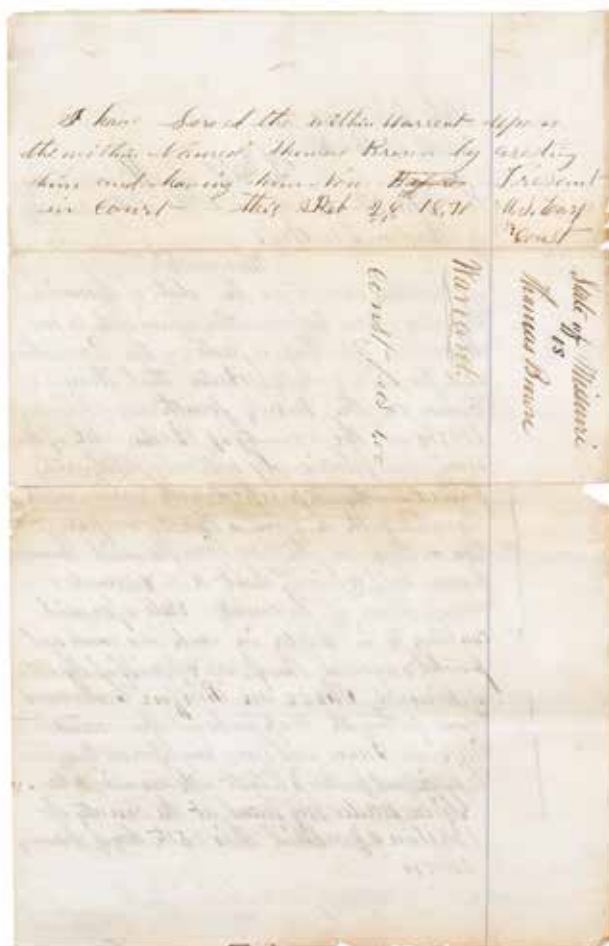
164⁰

JOHN TACKETT AND COFFEYVILLE FILMMAKING.

This lot features a collection of photographs and ephemera relating to photographer John Tackett's career after taking his famous photos of the Dalton Gang after the Coffeyville raid, including: 1. Last Stand of the Dalton Boys.... 1912. Three sheet poster printed by Goes Litho of Chicago, folded. Some separation at creases.

2. 7 x 9 inch gelatin silver print of Emmett Dalton at cave used by Younger Brothers, 1910, by Tackett; with 4 mounted stills from Last Stand... with pinholes at corners, likely used as promotional material for the film; and with fragments of 11 x 14 inch photographs of the film used as lobby cards.
3. A group of printed blank receipts and lease contracts for Last Stand of the Dalton Boys....
4. 3 7 x 9 inch gelatin silver print photographs of Carrie Nation in different locations, taken by Tackett; with handbill of the Carrie Nation film produced by Tackett.
5. A selection of prints and glass plate negatives from Tackett's archives, reprints of the Dalton images among them, condition varies.

\$800 - 1,200



ARIZONA TERRITORY

165

EARLY WYATT EARP WARRANT.

EARP, WYATT. 1848-1929. Autograph Note Signed ("W.S. Earp / Const."), on the verso of a warrant for the arrest of Thomas Brown, 1 p, legal folio, Barton Co, MO, February 25-26, 1870, also signed by M. Pyle as Justice of the Peace, leaf creased, toned, closed tear and perforations at upper margin, small loss at left margin.

POSSIBLY THE EARLIEST WARRANT SIGNED BY EARP. Earp signs a warrant for the arrest of Thomas Brown, wanted for the murder of George Lowe: "I have served the within Warrent upon the within Named Thomas Brown by arresting him and having him now Present in Court this Feb 24th 1870 / W.S. Earp / Const."

The Earp family arrived in Lamar, MO in 1868, and Earp's father Nicholas soon was appointed Constable. When he sought election to the office of Justice of the Peace, his son Wyatt assumed his former position in 1870.

\$10,000 - 15,000



166



166

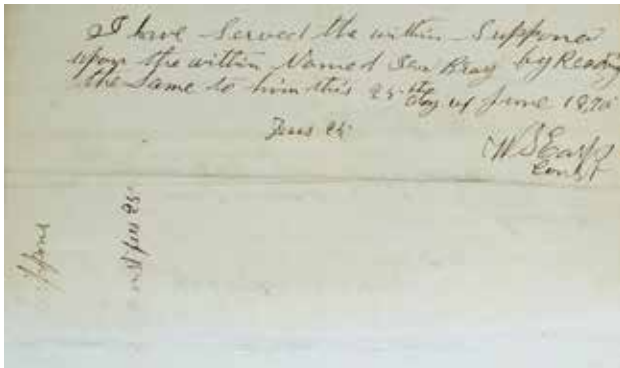
WYATT EARP SUMMONS.

EARP, WYATT. 1848-1929. Autograph Endorsement Signed ("W.S. Earp / Constable") on verso of summons issued for John J. Humphrey, partially printed and accomplished in manuscript, 2 pp recto and verso, oblong 8vo, Lamar Township, MO, May 5, 1870, also signed by M. Pyle as Justice of the Peace, mild toning and thumbing.

Provenance: Howard L. Norton, Little Rock, AR, 1995.

In full: "I have served the within summons upon the within named John J. Humphrey by reading the same to him this 5th day of May 1870 / W.S. Earp / Constable." Humphrey is required to answer the complaint of Samuel Canes.

\$6,000 - 8,000



167

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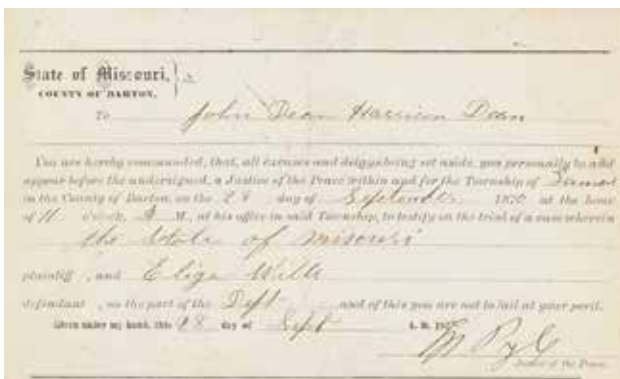
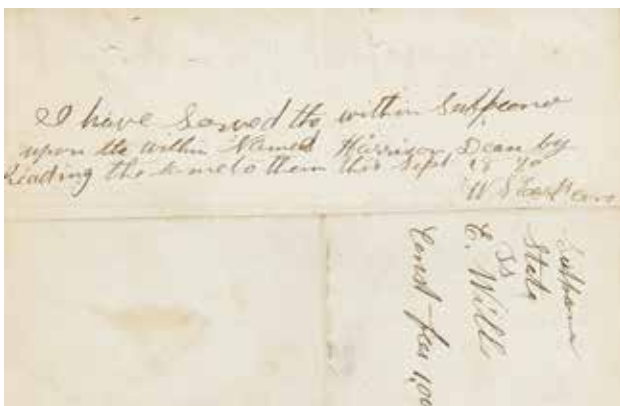
SUBPOENA SERVED BY WYATT EARP.

EARP, WYATT. 1848-1929. Autograph Endorsement Signed ("W.S. Earp / Const"), on the verso of a subpoena for Ira Bray, partially printed and accomplished in manuscript, 1 p, oblong 8vo, Lamar, MO, June 25, 1870, also signed by N.P. EARP, Wyatt Earp's father, glue remnants at lower margin affecting part of docket, creased.

Provenance: purchased from Howard L. Norton, Little Rock AR, 1995 (possibly at the Austin Book and Paper Show of that year).

Both Earp and his father Nicholas (whose promotion to Justice of the Peace allowed his son to assume the role of Constable in Lamar) sign this subpoena for Ira Bray of Hoover to testify in the case of Thomas Chapell vs Ben R. Yard.

\$4,000 - 6,000



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WYATT EARP SUMMONS FOR HARRISON DEAN, 1870.

EARP, WYATT. 1848-1929. Autograph Endorsement Signed ("W.S. Earp / Cons") on the verso of summons issued for John Dean and Harrison Dean, partially printed and accomplished in manuscript, 1 p, oblong 8vo, Lamar, September 28, 1870, signed by M. Pyle as Justice of the Peace, light creasing, toning, soiling.

Provenance: purchased by Jim and Theresa Earle from Howard L. Norton, Little Rock, AR, 1995.

In part: "I have served the within Subpoena upon the within named Harrison Dean by reading the same to them this Sept 28, 70 / W.S. Earp / Cons." Earp also includes a docket that lists his expenses of \$1. Dean was required to testify in the case of the State of Missouri vs. Eliza Willis,

\$4,000 - 6,000

169

RARE IMAGE OF WARREN EARP.

EARP, BAXTER WARREN. 1855-1900. Albumen print cabinet card portrait, 5 1/2 x 4 inches laid down to 6 1/4 by 4 1/8 inch board, 1870s, photographer's imprint at lower mount and verso ("Jos. Even / Peru, Ill"), mild fading, otherwise very fine.

Provenance: originally part of Adelia Earp Edwards album (inked note to verso); Earp historian Glenn Boyer; Emory Cantey; sold to Jim and Theresa Earle, Dallas, November 1980.

Warren was the youngest Earp brother; he did not participate in the OK Corral shoot-out, but came to Tombstone after Virgil was ambushed in December 1881. He was deputized by Wyatt, and took part in the Earp vendetta ride. This photo is the youngest known of Warren; he looks to be barely 20 years old, if that.

\$3,000 - 5,000



169

170

PRESCOTT-ERA VIRGIL EARP PHOTO.

Albumen print imperial cabinet card portrait, 5 3/8 x 3 3/4 inches laid down to 8 1/2 x 6 1/2 inch board, c.1878, photographer's imprint to lower mount ("Hamaker / Prescott / Arizona"), light spotting to image, darkening to lower right corner and wear.

Provenance: Alvira Earp; by descent to Hildreth McAdams Halliwell; Mariechen Demchak, Tombstone, Arizona, Summer, 1972; sold to Jim and Theresa Earle, November, 1977 (through agent Alvord E. Turner).

A handsome portrait of a young Virgil Earp taken during his 2 year stint in Prescott.

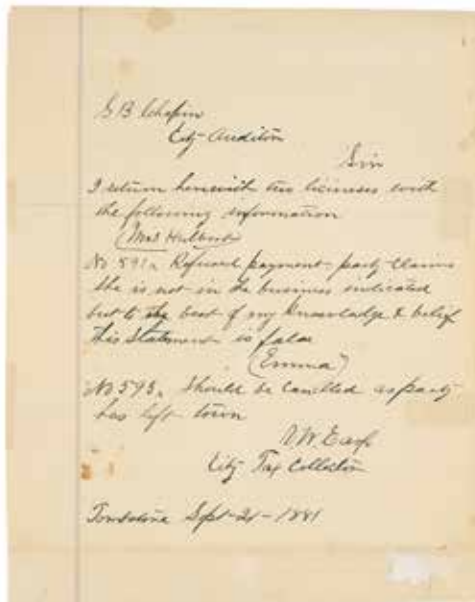
\$8,000 - 12,000



170



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VIRGIL EARP AND HIS NIECES.

FOWLER, EDWARD L., photographer. 1862-1940. *Alice Armstrong, Minnie Ridgeway, Virgil Earp* (titled in pencil on verso). Albumen print cabinet card portrait of Earp and two nieces, 5 1/2 x 3 7/8 inches laid down to 6 1/2 x 4 1/4 inch board, 1880s, photographer's imprint to lower mount ("Fowler ... Yates Centre"), minor fading, very fine.

Provenance: Alvira Earp; by descent to Hildreth McAdams Halliwell; Mariechen Demchak, Tombstone, Arizona, Summer, 1972; sold to Jim and Theresa Earle, November, 1977 (through agent Alvord E. Turner).

Rare image of Virgil Earp and nieces with a Yates Center, KS imprint. Photographer Edward Fowler opened studios in the midwest and California before settling in Evanston, Indiana in 1891.

\$4,000 - 6,000

172

VIRGIL EARP SIGNED LETTER REGARDING ALLEN STREET MADAMES.

Autograph Letter Signed ("V.W. Earp") to City Auditor S.B. Chapin regarding licenses for two Tombstone houses of "Ill Fame," 1 p, 237 x 186 mm, Tombstone, Sept 21, 1881, old folds, tape repairs, some staining.

WITH: Autograph note signed ("V.W. Earp") on a partially printed document signed ("John P. Clum"), being a City License for a Mrs. Hulbert on Allen St for a "House of Ill Fame," 114 x 195 mm, dated Sept 20, 1881, with Earp's autograph note: "Refused Payment / says she is living private, V.W. Earp / Tax collector" partially overwritten, and "Class 2" changed to "Class 14" at top, soiled with fading. *Provenance:* purchased from Walter Burks Autographs, August 11, 1990.

RARE VIRGIL EARP SIGNED LETTER TO TOMBSTONE CITY AUDITOR R.G. CHAPIN REGARDING HOUSES OF "ILL FAME." Earp returns two city licenses for brothels on the renowned Allen Street to Chapin (one present), giving the reasons, that "Mrs. Hulbert" claims not to be in the business (noted as "living private" on the returned license), and that an "Emma" has "left town." The north side of Allen Street was one of the most notorious streets in all of the Western annals. "The north side was Tombstone—bawdy, rowdy, humorous, tender, and tough. It was no place for a lady. It was drunk and disorderly. And it lives on in the American memory." It's also the site of the O.K. Corral where just a month after this letter, Virgil and his brother Wyatt Earp would kill Ike Clanton and the McLaury brothers in the most famous gunfight incident in western history.

The Tombstone City License for "Mrs. Hulbert" with Virgil Earp's autograph note on her refusal accompanies the lot, but has been overwritten by a later pen.

\$8,000 - 12,000



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173^B

TOMBSTONE CITY LICENSES.

2 items:

1. Document Signed of John P. Clum, partially printed and accomplished in manuscript, 1 p, oblong 12mo, Tombstone, Cochise Co., A.T., July 20, 1881, a city license for a barber shop run by Likkert and Peyser, cross-written in red ink by the City Tax Collector and dated July 28, 1818, light creasing and toning.

Provenance: purchased Walter Burks Autographs, August 11, 1990, Stanley, KS for \$1000.

Signed by Clum just four months prior to the O.K. Corral gunfight on October 26, which Clum witnessed.

2. Document Signed of Wm. D. Mummier(?), partially printed and accomplished in manuscript, 1 p, oblong 8vo, Tombstone, May 1, 1890, business license for J.C. Brown, merchant, with canceled stamp to center.

Rare examples of Tombstone city documents.

\$1,000 - 1,500

174

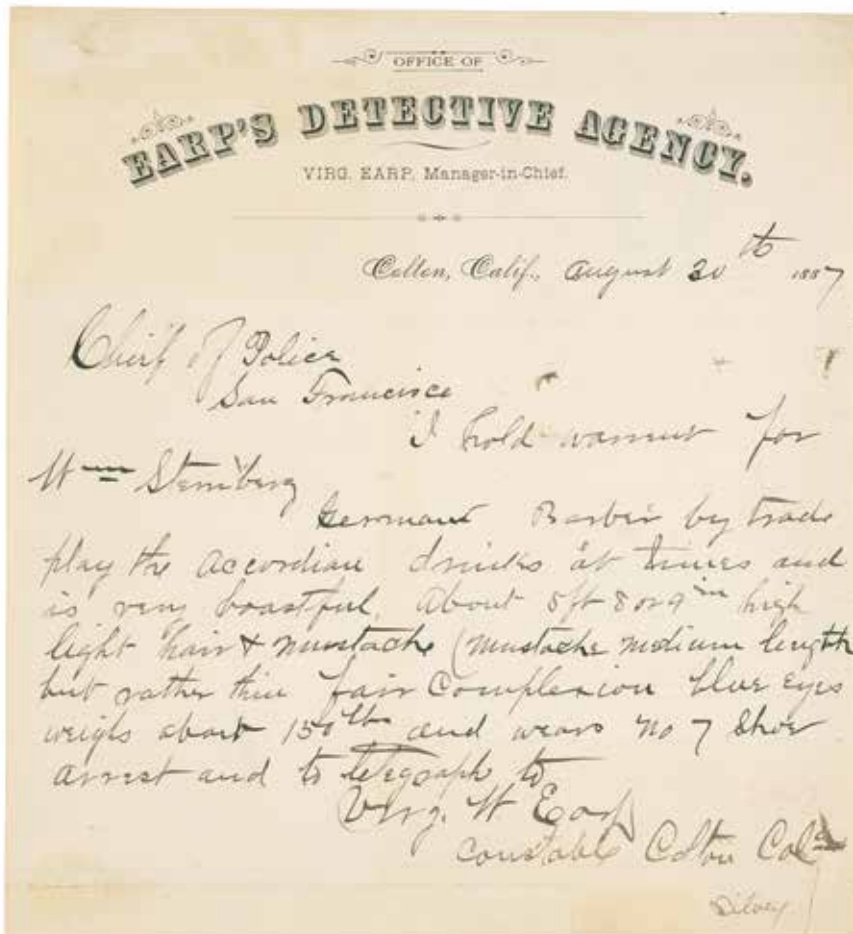
RARE VIRGIL EARP TINTYPE.

EARP, VIRGIL. 1843-1905. Tintype, 3 3/8 x 2 1/2 inches, full length standing portrait of Virgil Earp, after 1882, some light creasing to surface, lacking case.

Provenance: Alvira Earp; by descent to Hildreth McAdams Halliwell; Mariechen Demchak, Tombstone, Arizona, Summer, 1972; sold to Jim and Theresa Earle, November, 1977 (through agent Alvord E. Turner).

THE ONLY KNOWN IMAGE OF VIRGIL EARP SHOWING HIS INJURED ARM. In this tintype, an older Virgil stands with a cigar in one hand as the other arm hangs limp at his side. In 1881 his elbow was shattered beyond repair, reputedly by Johnny Ringo, in retribution for Virgil Earp's role in the OK Corral shoot-out. Mrs. William A. Demchak had been a close friend of Hildreth McAdams Halliwell, a great niece of Virgil Earp's wife, Alvira Sullivan Earp.

\$20,000 - 30,000



175

175

EARP'S DETECTIVE AGENCY.

Autograph Letter Signed ("Virg. W. Earp") to the San Francisco Chief of Police regarding a warrant for Wm Sternberg, 1 p, 212 x 204 mm, on Earp's Detective Agency letterhead, Colton, California, August 30th, 1887, stamped to the verso, and noted "Answ'd."

Provenance: Doug Johns, Johns Western Gallery, September 30, 2005.

"German Barber by trade, play the accordion, drinks at times and is very boastful..."

Virgil Earp established "Earp's Detective Agency" in 1886 in Colton, CA, and remained there until 1889. He had spent two years with his arm in a sling following the December 1881 attempt on his life in retribution for the OK Corral "gunfight." Although his arm would not fully recover, he still managed to lead an active life, was elected constable and then was elected city marshal of Colton in 1887. He writes to the San Francisco Chief of Police on Agency letterhead in pursuit of William Sternberg, with a droll description.

\$10,000 - 15,000

176

A VIRGIL EARP LETTER TO HIS WIFE ALLIE.

Autograph Letter Signed twice ("Virg") to his wife Allie, 2 pp, 252 x 200 mm, [Prescott, Arizona], "Monday night," [1901], old folds, with tears at the folds, some staining.

Provenance: Alvira Earp; by descent to Hildreth McAdams Halliwell; Mariechen Demchak, Tombstone, Arizona, Summer, 1972; sold to Jim and Theresa Earle, November, 1977 (through agent Alvord E. Turner).

VIRGIL EARP WRITES WITH NEWS OF THE FARM. In 1899, Virgil Earp and his wife Allie landed on 160 acres of homestead land in Kirkland, Arizona Territory. They raised chicken and cattle, and had cats. Earp wrote a series of letters to Allie, who in a bit of role reversal was away from the homestead in Spring 1901. His devotion is palpable.

Here he writes of purchasing hens and eggs from their neighbor Mrs. Nesbit and gives news of the farm, and neighbors. He signs "Your Loving Husband, Virg," before adding a post-script ("Tuesday Morning"), signed "As ever, Virg."

While Wyatt Earp walked away from the OK Corral the most well-known of the Earp brothers, it was Virgil Earp who had far more law enforcement experience. He met Alvira ("Allie") Sullivan in 1874, and they would remain together for the rest of his life.

\$8,000 - 12,000



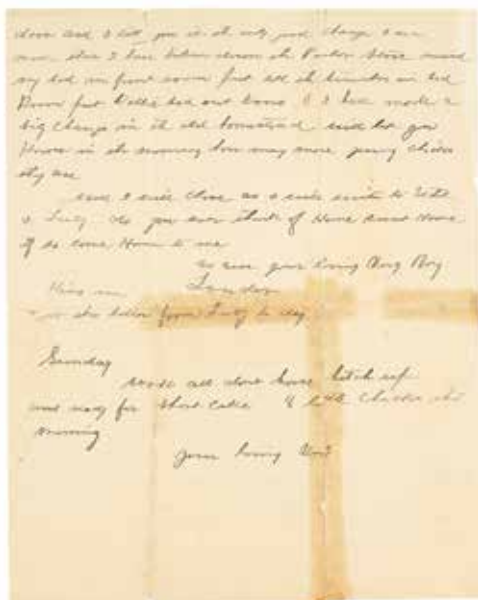
VIRGIL EARP LONGS FOR HIS WIFE TO COME HOME.

Provenance: Alvira Earp; by descent to Hildreth McAdams Halliwell; Mariechen Demchak, Tombstone, Arizona, Summer, 1972; sold to Jim and Theresa Earle, November, 1977 (through agent Alvord E. Turner).

RARE VIRGIL EARP LETTER PLEADING FOR HIS WIFE ALLIE TO RETURN HOME. For most of their lives, Virgil Earp would be gone from his wife Allie for periods of time, as he and his brothers fashioned their lives in law enforcement, mining, prospecting and many other pursuits. During the Spring of 1901, from the homestead at Kirkland, Allie left for a visit of her own, and her "loving Virg" wrote a string of love letters.

A rare, and touching letter, written from the other side of the domestic arrangement of a Western legend.

THE EARLY WEST: THE COLLECTION OF JIM AND THERESA EARLE | 107



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VIRGIL EARP TO ALLIE ON DOMESTIC LIFE.

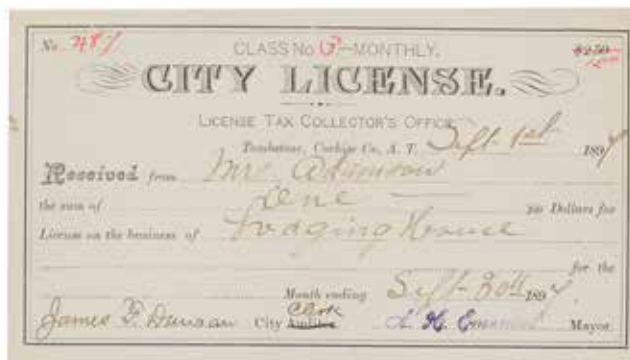
Partial Autograph Letter Signed ("Your Loving Virg Boy") to his wife Allie, 2 pp, the final leaf of a longer letter, 253 x 200 mm, [Kirkland, AZ, Spring, 1901], with post-script signed again ("Your loving Virg"), tears at folds, some repair.

Provenance: Alvira Earp; by descent to Hildreth McAdams Halliwell; Mariechen Demchak, Tombstone, Arizona, Summer, 1972; sold to Jim and Theresa Earle, November, 1977 (through agent Alvord E. Turner).

"Kiss me — Louder"

PART OF A SERIES OF LETTERS FROM VIRG TO HIS WIFE ALLIE ON DOMESTIC LIFE. Virgil Earp waits for Allie to return, noting how he has prepared the house for her arrival, and discusses lying in wait for some hawks that were stealing eggs from their hens, "I Loaded up the old gun and killed them both." This is the final leaf of a longer letter, and he closes "As ever your loving Virg boy... Kiss me Louder," with a short post-script from the next morning, "Your loving Virg."

\$4,000 - 6,000



179

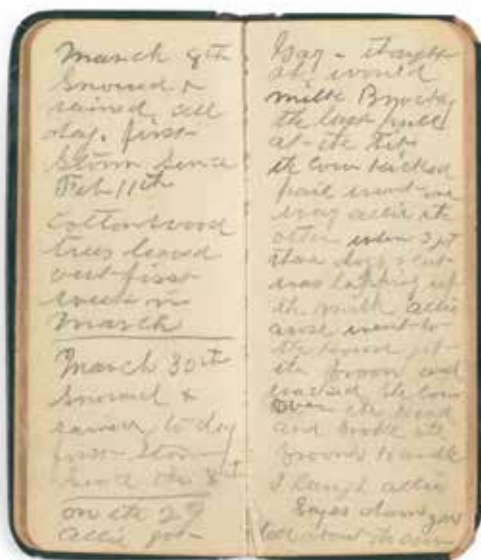
179

TOMBSTONE BUSINESS LICENSE FOR WHAT WOULD BECOME THE ROSE TREE INN.

Document with stamped signature of Mayor A.H. Emanuel, partially printed and accomplished in manuscript, 1 p, oblong 12mo, Tombstone, A.T., September 1, 1897, granting a city license to Mrs. Adamson for a Lodging House, endorsed on the back and noted "Delinquent" on September 30, 1897, light creasing and toning.

Amelia Adamson ran a lodging house in Tombstone for the Vizinia Mining Company. In 1885 she planted a rose tree, a gift from her friend Mary Gee, which flourished in the Arizona climate. Today that tree is the largest in the world, and the lodging house is famous as the Rose Tree Inn.

\$1,200 - 1,800



180

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VIRGIL EARP DIARY FOR 1899-1902.

Autograph manuscript signed integrally ("V.W. Earp") being Earp's diary at Kirkland, AZ, 48 pp written, 130 x 54 mm, earliest date September 18, 1899, to July 24, 1902, written sporadically, in leather notebook stamped in gilt, "Compliments of Farmers Exchange Bank, San Bernardino, Cal.," printed advertisements to endpapers, calendar for 1892, minor creasing at corners of leaves.

Provenance: Alvira Earp; by descent to Hildreth McAdams Halliwell; Mariechen Demchak, Tombstone, Arizona, Summer, 1972; sold to Jim and Theresa Earle, November, 1977 (through agent Alvord E. Turner).

"Allie ... thought she would milk Brocky the last pull at the tit the cow kicked, pail went one way Allie the other. when I got there dogs and cats were lapping up the milk. Allie arose went to the house got the broom and wacked the cow over the head and broke the broom. I laugh Allie says dam you tell about the cow."

VIRGIL EARP'S AUTOGRAPH DIARY, KIRKLAND, AZ, 1899-1900, providing sporadic accounts of life on the farm, weather reports, trips to Kirkland, as well as accounts, animals, and addresses and news for relatives, along with the humorous story above. A rare glimpse of Western ranch life through the eyes of the one of the West's legendary lawmen.

\$4,000 - 6,000

181

WYATT EARP LETTER TO WALTER NOBLE BURNS.

EARP, WYATT. 1848-1929. Typed Letter Signed ("Wyatt S. Earp") to Walter Noble Burns about his most recent Tombstone project, 1 p, 4to, Los Angeles, CA, May 24, 1927, paper clip stain to upper left corner, mild toning and creasing.

Provenance: purchased from Bob McCubbin, 1998, College Station, TX.

In 1926 Walter Noble Burns interviewed Wyatt Earp for his upcoming book, *Tombstone: an Iliad of the Southwest*. Earp was cagey, as he was at the time collaborating with John Flood on his own book. In March of 1927 Earp finally sent Burns a 12-page letter outlining his version of the events of the O.K. Corral, which Burns used liberally. When the project with Flood collapsed, Earp reached out to Burns's to see if he would partner with the former lawman, but Burns' work was near completion, and he declined. This letter dates from perhaps the moment Earp realizes how strongly Burns's book will compete with his own. In part: *"I believe, Mr. Burns, if you had communicated the idea of your story to me, after your second visit to Tombstone, last Fall, the present situation might have been avoided. Surely, I have only regret to express over the entire matter. Under the circumstances, however, there is no other position possible for me to assume...."* Burns's work was a runaway smash, and its mixture of fact and fiction burnished Earp's reputation, casting him as the hero of a Homeric epic.

\$3,000 - 5,000

182

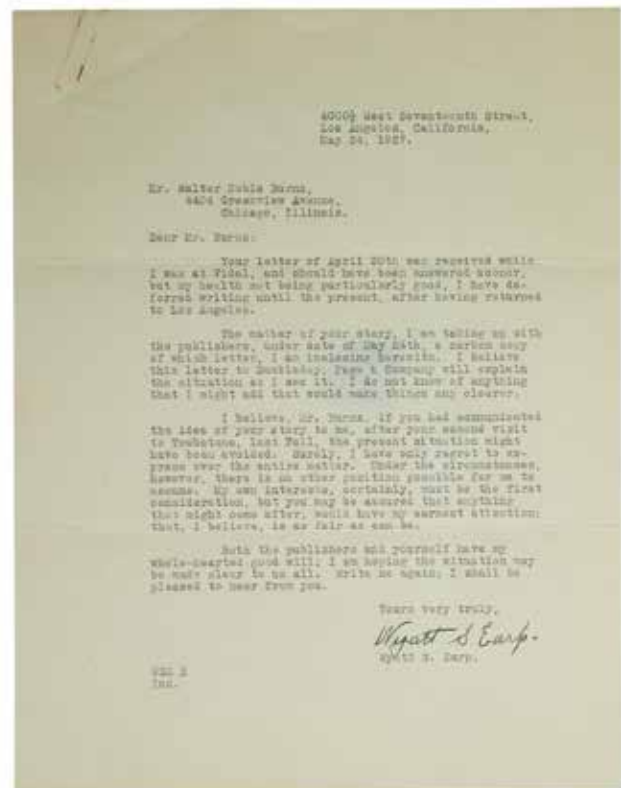
JOSEPHINE EARP CORRESPONDENCE.

EARP, JOSEPHINE. 1861-1944. Typed Letter Signed and Autograph Letter Signed ("Josephine Earp" and "Mrs. Earp"), to Wyatt Earp's co-author John Flood asking to see the manuscript, 3 pp recto and verso 4to and 8vo, Oakland and Virgil, CA, July 10 and November 10, 1925, with original transmittal envelopes, mild toning and thumbing. WITH: Undated holiday card from Josephine Earp to Mr. and Mrs. Harrison Leussler.

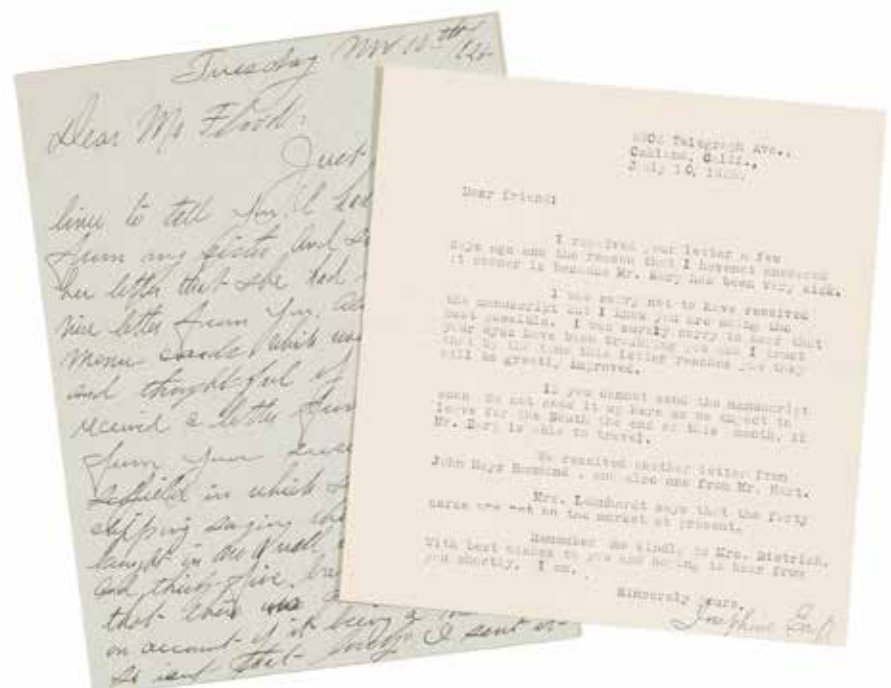
Provenance: Nate D. Sanders Auctions, Los Angeles, CA, December 7, 2011 (both letters); Harrison Leussler archive (holiday card).

Wyatt Earp's common-law wife Josephine, herself a mythical figure of the west, here writes to John Flood, a mining engineer who wrote the only authorized biography of Earp, but whose writing was so stilted and florid no publisher would accept it. When these letters were written, the Earps were eagerly awaiting a draft from Flood (mentioned in both letters); Josephine also sends news of Wyatt (from July): *"... Mr Earp has been very sick...."*

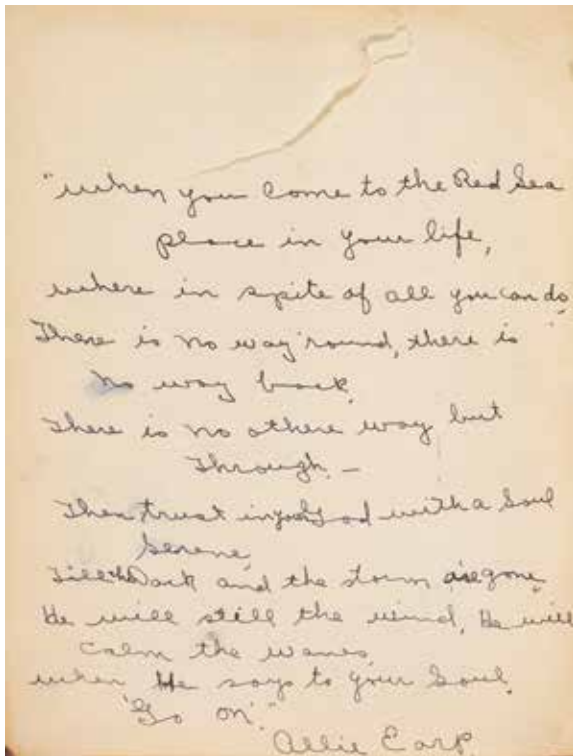
\$1,000 - 1,500



181



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ALLIE EARP'S PERSONAL BIBLE.

The New Testament.... London and New York: Samuel Bagster & Sons / James Pott and Company, n.d. 8vo (185 x 150 mm). Rebound in full black morocco. Pages toned and thumbbed, wear to preliminary leaves. Provenance: gift of Ida Field to Allie Earp (inscription on flyleaf); by descent to Hildreth McAdams Halliwell; Mariechen Demchak, Tombstone, Arizona, Summer, 1972; sold to Jim and Theresa Earle, November, 1977 (through agent Alvord E. Turner).

Allie Earp inscribes a poem on the last leaf: "When you come to the Red Sea place in your life, / where in spite of all you can do / There is no way 'round, there is no way back, / There is no other way but Through— / Then trust in your God with a Soul Serene, / Till the Dark and the storm are gone. / He will still the wind, He will calm the waves, / when he says to your Soul, 'Go on.' Allie Earp."

\$3,000 - 5,000



184

184^o

EARP FAMILY PHOTOS AND EPHEMERA.

A group of Earp family images including:

1. Albumen print candid photo of a man driving a horse drawn cart, identified by descendants as Virgil Earp, 3 1/2 x 3 1/2 inches laid down to 5 x 5 inch board, image faded.
2. Blue and tan grosgrain hatband, 23 1/2 x 2 inches, with hooks and label reading "The Wick / Adjustable Fancy Band / Phila," identified by descendants as having been owned by Virgil Earp.
3. 3 gelatin silver print photographs of Alvira Earp, c.1936, two 10 x 8 inches and one 4 1/2 x 2 3/4 inches. Mrs. Earp in her later years.

Provenance: Alvira Earp; by descent to Hildreth McAdams Halliwell; Mariechen Demchak, Tombstone, Arizona, Summer, 1972; sold to Jim and Theresa Earle, November, 1977 (through agent Alvord E. Turner).

These materials accompanied the Virgil Earp tintype and other materials purchased by Jim and Theresa Earle in 1977.

\$1,500 - 2,500



NEW MEXICO TERRITORY

185

PAT GARRETT IN HIS PRIME.

Albumen print cabinet card portrait, 5 5/8 x 4 inches laid down to 6 1/2 x 4 1/4 inches, photographer's imprint to lower mount "Furlong & Crispell / Las Vegas, NM," dated September 1881 on verso in a modern hand, small stain at lower margin, light dampstains to lower right mount, some light fading, but overall a fine image.

Provenance: by descent to Jarvis Garrett, Pat Garrett's son; sold to Calvin Moerbe of Round Rock, TX on July 24, 1978; sold to Jim and Theresa Earle, July 14, 1983 (notarized statement of Jarvis Garrett dated August 2, 1983).

Rare, handsome portrait of the 30-year old lawman, taken not long after he killed Billy the Kid.

\$4,000 - 6,000



186

Citation.
Sue E. Barber
I certify that I have
served this citation
on the within named
Sue E. Barber by
reading the same to her
at her residence on
the 24th day of March
A.D. 1881.
Patrick Floyd
Sheriff
J.H. Garrett
Judge

This citation was served on Sue E. Barber on the 24th day of March A.D. 1881 by Patrick Floyd Sheriff.

186

U.S. GEOLOGICAL SURVEY IN CAMP IN NEW MEXICO.

Anon. *Camp of the U.S. Geological Survey, Ft. Wingate, N.M. 1881.* Imperial panoramic albumen print photograph of the survey team in camp, 6 1/2 x 14 1/4 inches laid down to 9 3/4 x 15 inch board, titled in manuscript at lower mount and signed ("Compliments of Gilbert Thompson / Topographer, U.S.G.S."), some darkening to image at left and right margins, board toned and thumbbed.

A spectacular image of the Survey team in camp next to the river and beneath the only shade trees in the valley for miles. The horses and mules are corralled to the left and the tents and wagons are to the center and right.

\$600 - 900

187

PAT GARRETT SUBPOENA FOR SUE MCSWEEN.

GARRETT, PATRICK FLOYD. 1850-1908. Autograph Endorsement Signed ("Pat Garrett / Sheriff"), March 24, 1881, on the verso of a subpoena issued by the Probate Court of Lincoln County, New Mexico Territory ordering Mrs. Sue E. Barber to appear in the matter of the Estate of John Tunstall, 1 p, legal folio, March 19 and 24, 1881, leaf toned and thumbbed, two holes punched at upper margin, some separation at horizontal folds.

Provenance: purchased 1992, vendor unrecorded.

In the Probate Court
of the County of Lincoln and Territory
of New Mexico
Do the Master of the Estate of
John Tunstall
Decedent
Citation
To the Sheriff of Lincoln County
New Mexico
Now you hereby are directed to subpoena
Mrs. Sue E. Barber, Administratrix of the
Estate of John Tunstall, in the Court Room,
in the Town of Lordsburg, in
Lincoln County and Territory, on the 24th
day of March A.D. 1881 at 10 o'clock A.M. then
and there to read and explain to her the
contents and effect of the within
citation, and to bring her before the Court
at that time.
Witness the Hon. J.H. Garrett
Probate Judge of this County, with

In this document Garrett records that he has served a subpoena to Sue E. Barber (McSween) to appear in court over a matter regarding the Tunstall Estate. He writes: "I certify that I served the within citations on the within named Sue E. Barber by reading the same to her at her Residence on the 24th day of March ... 1881." he also lists expenses of \$1.50. Sue Barber is also Susan McSween, the wife and later widow of Alexander McSween, who worked for Tunstall. After both Tunstall and McSween were killed in the Lincoln County wars (McSween as he was attempting to surrender), she was destitute, and found work as the executor of the vast Tunstall estate. She unsuccessfully petitioned Governor Lew Wallace for amnesty for the Regulators, who had defended her and her husband, and pursued Tunstall's killers. Later she was gifted 500 head of cattle from John Chisum, which she turned into a thriving ranch, and would be called the "Cattle Queen of New Mexico."

\$2,000 - 3,000

188

BOB OLINGER'S COMMISSIONS AS DEPUTY MARSHAL.

[OLINGER, ROBERT. 1850-1881.] 2 items:

1. Autograph Letter Signed of A.J. Fountain, announcing Olinger's appointment as Deputy Marshal for Lincoln County, 1 p, 4to, Merilla, NM, April 3, 1880, leaf toned, separated at horizontal folds, tape remnants to verso. "I hope you will accept this appointment, and in that event suggest that you signify to the Marshal your acceptance at your earliest convenience...."
2. Document Signed of John Sherman Jr., U.S. Marshal, appointing Robert Olinger as Deputy Marshal for the Territory of New Mexico, 1 p, partially printed and accomplished in manuscript, 4to, Santa Fe, January 23, 1881, toned, weak at folds, small loss to upper center, tape remnants to verso of margins.



188

Bob Olinger was one of two deputies assigned to guard Billy the Kid after the latter's capture. On April 28, 1881, Olinger left the other guard on duty while he ate across the street. He heard a shot, and assumed that the Kid had been killed, when in fact, Bonney overwhelmed J.W. Bell, the other guard, and shot him. The Kid then took possession of Olinger's shotgun (see lot 9), which had been left behind at the jail, and reportedly greeted Olinger with a "Hello, Bob," before unloading both barrels into his chest, killing him.

\$2,000 - 3,000

189

RARE PHOTOGRAPH OF BOB OLINGER.

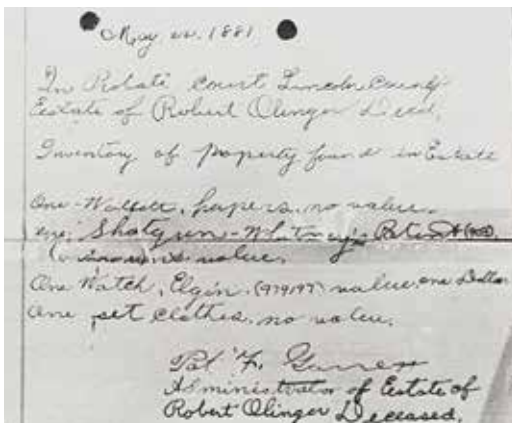
Albumen print cabinet card, 5 ½ by 4 inches laid down to 6 ½ x 4 ¼ inch board, of James J. Dolan (seated) and Olinger (standing) in a studio, imprint of Bennett & Brown, Photographers, Santa Fe, NM to verso, photo creased horizontally, stains to margins. *Provenance:* by descent to Bessie Dolan Chester, daughter of James J. Dolan; sold by Chester to Louis Ketring (inscription on verso dated April 29, 1972); sold to Bob McCubbin, c.1984; sold to Jim and Theresa Earle, 1995.

A very rare image of "Pecos Bob" Olinger, killed by Billy the Kid as he escaped from the Lincoln County Jail, in what would be the last gunfight for both.

\$2,000 - 3,000



189



Robert Olinger Probate Document, 1881.

190

BOB OLINGER'S POCKET WATCH.

Crafted in coin silver with a manual wind movement, case back with small dent inside engraved cartouche, engraved serial no. 979197 on the movement, inner case crudely hammered "R.O.," missing winding key, measures 2 1/4 x 3 1/4 in, dial and movement signed "G.M. Wheeler" and "Elgin, Ill.," case numbered #E416.

Provenance: listed in inventory of Robert Olinger, Decd, as "One Watch, Elgin (979197)" by Pat Garrett as administrator of estate (photocopy of probate document dated May 20, 1881); purchased by Jim and Theresa Earle from Robert E. McNellis of El Paso, TX, November 7, 1979.

OLINGER'S POCKET WATCH CARRIED WHEN SHOT BY BILLY THE KID, with a small dent to the rear case which could be attributed to buck shot. Bob Olinger's estate, as delineated by Sheriff Pat Garrett, was fairly meager: one wallet with papers, one shotgun (the Whitney Patent 903, see lot 9); a set of clothes, "no value," and this pocket watch, with works serial number 979197, valued by Garrett at one dollar.

\$6,000 - 9,000

191

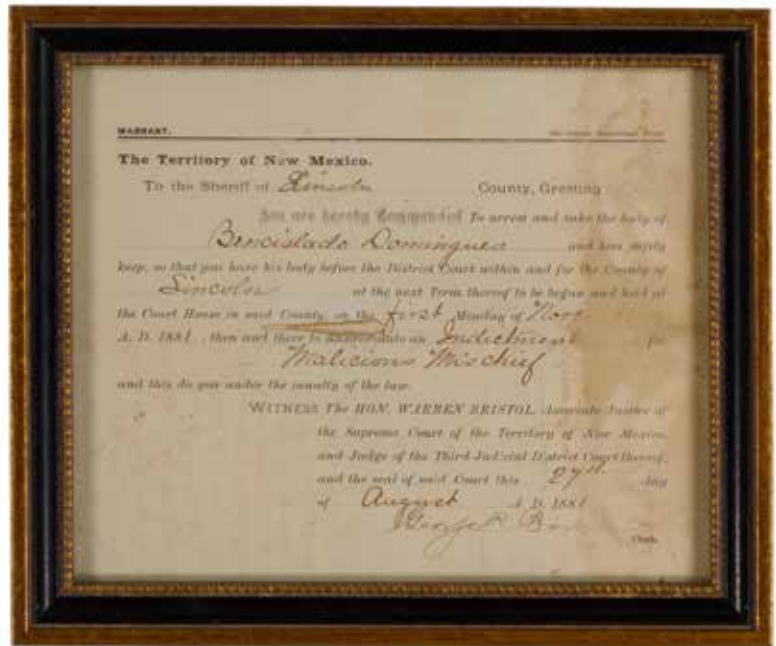
PAT GARRETT WARRANTS.

GARRETT, PATRICK FLOYD. 1850-1908.

3 Autograph Endorsements Signed ("P.F. Garrett / Sheriff"), executing warrants and subpoenas in Lincoln County, on the verso of 3 documents, each 1 p, oblong 8vo, Lincoln County, May 23, 1881 to August 30, 1881, with District Court blindstamp, some toning, August 27 document with dampstaining at left margin, framed individually.

The earliest and latest of these bear Garrett's note that the person named in the warrant of subpoena could not be found. On the August 27 warrant, he writes, "I do hereby certify that on the 26th day of September AD 1881 I executed the within write by arresting the body of the within named Bencislado Domingues who afterwards gave bonds in the sum of \$500," followed by a listing of his expenses. Domingues was due in court to answer an indictment for "malicious mischief."

\$3,000 - 5,000



191

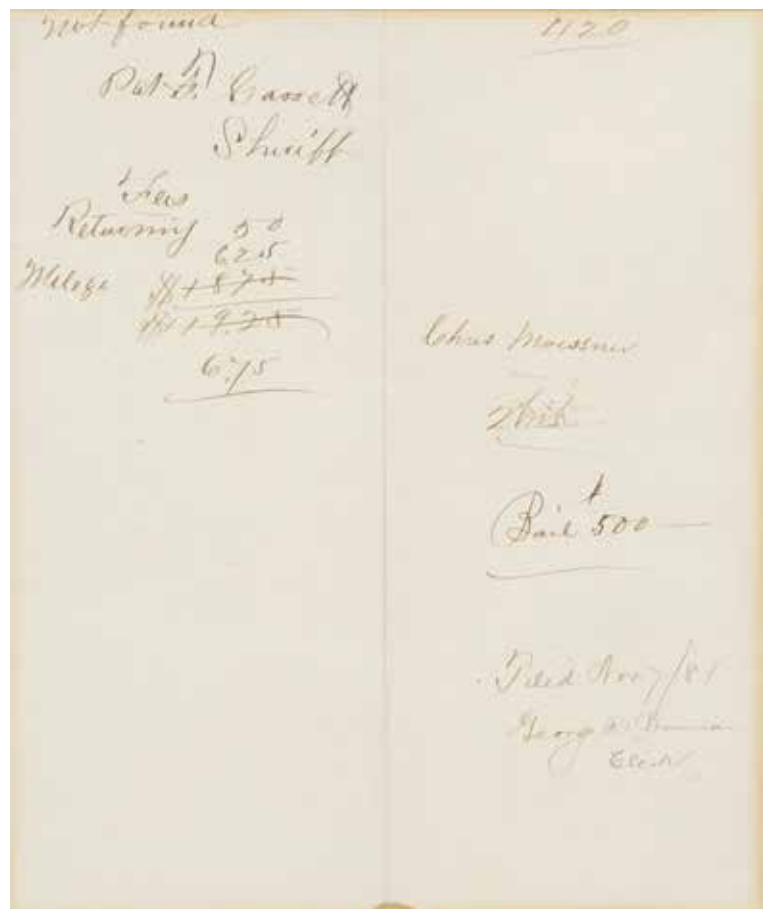
192

PAT GARRETT SIGNED WARRANT.

Autograph Endorsement Signed ("Pat F. Garrett / Sheriff"), on verso of a warrant issued for the arrest of Chris Moessner, partially printed and accomplished in manuscript, 1 p, oblong 8vo, Lincoln County, NE, August 29, 1881, with District Court blindstamp, lightly toned and creased.

Garrett annotates this warrant for Moessner, wanted for fraudulently selling cattle, as "Not found," and lists his expenses as \$6.75.

\$800 - 1,200



192



193

PAT GARRETT'S POCKET WATCH, GIFT OF THE CITY OF LINCOLN.

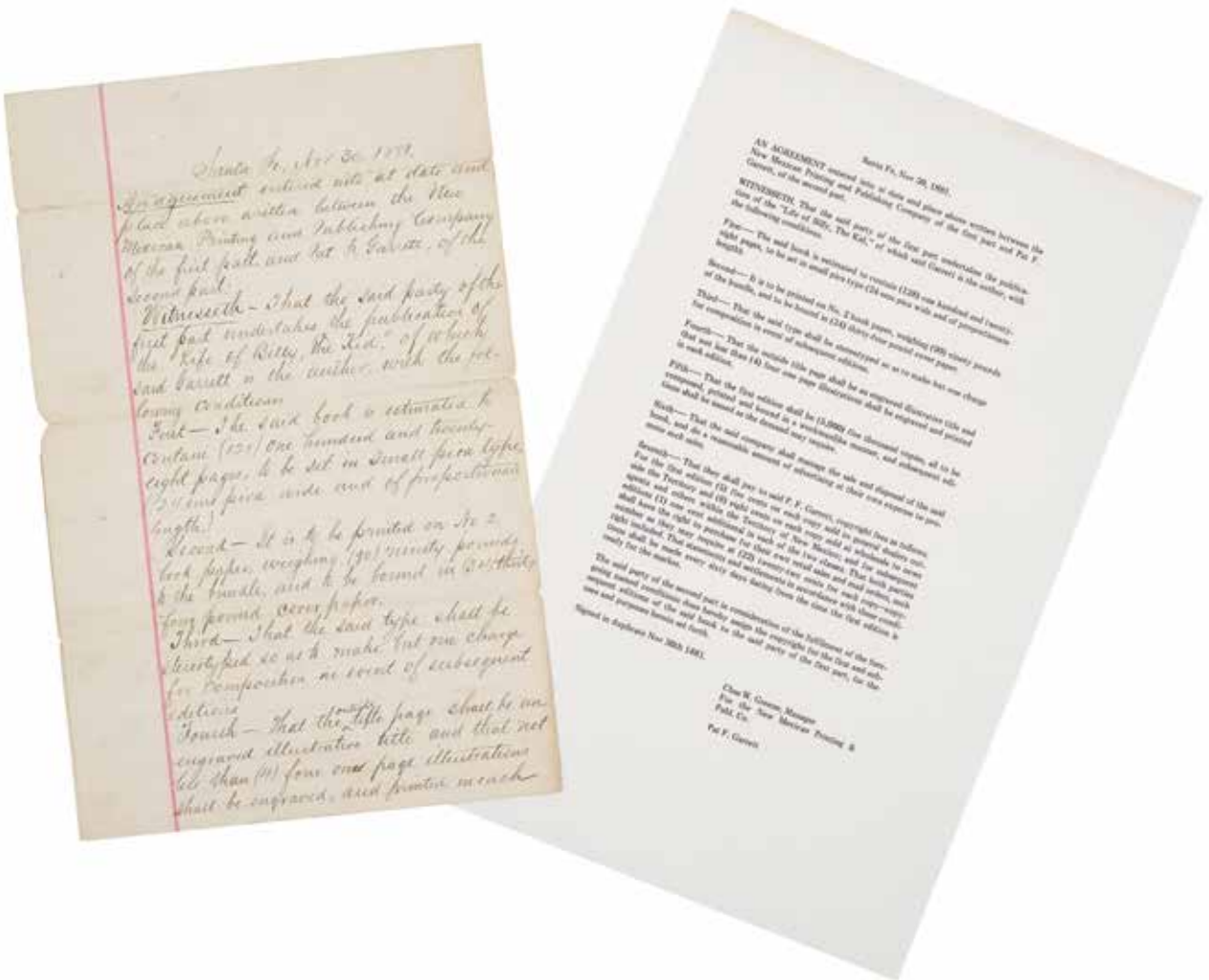
Designed with a gold case engraved in a floral motif with a reclining woman, fitted with a white enamel dial over a manual wind Elgin movement with sub-second function, measures 3 1/8 x 2 1/8 x 3/4in., signed Elgin, case numbered #501489, movement numbered #1056459. *Provenance:* The citizens of Lincoln, NE to Sheriff Pat Garrett, in grateful appreciation for "bringing an end to the career of the robber and murderer, William H. Bonney (Billy the Kid) in 1881"; Pat Garrett to Dr. Theodore P. Bailey in Austin, TX, 1895, in payment of a small debt (notarized statement for both); Dr. Bailey to Amasa J. Parker, Jr., of Albany, NY for \$300, August 3, 1915; acquired by antique dealer Ed. Duer, 1987, and consigned to Riba Mobley Auction Galleries of South Glastonbury, CT, November 7, 1987 (letter of Ed Duer dated March 25, 1988); sold at auction to Jim and Theresa Earle.

This remarkable pocket watch, with movement by Elgin and case by Dueber, was reputedly presented to legendary Sheriff Pat Garrett by the city of Lincoln for bringing Billy the Kid to justice. According to the 1915 statement accompanying the watch, Garrett presented it to Dr. Theodore P. Bailey in 1895 as payment for a small debt Garrett owed Bailey's father. The Bailey and Garrett families had known each other in Chambers County, Alabama, but it is not known what was the nature of the debt. In any case, Dr. Bailey kept the watch for 20 years before selling it to Amasa J. Parker, Jr., a New York state politician and the author of several books on criminal codes and legal proceedings. Parker, Jr., died in 1938, and it is not known who had the watch until 1987, when a picker brought it to Albany, NY antique dealer Ed Duer, who promptly consigned it to a small auction house in Connecticut, where it was purchased by Jim and Theresa Earle.

Documentation included with this lot includes Dr. Bailey's notarized statement from 1915; Ed Duer's letter from 1988; copies of Albany, NY directories from 1916 confirming that Dr. Bailey and Parker, Jr. were residents of the city during that period; biographies of Dr. Bailey and his father confirming both the Texas and Alabama connections.



\$30,000 - 50,000



194

PAT GARRETT'S CONTRACT FOR THE PUBLICATION OF THE 1881 BOOK, AUTHENTIC LIFE OF BILLY THE KID.

GARRETT, PATRICK FLOYD. 1850-1908. Document Signed ("Pat F. Garrett"), the agreement between Garrett and the New Mexican Printing and Publishing Company for the publication of his work, 3 pp recto and verso, legal folio (conjoined at upper margin), Santa Fe, NM, November 30, 1881, also signed by manager Chas. W. Greene, leaves creased horizontally and toned, some separation at creases. Provenance: purchased from Robert E. McNellis, El Paso, TX, 1978.

ORIGINAL SIGNED CONTRACT FOR THE MOST WELL KNOWN AND RAREST WORKS ON THE WILD WEST, AND THE CORNERSTONE OF THE BILLY THE KID LEGEND.

In part: "That the said party of the first part undertakes the publication of the 'Life of Billy, the Kid,' of which said Garrett is the author, with the following conditions...." The book is to have 120 pages set in small pica type, to be printed on number 2 book paper, stereotyped, and illustrated. The first edition shall be 5,000 copies, and the publisher shall manage the sale and distribution of the book. For this, Garrett is to be paid five cents per copy for the first edition and 8 cents per copy on each copy sold wholesale to news agents and others, with increases in subsequent editions. Garrett also has the right to buy copies to sell himself at a reduced rate. For this, he assigns his copyright to his publisher.

After Garrett shot William Bonney, known as "Billy the Kid," in a small New Mexico village, the press of the event portrayed Garrett in a negative light, inspiring him to write, with co-author Ash Upson, his own version of events. Garrett contracted with local Santa Fe publisher Charles W. Greene to produce *The Authentic Life of Billy the Kid* (the novel's final title) for the terms listed here. Greene was not up to the task of a national marketing campaign, however, and the book did not sell well, making the first edition one of the rarest titles in the old west canon. For decades Garrett's book was the primary source for the Billy the Kid legend, but recent scholarship has uncovered factual errors, particularly in the first part, likely written by itinerant journalist and Roswell postmaster Ash Upton. The second half of the book, likely written by Garrett in a more prosaic style, is generally considered to be accurate.

\$8,000 - 12,000



195



196

195

PAT GARRETT WARRANT FOR REGULATOR FRED WAITE.

GARRETT, PATRICK FLOYD. 1850-1908. Autograph Endorsement Signed ("Pat F. Garrett / Sheriff"), May 8, 1882, on verso of Lincoln County warrant for the arrest of Fred Waite, partially printed and accomplished in manuscript, 1 p, oblong 8vo, New Mexico, December 26, 1881, with blindstamp seal, light creasing, toning, mounting remnants to verso of upper margin.

"Territory of New Mexico / County of Lincoln / I hereby certify that after using due diligence that the within named Defendant has not been found." Fred Waite worked as a ranch hand for James Tunstall at the outset of the Lincoln County wars. When Tunstall was murdered during the course of hostilities, Waite joined the vigilante mob led by Billy the Kid called the Regulators, and also joined the gang in their criminal activities. He left the gang and returned home to the Chickasaw Nation before this warrant was issued, which may be why Garrett was not able to find him.

\$1,200 - 1,800

196

PAT GARRETT SIGNED WARRANT FOR REGULATOR BILLY WILSON.

GARRETT, PATRICK FLOYD. 1850-1908. Autograph Endorsement Signed ("Pat F. Garrett / Sheriff"), May 8, 1882, on the verso of a warrant for the arrest of "William Wilson" for Larceny, partially printed and accomplished in manuscript, 1 p, oblong 8vo, New Mexico, December 26, 1881, ordering Garrett to arrest William Wilson for Larceny, with blindstamp seal, light creasing, toning, small loss at corners. Provenance: purchased 1994, vendor unrecorded.



197

Garrett writes, "Territory of New Mexico / County of Lincoln: I hereby certify that the within named defendant was found in jail in Santa Fe, N.M. therefore the within writ has not been executed." His note is dated May 8, 1882, almost 6 months after the warrant was issued, and lists expenses for 100 miles of travel at 6.25 cents per mile. Billy Wilson, accomplice of Billy the Kid, called "William Wilson" in Garrett's *Authentic Life of Billy the Kid*, had been held in Santa Fe since late March 1881, when he was transferred there following the capture at Stinking Springs. In September 1882, he would escape from the Santa Fe Jail with three other prisoners, and make his way to Texas. Interestingly, Garrett would find him there in 1895 living under David L. Anderson, his real name, as a law abiding citizen, and in a nod to justice would help him arrange a Presidential pardon in 1896 (see lots 8 & 11).

\$1,200 - 1,800

197

PAT GARRETT'S TEXAS RANGER APPOINTMENT.

IRELAND, JOHN. 1827-1896. Document Signed ("Jno Ireland") as Governor of Texas, appointing Patrick F. Garrett as Lieutenant in the Frontier Battalion, partially printed and accomplished in manuscript, 1 p, folio, Austin, TX, March 10, 1884, also signed by J.W. PARRIS as Secretary of State, with engraved vignette and gold foil seal of the state, creased, toned, light stains at lower right, laid down to mount, framed. Provenance: by descent to Jarvis Garrett; sold by him to Calvin Moerbe of Austin, TX, 1978; purchased by Jim and Theresa Earle from Calvin Moerbe, 1983 (notarized statement of Jarvis Garrett dated April 20, 1983).

Garrett is here appointed as Lieutenant, or perhaps Major (the document mentions both ranks). The Frontier Battalion was organized in 1874, with 6 companies of 75 Texas Rangers each, with the goal of protecting the frontier from lawlessness. After the death of Billy the Kid, Pat Garrett left Lincoln County and moved to Texas, where he ran for office unsuccessfully and briefly joined the Texas Rangers.

\$4,000 - 6,000

198

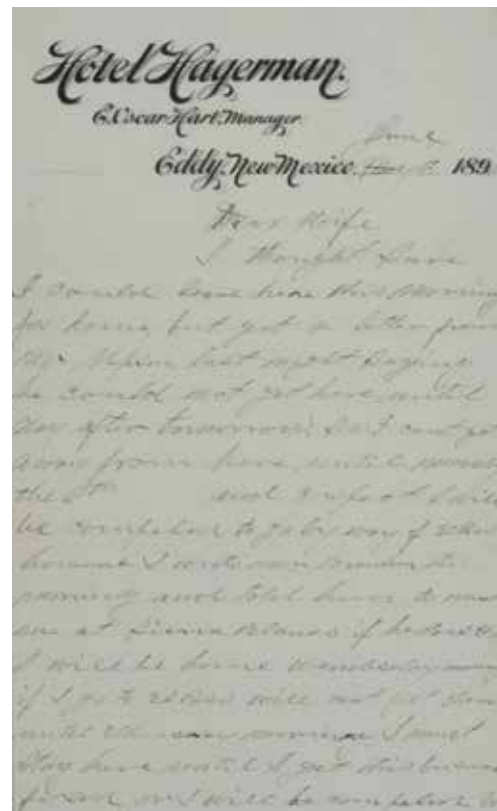
PAT GARRETT LETTER TO HIS WIFE.

GARRETT, PATRICK FLOYD. 1850-1908. Autograph Letter Signed ("P.F. Garrett"), to his wife, 2 pp recto and verso, 4to, Eddy, NM, June 3, 1892, on Hotel Hagerman stationery, light creasing and toning, otherwise fine.

Provenance: Purchased from Jim Smith Auctions, 1996.

"I DO THINK THIS THE MOST DISAGREEABLE PLACE I EVER SAW..." Garrett writes his wife from Eddy, NM where he is attending to business there and also in El Paso: "I must stay here until I get this business finished or I will be compelled to make another trip up here soon, which I hope to never do again. I have not felt well for several days. The water makes me sick. I do think this the most disagreeable place I ever saw. If you were here with me you would never want to live in N. Mex. again." He closes with, "Love to all, but most to my Baby."

\$1,500 - 2,500



198

199

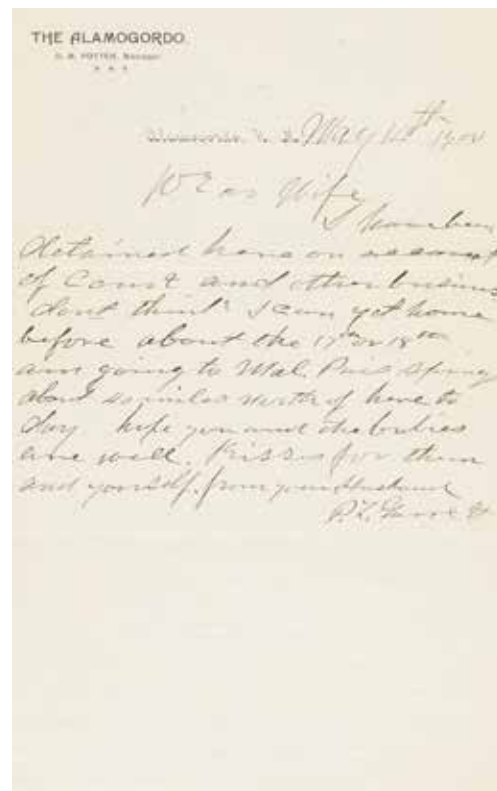
PAT GARRETT LETTER TO HIS WIFE.

GARRETT, PATRICK FLOYD. 1850-1908. Autograph Letter Signed ("P.F. Garrett"), to his wife explaining that he will be detained longer, 1 p, 8vo, Alamogordo, NM, May 14, 1900, on Alamogordo Hotel letterhead, on lined paper, light creasing and toning.

Provenance: purchased from Jim Smith Auctions, 1988.

In full: "Dear Wife / I have been detained here on account of Court and other business don't think I can get home before about the 17th or 18th am going to Mal Pais Springs about 40 miles north of here to day. Hope you and the babies are well. Kisses for them and yourself, from your Husband."

\$1,000 - 2,000



199



200

LINCOLN COUNTY WARS.

A large group of documents and photographs relating to participants in the Lincoln County Wars, including: BELL, JAMES W. Document Signed, bail bond for DAN DETRICK

[DEDRICK], signed by Bell for Pat F. Garrett, February, 8, 1881. Bell was the deputy killed during Billy the Kid's April 28 escape; Dedrick was Kid's friend, and was given the only surviving tintype of Billy the Kid (sold by his descendants in 2011).

BRADY, WILLIAM. Document Signed, resignation letter as executor of the Emil Fritz estate, 1 p, legal folio, Lincoln Co., July 1876. MILLER, J.B. Writ, May 29, 1893, mentioning Miller, the man who killed Pat Garrett.

BRENT, JAMES R. Subpoena signed on behalf of James R. Brent, August 31, 1889, signed by him 11 May 1885; bill for supplies signed September 10, 1887;

BREWER, RICHARD M. Promissory note signed December 1877; signature on promissory note to McSween, October 18, 1877; listing of chattel property in Brewer's estate, December 12, 1878;

BRISTOL, JUDGE. ALS concerning bond for George T. Beall, September 20, 1883;

CHISUM, JOHN. Summons for Chisum to appear in court, October 20, 1877;

COPELAND, JOHN. Warrant for the arrest of Samuel Corbet, April 23, 1878; warrant signed, April 23 1878;

COE, FRANK B. ALS to Henry F. Hoyt, author of Frontier Doctor, 3 pp, Jan 13, 1930

DOLAN, JAMES. ALS of George Curry to James Dolan, December 28, 1889; DS, receipt for Emil Fritz's Stock Assn dues, May 21, 1886; check signed, December 21, 1895; DS, property return, June 5, 1893; receipt August 29, 1877; ADS, n.d., listing cattle transactions; ledger page from General Merchandise store, July 7, 1888.

EVANS, JESSE. AMS, asking for a delay of his court appearance until the next session, 2 pp, legal folio, Pecos County, October 11, 1880; summons to appear at a grand jury, April 26, 1879;

FALL, ALBERT F. Promissory note dated July 12, 1894; ALS as US Senator, May 31, 1916;

FOUNTAIN, A.J. Stock certificate signed, January 29, 1883 (3); signed affidavit September 5, 1872, as attorney;

FRITZ, EMIL. DS, November 20, 1871; brand certificate signed, April 13, 1899;

GAUSS, GODFREY. DS, 4 pp bill presented to the Chas. Fritz estate, March 1, 1886;

LEA, J.S. Subpoena executed by Pat Garrett but signed by Lea, Jan 13, 1882, for JOHN W. POE, GEORGE W. PEPPIN, JOHN HURLEY,

CHARLES JERENGO [SIRINGO?], ANLONZO CHAUBERD, prominent players in the Lincoln County Wars.

MCSWEEN, ALEX. ALS to Chas Fritz concerning legal matters, January 1, 1877;

with November 18, 1879 subpoena for Sue McSween;

MURPHY, LAWRENCE G. Check signed, July 20, 1874;

OLINGER, WALLACE. Warrant for his arrest, May 23, 1879;

OTERO, MIGUEL A. TLS and SP, Feb 21, 1931; TLS, April 12, 1899;

PEPPIN, GEORGE. DS on probate form, May 8, 1894;

PETERSEN, WESTY. 3 signed checks, 1887-88.

POE, JOHN W. Bond signed, December 20, 1879; warrant signed, June 6, 1880; summons, May 14, 1883; DS, December 16, 1883;

RILEY, JOHN H. Document Signed, promissory note, June 21, 1893; warrant for Louis Joy, signed May 25, 1894;

RYNERSON, W.L. DS, charge against Robert A. Weideman, April 1878; ALS, March 30, 1876; als, August 12, 1876;

SELMAN, JOHN, attrib. Warrant for the arrest of John Gunther (an alias of Selman) for murder, January 13, 1881;

UPSON, ASH. Petition to the Dept of Indian Affairs for payment, May 4, 1882; DS, warranty deed transferring property of J.C. Lea and C.D. Bonney; Upson's appointment as Notary Public;

WALLACE, LEW. ALS, December 17, 1900, waterstained; catalog, contents of his study; WHITEHILL, H.H. Signed fee bill, n.d.

VOLUME 2:

Cassette tape recording of interview with Jarvis Garrett, May 26, 1987;

Group of photographs of NMMI cadets, c. 1910; BONNEY, WILLIAM. Albumen print CDV

portrait, with photographer's imprint to verso ("Henry Schaefer, / ... Baltimore"), identified as "Wm Bonney" in pencil to upper corner, used by Jim Earle as the cover of his book, *The Capture of Billy the Kid*.

COE, GEORGE. Gelatin silver print phot, 5 x 7 inches, c.1930.

JAMES DOLAN (cabinet card, signed); JIM EAST (cabinet card); LEW WALLACE (CDV); GARRETT, PAT. Warranty deed issued to Garrett, July 1, 1889; warrant signed secretarially, September 2, 1898; expense account signed secretarially, February 9, 1898; bill submitted to Garrett for expenses of jailing a prisoner, October 3, 1898; bill for Pat Garrett, December 1, 1898; another bill, 1899; warrant signed secretarially, November 25, 1899; warrant signed December 15, 1898.

\$6,000 - 9,000

201^o

BILLY THE KID COUNTRY.

ANONYMOUS, photographer. A group of 73 gelatin silver print photographs of various locales in New Mexico, each 4 1/2 x 2 3/4 inches, May 1927, showing various scenes in and around the area in which Billy the Kid was captured and killed, all carefully annotated in pencil on the verso by the photographer, mild oxidation, otherwise fine.

The photographer who took these photos was very careful about identifying each image, but neglected to give his own name beyond a "me." Nonetheless, these are crisp, compelling images of the area in and around Blazer's Mill taken in May of 1927, when, according to the pictures, little modernization had yet arrived in the desert. Present here are images of the graves of Pat Garrett, Peter Maxwell, and Billy the Kid; views of Blazer's Mill, Pueblo de Taos, and Benzer House; the courthouse where Billy the Kid was condemned; the old Murphy Store where Bonney was briefly jailed and from whence he shot Olinger for the second time; the old town of Mesilla; and the stone fortress of Lincoln, NM. Also present is a picture of the photographer Allen Erwin, with George Coe.



201

\$700 - 900

202

THE CAPTURE OF BILLY THE KID.

BOUSMAN, LOUIS. 1858-1942. 3 items:

1. Typed Manuscript, "Reminiscences of Louis Bousman," 8 pp, 4to, Wichita Falls, TX, September 7, 1934, stapled at upper margin and housed in blue legal wrappers, being Bousman's personal narrative of his participation in the posse that captured Billy the Kid at Stinking Springs, NM in 1880. Concluding paragraph of the narrative reads: "*I am at the present time the guest of the State Theatre at Wichita Falls, and Mr. W.S. Waid, the manager, during the showing of the film 'Billy the Kid.' Mr. Waid has on display in the lobby of the Theatre a Winchester Rifle which belongs to Mr. B.P. Schwend of Henrietta, Texas, which gun to the best of my knowledge and belief, we took from Billy the Kid the time we captured him at Stinking Springs. I remember the gun very well, and am quite sure that it belonged to the Kid.*"

Provenance: purchased Jim Curry, Sulphur Springs, TX, 1990.

2. Document Signed ("L. Bousman"), his oath of office as Constable, partially printed and accomplished in manuscript, 2 pp recto and verso, Oldham County, Texas, December 26, 1882, with county seal, creased, lightly thumbled.

Provenance: Signature House, Bridgeport, WV, January 7, 2000.

3. Warrant for the arrest of Bousman and three others, partially printed and accomplished in manuscript, 2 pp recto and verso, 4to, Tascosa, Oldham County, March 21, 1886, some smudging to ink, paper toned. Warrant issued for Bousman's arrest after the Big Fight at the Jenkins Saloon.



202

\$800 - 1,200

203^o

"BILLY WILSON" A.K.A. DAVID L. ANDERSON. 1862-1918.

Document Signed ("D.L. Anderson") as Sheriff, subpoena for Esiquio Gonzales, 1 p, partially printed and accomplished in manuscript, Terrell County, TX, October 18, 1915, light creasing and toning.

Provenance: purchased Bob Raynor's Signature House Auction, Graham NC, November 6, 2003.

Anderson went by the name "Billy Wilson" when he rode with Billy the Kid in New Mexico. He was captured along with the Kid at Stinking Springs in December of 1880 by Pat Garrett and posse. He escaped from jail in Santa Fe, returned to Uvalde, and married and raised a family, assuming his given name. In a remarkable turn, Pat Garrett found him there in 1895 and helped him get a Presidential pardon in 1896. Anderson later became the Sheriff of Terrell County, where he was killed in the line of duty in 1918.



203



\$600 - 800



204



205



206

204

HENRY BROWN ON BOTH SIDES OF THE LAW.

BROWN, HENRY N. 1847-1884.

1. Warrant for the arrest of Henry Brown for murder, partially printed and accomplished in manuscript, 1 p, 8vo, Lincoln County, March 10, 1878, endorsed on the verso by Sheriff George Kimbrell on February 1, 1879 indicating he has not located Brown, light creasing and toning, likely for the murder of Sheriff Brady and his deputy.
 2. Document Signed ("H.N. Brown") as Deputy Sheriff, on verso of warrant for the arrest of McDean for the crime of discharging a six-shooter in public, 1 p, legal folio, Tascosa, TX, October 18, 1881, also signed by M. Armstrong as Justice of the Peace, light creasing and toning. The note on the verso indicates that Brown was able to deliver the warrant.
 3. Document Signed ("H.N. Brown") as Deputy Sheriff, on the verso of a warrant for the arrest of Antonio Manzanores for the crime of disturbing the peace, 1 p, legal folio, Tascosa, TX, January 10, 1882, light creasing and toning, some writing obscured above endorsement.
- WITH: A warrant for John S. Chisum signed by the Sheriff of Dona Ana County, NM.

Brown was both an outlaw and a lawman in his brief Old West career. He first surfaced in New Mexico territory during the Lincoln County War, joining Billy the Kid as one of "The Regulators." Later he arrived in Caldwell, KS and was appointed Marshal for the city, where he and others led the efforts to bring law and order to the town. He was successful until he began to have money troubles, leading Brown and his assistant Ben Wheeler to stage a robbery of the Medicine Valley Bank, for which he was captured and lynched.

\$800 - 1,200

205^a

TINTYPE PORTRAIT ATTRIBUTED TO JESSE EVANS AND TWO OTHERS.

Quarter plate tintype, 3 x 2 inches, studio portrait of three men, two seated and a third standing center rear, some abrasion to surface at corners, matted and framed to 6 1/2 x 4 1/2 inches.

A note framed with the image identifies the man at the left as Evans. Jesse Evans led his own gang from 1876-1880, working for the Murphy-Dolan faction, and took part in the murder of John Tunstall. Although Billy the Kid would find lasting fame for his role in the affair, many say that it was Evans who was the most feared. Evans may have been the killer of John Henry Tunstall.

\$800 - 1,200

206^a

THE COWBOY CHRONICLER.

RHODES, EUGENE MANLOVE. 1869-1934. 22 Autograph Letters Signed and 3 Typed Letters Signed ("Gene Rhodes") to Harrison Leussler of Houghton Mifflin, 54 pp, 4to, Three Rivers, NM, most undated but c.1927, regarding literary projects and mutual friends; WITH: Photograph Signed of Gene Rhodes, 8 x 10 inch gelatin silver print of Rhodes in cowboy hat standing among rocks, plus 3 snapshots of Rhodes and his NM property. AND WITH: other correspondence to Harrison Leussler from other Western writers, including E.A. Brinninstool, Mary Austin, Henry Hoyt, Maurice Fulton, and others; with an 8 x 10 inch photo of Chief Standing Bear, likely with Leussler.

Harrison Leussler was an editor at Houghton Mifflin specializing in Western literature and authors. He enjoyed a long relationship with author Rhodes, covered in these letters. Jim and Theresa Earle bought many of his papers from his widow Margaret in 1978.

\$800 - 1,200



207



208

TEXAS

207^D

HAYS, JOHN COFFEY. 1817-1883.

2 items:

1. Albumen print *carte-de-visite*, 2 1/2 x 4 inches, seated portrait of Hays, photographer's imprint to verso ("E & H.T. Anthony / 501 Broadway, New York"), identified in ink on the verso ("Col. Jack Hayes [sic] / Scout & writer"), mild oxidation, otherwise fine.

Provenance: purchased Dallas, 1979, vendor unrecorded.

2. Document Signed ("John C. Hays / Sheriff"), recording the sale of a property seized for nonpayment of taxes, partially printed and accomplished in manuscript, 1 p, legal folio, San Francisco, April 26, 1952, on blue paper, leaf creased, mildly toned, rough at left margin.

A photograph and a gold rush era document from Hays, the father of the Texas Rangers. Hays first came to Texas in 1836 in support of Sam Houston and the Texas Revolution, where he was appointed as Texas Ranger, and went on to define the Ranger tradition alongside Samuel H. Walker, Rip Ford and Ben McCullough.

\$1,000 - 1,500

208

CABINET CARD OF BIG FOOT WALLACE.

WALLACE, WILLIAM A.A. 1817-1899. Albumen print cabinet card portrait, 5 3/4 x 4 inches laid down to 6 1/2 x 4 1/4 inch board, c.1900, lacking photographer's imprint but with "Life of ... Big Foot Wallace" to verso, some thumbing to mount.

Big Foot Wallace came to Texas in 1837 after a cousin was killed at Goliad. He participated in the Battle of Salado Creek, the Battle of Hondo, and the Mier Expedition. He was also at the Battle of Monterrey during the Mexican-American War, and was later a member of John Coffee Hays's Texas Rangers. He was fictionalized in Larry McMurtry's *Dead Man's Walk*, the fictional Wallace ultimately drawing a "black bean" in the famous "Black Bean" incident (in real life Wallace drew a white bean, and survived).

\$1,200 - 1,800



209



210

209^o

TEXAS RANGER IRA LONG'S COMMISSION.

COKE, RICHARD, Governor of Texas. 1829-1897. Document Signed ("Richard Coke") appointing Ira Long as Lieutenant in the Frontier Battalion, partially printed and accomplished in manuscript, 1 p, folio, Austin, TX, September 6, 1875, with engraved vignettes and gold state seal, sheet toned, laid down to board. Ira Long (1842-1913) was commissioned as a Lieutenant but soon promoted to Captain. He served alongside early Ranger John B. Jones.

WITH: 4 Texas state land grants, one signed by Coke and three by Lawrence Sullivan Ross, all granting parcels of land in Polk County, August 1, 1876 to February 17, 1889.

\$500 - 700

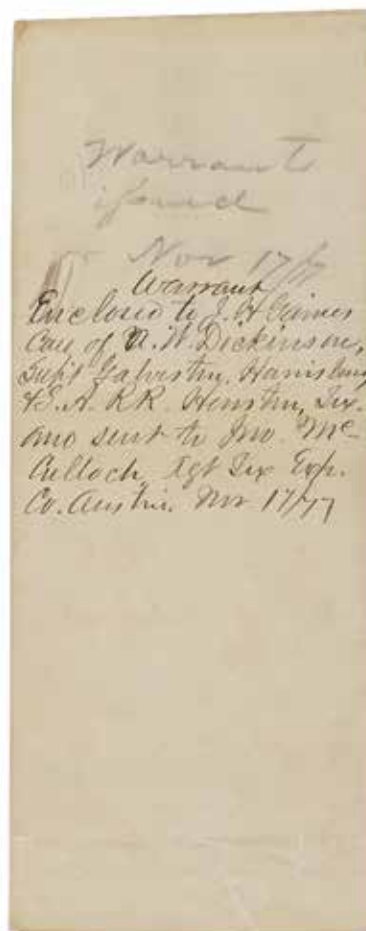
210^o

MENGER HOTEL, SAN ANTONIO.

Hotel registers for Menger Hotel, San Antonio, 2 folio albums, November 1, 1874-July 30, 1878 and July 17, 1880-August 5, 1881, the earlier album printed by James T. Hair of Chicago, the later by M. Strickland of Galveston, each page recording the name and room number of guests staying at the hotel, both volumes featuring engraved borders of local advertisements and printed blotting papers also featuring local businesses; toning, some loss to blotting papers, spines cocked. Provenance: purchased from Bob Dale, San Antonio, c.1987.

A vivid history of San Antonio at the opening of the railway. Most early visitors are from Texas, but as time goes on, we see names from New Orleans, Baltimore, and other further flung regions. Jim Earle's notes tell us that the names of Texas Rangers and Captain King of King Ranch appear among the pages.

\$800 - 1,200



211

211

THE PURSUIT OF SAM BASS.

GARBER, SILAS, Governor of Nebraska. Document Signed ("Silas Garber"), warrant for the arrest of Sam Bass and two others for robbery, partially printed and accomplished in manuscript, 1 p, legal folio, Nebraska, November 11, 1877, with engraved vignette, gold seal and purple ribbon, some offset from ribbon, creasing. WITH: ALS of E.M. Morseman, Superintendent of Union Pacific Railroad, transmitting the above warrant to the Governor of Texas, 1 p, 4to, Omaha, NE, November 12, 1877, on Union Pacific Letterhead, light creasing and toning. AND WITH: 6 other documents, including 5 telegram transcriptions between law enforcement in Austin and San Antonio, relating to the paperwork regarding the pursuit of Sam Bass.

In 1877 Sam Bass and his gang began robbing stagecoaches and trains. They literally struck gold when on September 18, 1877, they held up the Union Pacific Railroad gold train, making off with \$60,000 (\$1.5 million in today's money). Bass took off for Texas, where he continued to successfully rob stagecoaches until Texas Ranger George Herold caught up with him in 1878, killing him in a shootout (see lot 5).

This series of documents includes the warrant for the arrest of Bass, Thomas Nixon, and Jack Davis for their part in the Union Pacific robbery, along with the letter from the Union Pacific Railroad superintendent sending the warrant with great urgency to the Governor of Texas, in the hopes of capturing Bass and his gang.

\$2,000 - 3,000

212^D

THE MAN WHO KILLED SAM BASS.

HEROLD, GEORGE. 1860-1917. A collection of photos and documents relating to the Texas Ranger credited with firing the shot that killed outlaw Sam Bass, including:

1. Albumen print cabinet card photograph of Herold in policeman's uniform, c.1890, 5 1/2 x 4 inches laid down to 6 3/4 x 5 inch board, no photographer's imprint.
 2. 6 documents relating to an 1893 charge of assault against Herold: a bond for his appearance, August 11, signed by John Selman; another bond with the same date; a deposition dated August 14 by Juan Gamboa stating that Herold did not strike the witness; a complaint by Herold accusing Juan Franco of impersonating an officer, August 14; a motion by Herold for a new trial, August 14; an order for Herold to be jailed, August 23.
- WITH: a CDV portrait of another early Texas Ranger, Vernon C. Wilson; and a gelatin silver print photo of Ranger J.B. Gillette and the much younger Frank Hamer discussing the Sam Bass case.

Interesting collection of documents, including the grouping that indicates Herold had his own brush with the law after roughing up a witness (and possibly, a fellow officer).

\$1,000 - 2,000

213^D

FISHER, JOHN KING. 1853-1884.

3 items:

1. Document Signed ("King Fisher Depy"), bail bond for Frenchy accused of "Exhibiting Monte," 1 p, legal folio, Uvaldi, TX, February 18, 1884, light creasing and toning.
 2. Document Signed ("King Fisher Depy"), bail bond for Lee Guthrie accused of "Exhibiting Monte," 1 p, legal folio, Uvaldi, TX, February 23, 1884, light creasing and toning.
- Provenance:* items 1 and 2 purchased from Howard Norton, Austin, TX, 1998.
3. Document Signed secretarially, warrant for the arrest of Ruf Nimino for the charge of "unlawfully keeping & exhibiting a gaming bank called monte," 1 p, 8vo, Uvalde, February 27, 1884, light creasing and toning.
- Provenance:* Bob Raynor's Signature House Auction, November 6, 2003.

The feared Texas gunslinger turned lawman cracks down on gambling just a month before he was killed in an ambush with Ben Thompson.

\$600 - 800

214

JOHNNY RINGO'S FAMILY IN WORDS AND IMAGES.

A collection of manuscripts and photographs relating to the immediate family of outlaw Johnny Ringo:

1. RINGO, MARY. Autograph Manuscript Signed ("Mary Ringo") in pencil, an overland journal of the Ringo family's migration from Missouri to California, 72 pp recto and verso, 12mo, May 18 to October 7, 1864, housed in brown leather journal with tab, some smudging to pages, spine broken, wear to album. Includes the report of the accidental death of Johnny Ringo's father from a gunshot wound to the head. From Saturday, July 30: "*And now Oh God comes the sadest record of my life for this day my husband accidentally shot him self and was buried by the wayside and oh my heart is breaking if I had no children how glad would I lay me down with my dead, but now I pray for strength to rais our precious children and oh may no one ever suffer the anguish that is breaking my heart....*"
2. Pocket photo album with CDV portraits identified as Mary Ringo, Albert Ringo (Johnny's brother) and Aunt Martha (Mary Ringo's twin), as well as a calling card for Mrs. Frank M. Jackson, in black leather tabbed album, stains to upper margins (bloodstains?).
3. 2 19th century playing cards used as targets, each 2 3/4 x 4 inches, heavily thumbbed.



212



213



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4. Photography, including cased images of Ringo's grandfather JOHN PETERS (daguerreotype) and sister Fanny (ambrotype); albumen print cabinet card images of FANNY RINGO (3); MATTIE RINGO CUSHING, FRANK M. JACKSON (Fanny's husband), GERTIE SCOTT, SAM MATTHEWS, THE JACKSON FAMILY HOMESTEAD AND RANCH, and an imperial albumen print of "Cowboys going to dinner" and cowboys on horseback. With other miscellaneous images of more distant relatives.

Provenance: Fanny Ringo; by descent to Frank Ringo Jackson—Ms. Prigmore—Donald Wilson; sold to Allen Erwin, author of study on Johnny Ringo; by descent to Ms. Frances Huffstadler; sold to Jim and Theresa Earle.

According to the family, the bloodstained photo album was on Johnny Ringo's person when he was killed (see Wilson, *The Peacemakers*). When it was returned to his sister, it joined the other family items, including the overland journal of their mother Mary Ringo, and the various family photographs included in this lot. The two playing cards used as targets may have been shot by Johnny Ringo. The Jackson family moved in well-to-do circles in Los Gatos, and seem unlikely to have engaged in that sort of behavior, and were very reticent in discussing their relative.

\$5,000 - 7,000



215



216

215

CABINET CARD OF BEN THOMPSON.

Albumen print cabinet card, three-quarter standing portrait of Ben Thompson, 5 ¾ x 4 inches laid down to 6 ¼ x 4 inch mount, identified at lower mount in script, some creasing to image, soiling to mount. *Provenance:* Purchased from Bob McCubbin by Jim and Theresa Earle, c.1990.

Handsome portrait of Ben Thompson looking elegant and carrying a bowler hat. Ben Thompson was a gambler and a lawman. He came to Abilene, KS, in 1870 and opened the famed Bull's Head saloon with partner Phil Coe, painting an anatomically exaggerated bull on the side of the building as a form of advertising. Sheriff "Wild Bill" Hickok, in the midst of cleaning up the town, had it repainted, earning the ire of Thompson and Coe. They in turn tried to incite the newly arrived John Wesley Hardin (in town under the assumed name John Clements) to kill Hickok. To which, according to Hardin, he replied, "If Wild Bill needs killin', why don't you kill him yourself?" Hickok would in turn kill Coe in a shootout in 1873.

Thompson took over as marshal of Austin in 1881, overseeing a dramatic drop in crime. Just a year later he killed Jack Harris, prominent owner of the Vaudeville Theater, in a gambling dispute at the Variety Saloon. Although he was acquitted and re-elected as marshal, he would brazenly return to the Vaudeville Theater in 1884, where he was ambushed and killed along with his friend John King Fisher.

\$2,000 - 3,000

216

BEN THOMPSON ARRIVES IN ELLSWORTH, KANSAS.

THOMPSON, BEN. 1843-1884. Signature ("Ben Thompson") on bifoliate ledger sheet of the Grand Central Hotel, 1 p, elephant folio, Ellsworth, Kansas, June 3, 1873, each page printed "Grand Central. / Arthur Larkin, Proprietor" to upper margin, showing new hotel residents from Monday, June 2 to Friday June 7, 1873, leaf disbound from larger ledger, some creasing, thumbsboiling, and staining, framed. *Provenance:* acquired by George Jelinek when the hotel was demolished; these pages sold to Rick Mack, c.1970; sold by him to Jim and Theresa Earle, Dallas, November 7, 1984 (letter to Jim Earle dated April 30, 1986).

For a brief period of time Ellsworth, Kansas was the center of the cattle trade, turning the tiny village into a rowdy cow town. In April of 1873, Ben Thompson's ne'er-do-well younger brother Billy arrived, followed by Ben on June 3 (documented here). The two brothers set themselves up as house gamblers at the Grand Central, earning a healthy living from their winnings. On August 15, 1873, Ben got into an altercation with another gambler over an introductory fee he believed was owed to him. Soon he and his brother Billy were challenging their rivals in the streets. Sheriff Chauncey Whitney, a close friend of Billy's, met the two men and invited them to have a drink to cool off. As they moved through the streets, Billy's gun went off accidentally, shooting Whitney. Ben thought that Billy was likely to be lynched by the town, so he quickly put him on a horse and told him to leave, though Billy rode through the town yelling for anyone who wanted to come fight him.

\$6,000 - 8,000



217



218

217

BEN THOMPSON RETURNS TO THE GRAND CENTRAL HOTEL.

Signature ("Ben Thompson") on ledger sheet of the Grand Central Hotel, 1 p, folio, Ellsworth, KS, May 28, 1874, on sheet printed "Grand Central ... Arthur Larkin, proprietor" at upper margin, light toning some discoloration at lower margin.

Provenance: acquired by George Jelinek when the hotel was demolished; these pages (along with lot 216) sold to Rick Mack, c.1970; sold by him to Jim and Theresa Earle, Dallas, November 7, 1984.

Thompson returns less than a year after the notorious shooting of Sheriff Whitney by his brother Billy.

\$4,000 - 6,000

218

DIAGRAM OF BEN THOMPSON-JACK HARRIS GUNFIGHT.

Original pen and ink drawing on waxed linen, plan and elevation of the scene at the Variety Saloon in San Antonio on July 11, 1882, in black and red ink, docketed on the verso and dated July 26, 1882, mild creasing and toning.

WITH: Document Signed, the original inquest finding that Jack Harris was killed at the hands of Ben Thompson, 1 p, partially printed and accomplished in manuscript, San Antonio, July 11 and 12, 1882, signed by C.F. FROMMER, AUGUST KRAVITZ, HENRY MILLER, B. STEPHENSON, SIMON FRANK, C.J. SMITH and ANTON ADAM as Justice of the Peace, creased, toned, some chipping and loss at edges and corners.

Provenance: purchased from Donald Yena at the Texas Gun Collectors Association Show, Houston, TX, c.1992.

The docket on the verso reads, "Filed July 26, 1882 / Geo R. Dashiell, Clk D. Blg / By Manuel Yturra Jr. Deputy."

The feud between Ben Thompson and Jack Harris dates back to 1880, when Thompson lost heavily at Joe Foster's gambling room above the Harris's Vaudeville Theater. Thompson was losing heavily, including his gold watch, when sensing the game was rigged he removed his property at gunpoint and left the house in the hole. Harris made no secret that Thompson was no longer welcome at the Vaudeville, which Thompson resented, and the ill-will between the two bubbled until July 1882. Thompson returned to San Antonio, tracking a bond thief. He naturally would stop into the Vaudeville as he did the afternoon of July 11, but was warned out, and he backed out with his pistols drawn. He spent the afternoon searching for his thief, and drinking, but now it seemed he had more on his mind than the reward. He returned to the Vaudeville around 9 pm, and was standing outside the saloon doors when Harris made himself known, cradling his shotgun. After a brief exchange of words, when Harris turned his shotgun, Thompson fired twice, the first bullet piercing the saloon doors and then Harris's heart. Harris managed to make his way upstairs to his rooms, but was soon dead. The resulting trial was a spectacle, and the incident made Thompson, who resigned his marshal commission, very unpopular in San Antonio. Two years later, Joe Foster and the other friends of Jack Harris would exact their revenge.

\$4,000 - 6,000

To the Clerk of the District
Court of Bexar County

Sir

You are hereby notified
not to prepare or forward to
the Clerk of the Court of Appeals
a Transcript of the proceedings
in Ex Parte Ben Thompson an habeas
Corpus Case heard by Hon Geo
D. Noonan at San Antonio Texas
on July 25th 26th 27th & 28th 1882 in which
proceeding notice of appeal
was given. As I hereby
abandon said appeal
and expressly withdraw
notice thereof and deem
or for as I am, that no further
steps be taken therein to perfect
my right of appeal.

Ben Thompson
Applicant

Wm F. Hamilton

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219

BEN THOMPSON WITHDRAWS HIS APPEAL.

THOMPSON, BEN. 1843-1884. Document Signed ("Ben Thompson"), ordering a clerk of the court in Bexar not to forward details of trial for appeal, 1 p, legal folio, Bexar County, September 2, 1882, leaf toned, some loss to page from iron gall ink, tape remnant to lower right, loss at upper left corner.

"EXHIBIT A" IN BEN THOMPSON'S APPEAL REGARDING SHOOT OUT WITH JACK HARRIS.

On July 11, 1882, notorious gambler and lawman Ben Thompson ended his long running feud with Jack Harris, owner of the Vaudeville Theatre, by shooting him dead in his own establishment. Thompson was indicted for murder and tried, but acquitted of the crime and returned to Austin a hero.

This document was executed after the original trial, and seems to tidy up some loose ends: as in, Thompson was not expecting to be acquitted, and had filed for an appeal, which he now realized he would not need. It reads: "Sir / You are hereby notified not to prepare or forward to the Clerk of the Court of Appeal a transcript of the proceedings in Ex Parte Ben Thompson an habeas Corpus [?] heard by Hon. Geo. D. Noonan at San Antonio Texas on July 25th 26th 27th & 28th, 1882—in which proceeding notice of appeal was given—as I hereby abandon said appeal—and expressly withdraw notice thereof...."

\$10,000 - 15,000



220

14 KARAT GOLD A.W. WALTHAM POCKET WATCH PRESENTED TO GEORGE PENDEXTER BY BEN THOMPSON.

Designed in gold with a manual wind movement with sub second function, case engraved in a floral motif and engraved inside with Ben Thompson to Geo F. Pendexter, numbered #B4084, suspended from a gold fill watch chain with a silver coin charm.

Provenance: Ben Thompson to George Pendexter, Attorney; by descent to Jack Shoto; sold to Raymond Brown, March 5, 1969 (notarized statement listing previous transfers); sold Tom Keilman Auctions, Antique Arms, November 7, 1985 to Jim and Theresa Earle.

From the notarized statement of Jack Shoto: "This is the original watch which belonged to Ben Thompson while he was Marshall [sic] of Austin, Texas. Thompson carried this watch for many years ... Ben Thompson gave his watch to George Pendexter, Attorney, my great uncle by marriage, who represented Thompson after the killing of Jack Harris at the Vaudeville Theater in San Antonio in 1882. George Pendexter was able to bring about the acquittal of Ben Thompson, and Thompson gave him the watch in gratitude and had it engraved for him."

\$4,000 - 6,000





221

BEN THOMPSON CASKET PHOTOGRAPH.

THOMPSON, BEN. 1843-1884. Portrait on curved glass with hand tinting, 6 x 4 3/8 inches, in elaborate painted wood and silk frame measuring 9 1/4 x 7 inches, some loss to image at upper margin, silk faded and worn, wear overall to frame.

Provenance: purchased from Lucky Attal, Austin, TX, 1980.

This photograph shows Thompson in his Marshal uniform with star on his chest. The elaborate silk and wood frame suggest this is a funeral photograph.

\$2,000 - 3,000



222

222^o

THE GEM SALOON, EL PASO.

Imperial albumen print photo, a street scene in El Paso, TX, c.1900, 7 3/4 x 9 1/2 inches laid down to larger board, lacking photographer's imprint, some oxidation to image, wear to mount at upper margin and upper right corner.

An unusual street scene in El Paso, TX around the turn of the past century showing a parade band lining up in front of the Gem Saloon while bystanders gather. John Wesley Hardin was arrested at the Gem Saloon in early May, 1895, after holding up the dealer of a card game for his \$95 in losses after he was insulted.

\$400 - 600

223

HARDIN, JOHN WESLEY. 1853-1895.

Cut Signature ("J.W. Hardin Austin Texas"), on 5/8 x 3 1/2 inch sheet, partially printed postal notice, annotated by Hardin ("If not delivered in 15"), toned and thumbbed, matted with portrait and framed.

Signature may date from before his imprisonment.

\$1,000 - 2,000



223



224



225

224

REWARD FOR THE CAPTURE OF BROWN BOWEN.

HUBBARD, RICHARD B., Governor of Texas. 1832-1901. Document Signed ("R.B. Hubbard"), authorizing a \$500 reward for the arrest and delivery of Brown Bowen, partially printed and accomplished in manuscript, 1 p, legal folio, Austin, TX, September 4, 1877, with gold seal of the state at lower left, leaf toned, loss to lower left corner.

WARRANT FOR JOHN WESLEY HARDIN'S BROTHER-IN-LAW. To his death, Bowen would hold that the murder of Tom Haldeman was committed by Hardin, who was content to let Bowen hang for it, leading to a rift between Hardin's wife and the family. In this document Hubbard revokes an earlier proclamation offering \$350 for Bowen's capture, raising the offer here to \$500. Bowen was captured in Florida a month after this proclamation was issued, and returned to Austin for trial.

\$800 - 1,200

225

THE DEATH OF MILTON M'ROSE (OR MROZ).

A series of documents relating to the pursuit and murder of cattle rustler Martin Mrose. There is some suggestion that Mrose was murdered by a consortium that included John Wesley Hardin, who was having an affair with Mrose's wife Beulah. It was the arrest of Beulah Mrose at the hands of John Selman, Jr., on August 6, 1895, which set the final chapter of Hardin's murder in motion. Many historians believe that the fallout over the Mrose killing was part of the motivation behind John Selman's execution of Hardin.

1. Warrant for the arrest of Martin Mrose for "bringing stolen property in El Paso County, Texas," signed by J.A. Escafeda as Clerk, 1 p, 8vo, El Paso, June 11, 1895, light creasing and toning.

The following documents appear to all be in the hand of W.D. Howe, Justice of the Peace:

2. Holograph Document of Dr. Alvord White, autopsy report on the body of Martin Mrose, 2 pp recto and verso, 4to, n.d. but June 1895, 3 inch closed tear at upper center margin, toning. White describes the multiple gunshot wounds found on Mrose's body.

3. Holograph Document Signed of W.S. Howe, coroner's report on the body of Martin Mrose, 1 p, 4to, El Paso, June 30, 1895. Declaring that Mrose died from gunshot wounds inflicted by J.D. Milton, George Scarborough and F. M. McMahon, who shot him while he was resisting arrest.

4. Holograph Document, statements of F.M. McMahon and J.C. Jones on the death of Martin Mrose, 5 pp, legal folio, El Paso, June 30, 1895, pages toned.

5. Holograph Document, testimonies of Jeff D. Milton and George Scarborough on the death of Martin Mrose, 9 pp, legal folio, El Paso, June 30, 1895.

6. Holograph Document, W.D. Howe's recommendation that Milton, Scarborough and McMahon be required to appear in court on the charge of murder of Martin Mrose, 2 pp, legal folio, both leaves torn vertically. WITH: the partially printed indictment of Milton, the warrant for his arrest, and his application for release from Jail while his trial is pending, December 24, 1895.

\$1,000 - 2,000

226

SIGNATURES OF JOHN WESLEY HARDIN AND MANNEN CLEMENTS, SR.

HARDIN, JOHN WESLEY and EMMANUEL CLEMENTS, SR. Signature ("John Wesley Hardin" and "M. Clements"), on single leaf of a Texas county brand book, 3 signatures from Hardin and 5 from Clements on the recto, 5 additional Clements signatures on the verso, [Texas, 1870s], leaf creased horizontally at upper third, mounting remnants to upper and left margin, toning overall.

Hardin and his cousin Manny Clements register several brands used for their cattle.

\$4,000 - 6,000



226

227

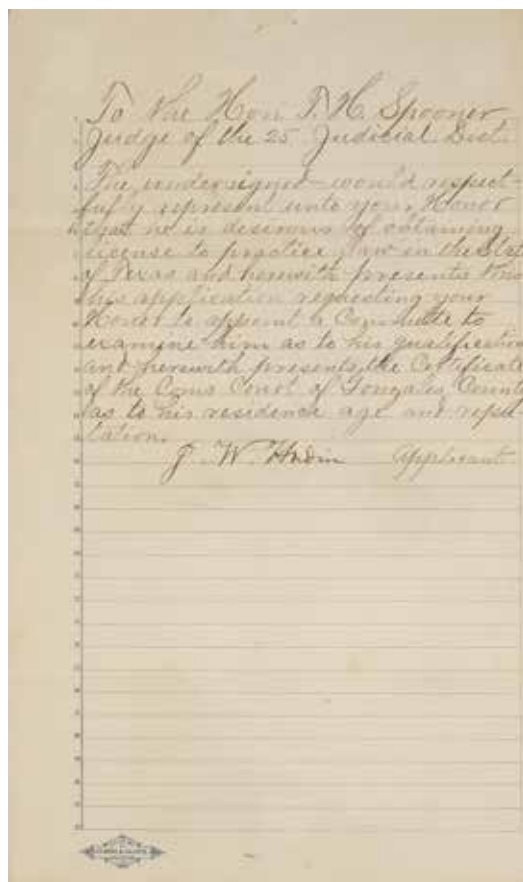
JOHN WESLEY HARDIN'S APPLICATION TO PRACTICE LAW.

HARDIN, JOHN WESLEY. 1853-1895. Document Signed ("J.W. Hardin"), requesting a law license in the state of Texas, 1 p, legal folio, Gonzales County, [July, 1894,] on lined paper with Clerk & Courts stamp to lower left corner, mild toning and creasing, pinholes at upper margin, float mounted in frame with two other documents:

FISHER, JOHN KING. 1853-1884. Document Signed ("J.K. Fisher"), bail bond for crime of betting at Monte, 1 p, folio, Uvaldi County, October 8, 1883, light creasing and toning.

VASQUEZ, TIBURCIO. Document Signed with an X, bail bond for the offense of fraudulently changing the ear marks of certain sheep, 1 p, legal folio, Uvaldi County, November 8, 1884, light creasing and toning. This is not signed by the 19th century California bandito, who died in 1875, but is someone of the same name, or perhaps someone using a pseudonym.

JOHN WESLEY HARDIN ATTEMPTS TO WALK THE LINE: HIS APPLICATION FOR A LAW LICENSE IN TEXAS. After his release from Huntsville in 1894, Hardin returned to his family in Gonzalez, but sadly his wife had passed in 1892. While in prison he studied law, and by the time of his release he had already been studying for the Texas bar exam for 5 years, since 1889. In June of 1894, he applied to the Honorable T.H. Spooner, requesting to appear before "a Committee to examine him as to his qualifications" (see Marohn, *John Wesley Hardin: The Last Gunfighter*, p 181).



227

\$8,000 - 12,000



228

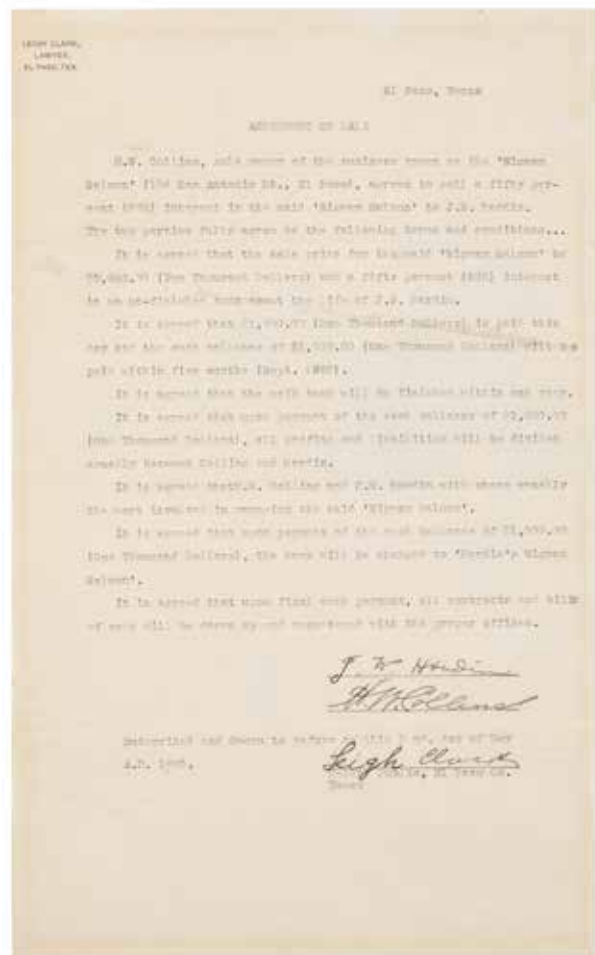
228

JOHN WESLEY HARDIN'S BUSINESS CARDS.

Three printed business cards, "John W. Hardin Esq./ ATTORNEY AT LAW," with his address below left, and lower right, "PRACTICE IN ALL COURTS," 79 x 50 mm each, El Paso, TX, [1895], slight toning. *Provenance:* J.L. Whitmore (administrator of Hardin's estate), received from the El Paso County District Court in compensation (identified by Hardin's estate as "Bundle calling cards") for his role in administering the estate (copy included).

When Hardin was released from prison in early 1894, he spent his first year trying to walk the straight and narrow. He obtained his law license, and set up a practice in El Paso. Unfortunately, much of his clientele were from the underserved portions of the state, and many could not pay for his services. As his life spiraled back into chaos during early 1895, he allowed his law license to lapse. After he was murdered, J.L. Whitmore, a relative of Hardin and Clements, was appointed temporary administrator of his estate, and the estate having no money, Whitmore requested payment in property, including these business cards, as well as two Colts and a pocket watch (see Marohn, *The Last Gunfighter*, pp 282-3).

\$1,000 - 1,500



229

229

HARDIN BUYS A HALF-INTEREST IN THE WIGWAM SALOON.

HARDIN, JOHN WESLEY. 1853-1895. Typed Document Signed ("J.W. Hardin"), an agreement between Hardin and M.W. Collins selling a half interest in the Wigwam Saloon, 1 p, legal folio, El Paso, TX, May 2, 1895, also signed by Collins and notary public/attorney Leigh Clark, leaf toned and creased, horizontal stain to verso. *Provenance:* purchased from Bob McCubbin, College Station, 1998.

CONTRACT FOR HIS INTEREST IN THE WIGWAM SALOON, dated May 2, 1895, the same day as his arrest for the hold-up at the Gem Saloon. Hardin had recently passed the Texas bar, but his life was beginning to take on the familiar contours of drinking and gambling, and now owning a bar seemed more to his taste.

The terms and conditions of the sale of a half-interest in the Wigwam Saloon include a sale price of \$2,000 plus "a fifty percent (50%) interest in an un-finished book about the life of J.W. Hardin." The cash is due in two installments, and Hardin promises that the book will be completed within a calendar year. Both men will shoulder the responsibilities of managing the saloon, and the name will be changed to "Hardin's Wigwam Saloon."

Reportedly, the cash for the Wigwam was borrowed from Helen Beulah M'Rose, whose arrest at the hands of John Selman, Jr., along with the strange circumstances of her husband's murder, would lead to Hardin's murder at the hands of John Selman, Sr., on August 19, 1875 at the Acme Saloon.

\$8,000 - 12,000

230

JOHN WESLEY HARDIN MEMORABILIA.

1. A playing card, King of Hearts, shot through with three bullet holes and signed ("Hardin 8/4/95"), 3 1/2 x 2 1/2 inches.
 2. Printed business card, 2 1/16 x 3 1/6 inches, reading "John W. Hardin Esq / Attorney at Law / Office: / 200 1/2 El Paso / Wells Fargo Bldg. / Practice In / All Courts."
 3. 3 playing chips, one each in red, white and blue, each 1.5 inch in diameter, reading "ACME" on one side and "R.B. Stevens / Prop." on the other.
- All items laid down to illustrated mount and framed together.

Provenance: purchased from Bob McNellis, El Paso, 1974.

A fine group of memorabilia, including a playing card shot through and signed by Hardin just a little over two weeks before his murder, his business card, and three chips from the ACME saloon where the shooting would take place. As Hardin's life became more chaotic heading towards mid-August, Hardin would shoot holes through playing cards, sign them, and give them away as mementos, according to Joe Hardin Clements, and several were found among his estate. Likely, he was also selling these in order to raise money for his increased drinking and gambling.



230

\$6,000 - 9,000

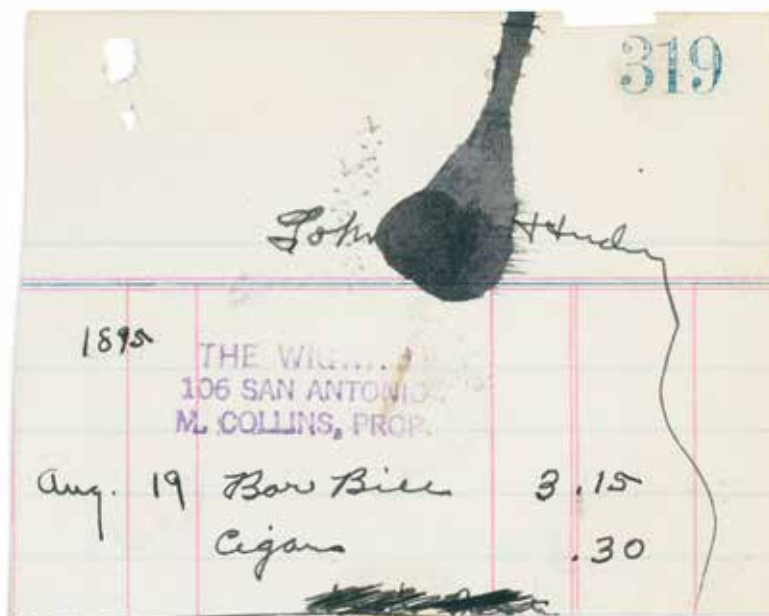
231

THE FINAL SIGNATURE OF JOHN WESLEY HARDIN.

HARDIN, JOHN WESLEY. 1853-1895. Manuscript signed ("John W. Hardin"), a bar bill from the Wigwam Saloon on the day he was killed, 77 x 108 mm, stamped "THE WIGWAM / 106 SAN ANTONIO / M. COLLINS, PROP," and in the upper corner numbered tab "319," dated in manuscript "Aug. 19" and "1895," ink stain across the "W" in signature. *Provenance:* Howard Norton, Austin, TX, 1995.

VERY LIKELY HIS FINAL SIGNATURE. In May of 1895, John Wesley Hardin purchased a half interest in the Wigwam Saloon, around the corner from the Acme Saloon, for \$2000, likely borrowed from Helen Beulah M'Rose. By August, he had sold it back, but continued to drink and gamble liberally at the Wigwam, Acme and Gem in the heart of El Paso. According to the Wigwam account ledger, as published in Marohn's *The Last Gunfighter* (College Station, 1995, pp 256-7, from a copy in the collection of Robert McNellis), Hardin was consuming between 8-10 drinks per day, and as many as 20-30, leaving him with a balance of \$198.25 as of this tab, his last for "Bar Bill \$3.15 / Cigars .30," on the afternoon of August 19th, 1895.

Hours after this bill, about 11 pm, Hardin played dice at the corner of bar at the Acme Saloon, and as he remarked, "You have four sixes to beat," John Selman shot him in the head from behind, killing Hardin. This bar tab, signed earlier in the day, is most likely the last signature of the legendary gunfighter, and certainly the last known.



231

\$10,000 - 15,000



232

232

JOHN WESLEY HARDIN IN DEATH.

Albumen print cabinet card, 5 1/2 x 4 inches laid down to 6 1/2 x 4 1/4 inches, c.1895, photographer's imprint to lower mount ("Burge Photo / 212 and 214 Santa Fe St., / El Paso, Texas"), stains to upper and upper left margins, red discoloration to center and lower margins, thumbing to mount.

Provenance: E.T. Collection (inked notation to verso).

Photograph of John Wesley Hardin, shot four times by Old John Selman at the Acme Saloon, August 19, 1895.

\$4,000 - 6,000

233

NARRATIVE OF THE KILLING OF JOHN WESLEY HARDIN: THE TESTIMONY OF SELMAN AND OTHERS.

SELMAN, JOHN. Holograph Manuscript (originally signed but signature lost to chipping), narrative of Selman's testimony regarding the killing of Hardin, 2 pp, legal folio, El Paso, TX, n.d. but August 19, 1895, on lined paper, pages toned and chipped at margins, tape repairs to versos of both leaves, 2nd leaf separated at horizontal fold.

In this manuscript, Selman tells his version of the story of the feud that led to Hardin's death. In part: "*John Selman being duly sworn by me testified as follows: My name is John Selman. I am Constable Prct No one, El Paso County, Texas. / Mr. Ward & my son John were told by me this morning that Hardin ha said my son John has arrested his woman & he would hold me responsible and he would make me shit like a wolf all around the block. Hardin told me that this evening. I told him (Hardin) that if he wanted to fight to get out in the middle of the street & I'd fight him. I told him if he got away with me it was all right. My son only did his duty in arresting his whore and if he have it in for me get out in the middle of the road and we'll fight it out—I'll give you a square fight. He said No, I don't want to fight you—I'd rather fight your son. He said my son 'was a son of a bitch & pulled my woman without any occasion.'* I told him I'd as soon he'd have a racket with me as with my son. He said if nothing else would do he'd get out in the middle of the road with me & make me and make me [sic] shit like a wolf. I said he'd be the first man that ever did. / About 11 o'clock I came in to the Acme Saloon to take a drink with Mr. Shackelford. Shackelford said he knew the racket, to come in & take a drink with him ... I told him I should not get drunk for I expected trouble—that Hardin had said he would make me shit & if he tried it he'd have to fight. / Immediately after Shackelford & me took a drink Hardin threw his hand on his gun & I grabbed mine & went to shooting. He threw his hand back on a gun on his hip pocket before I pulled and went to shooting."

John Selman being duly
sworn & me testified as follows
My name is John Selman
I am Constable Proct to me,
El Paso County, Texas
Mr. Hardin & my son John were
told by me this morning that
had said my son John had
arrested the woman & he
would hold me responsible
and he would make me shut
like a wolf all around the
block Hardin told me that this
evening, I told him (Hardin)
that if he wanted to try let
get out in the middle of the
street & I'd fight him. I told
him if he got away with me
it was all right. My son only
did his duty in arresting
him ^{who} and if you have
it in for me get out in the
middle of the road and will
fight it out. I'll give you a
square fight. He said No, I
don't want to fight you. I'd
rather fight you now. He said
my son was a son of a bitch
& pulled my woman without
my occasion. I told him I'd
as soon he'd have a racket

with me as with my son.
He said if nothing was said
do let get out in the middle
of the road with me & make
me and make me shut like
a wolf. I said he'd be the
first man that ever did.
About 11 o'clock I came in
to the Acme Saloon to take a
drink with Mr. Shackelford
to take a drink. Shackelford
said he knew the racket &
come in & take a drink with
him. I told him I'd rather
not get a drink for I expected
trouble. That Hardin had
said he would make me shut
& if he tried it he'd have to
fight.
Immediately after Shackelford
& me took a drink. He
said he'd shoot first on his gun
& I grabbed mine & went to
shooting. He threw his hand
back in a gun on his hip
pocket before I pulled & went
to shooting.

233

WITH: other full or partial testimonies, as follows:

SELMAN, JOHN M., JR. Holograph Document Signed ("J.M. Selman") giving his testimony regarding the death of J.W. Hardin, 2 pp, legal folio, n.p., n.d. (but El Paso, August 1895), toned, chipped, tape repairs. "My father came to me about half past nine and told me Hardin had threatened to kill him and that he wanted me to stay around outside—that Hardin had threatened to do up the whole police force before he left town ... Mr Hardin then sat down in a doorway two or three doors below the saloon ... after my father and Mr. Shackelford entered the saloon I heard a shot. I then ran in the saloon & saw Hardin lying on the floor and my father shooting. I grabbed his arm & said, 'Don't shoot anymore—he's dead.'"

PATTERSON, FRANK, bartender at the Acme, 1 p: "This evening at about 11 o'clock J.W. Hardin was standing in the Acme Saloon with Henry Brown shaking dice and Mr. Selman walked in the door and shot him ... Hardin was standing with his back to Mr. Selman. I did not see him face around before he fell or make any motion. All I saw was that Mr. Selman came in the door, said something, and shot, & Hardin Fell. Don't think Hardin ever spoke."

SHACKELFORD, E.L., friend and former employer of Selman: "I understood there was occasion for him to have trouble & having heard the character of the man with whom he would have trouble I advised him as a friend not to get under the influence of liquor. We walked out on the sidewalk & came back into the saloon. I being some distance ahead of Mr. Selman ... Then I heard shots fired. I can't say who fired those shots as I did not see it."

BROWN, HENRY S., local merchant who was at the Acme Saloon that night playing Dice with Hardin: "Mr. Hardin offered to shake me the dice. I agreed and shoot first—he shook back—said he'd bet me a quarter on the side he could beat me. We both had our quarters up & he & I were shaking dice. I heard a shot fired, saw a flash & Mr. Hardin fell at my feet at my left side. I heard three or four shots fired. I then went out the back door & don't know what occurred afterwards." WARD, M.D., p 3 only of his testimony, confirming the number of shots and J.M. Selman's actions.

AND WITH:

SIMMONS, F.B. Document signed, WRIT OF HABEAS CORPUS FOR JOHN SELMAN, 2 pp recto and verso, legal folio, El Paso, October 14, 1895, to "answer an indictment for murder preferred against him by the Grand Jury." (SEE LOTS 19 & 20).

\$8,000 - 12,000



234

234

HARDIN-SELMAN DOCUMENTS FROM THE MURDER TRIAL.

Framed display of the original documentation of the Hardin-Selman guns, including the original "Exhibit A" and "Exhibit B" tags from the 1895 trial, the receipt from the [month and day illegible but probably January 29 or February 24] 1908 El Paso county auction of the guns, recording the sale to Manning Clements, Jr.; and the receipt documenting the sale of the gun by Clements to Tom Powers of Coney Island Saloon for \$100 on February 24, 1908. All documents laid down to board and heavily shellacked, nicotine-stained.

Powers was the owner of the Coney Island Saloon, where the guns were displayed chained to this board until saloon went out of business and Powers' collection was liquidated. SEE LOTS 19 & 20 for the guns displayed.

\$800 - 1,200



235

235^D

EL PASO JUSTICE: SELMAN, SCARBOROUGH AND OTHERS.

1. SELMAN, JOHN. 7 Documents Signed ("John Selman"), 2 signed twice, 7 pp, 4to, Shackelford County and El Paso, September 10, 1880 to September 15, 1895, mild toning and thumbing throughout. Includes the 1880 petition for his release from the custody of Sheriff J.C. Jacobs of Shackelford; a warrant for the arrest of Ernest Gorsuch; the warrant and subpoena for the arrest of three El Paso prostitutes, Minnie Roe, Mabel Roe and Janice Roe; a complaint against and bond naming the Syndicate Shows; and two others. WITH: Albumen print cabinet card photograph of Selman and his young son, c.1880.

2. 2 subpoenas issued to witnesses testifying in Selman's trial for the murder of John Wesley Hardin, 4 pp recto and verso, 4to, El Paso, November 6 and 9, 1895, the earlier subpoena summoning Frank Patterson, Henry S. Brown, R.B. Stevens, E.L. Shackelford, S.G. Serard, Alvord White, and several others; the second summoning Skinny Faxon.

3. FLY, W.S. ALS to JOHN WESLEY HARDIN regarding a possible pardon, 1 p, 4to, Gonzales, TX, February 15, 1892. Reporting that several counties have gathered signed petitions pleading for Hardin's pardon.

4. SCARBOROUGH, GEORGE. 3 Documents Signed, 3 pp, August 14, 1885 to November 6, 1899, warrants and citations. WITH: additional documents signed of JOHN BANNESTER, DOC BOCKIUS, J.B. MILLER, J.C. LOVING, FRANK B. SIMMONS, R.E. BRYANT, among others. AND WITH: albumen print cabinet card photographs of THE EL PASO SHERIFF'S DEPARTMENT, 1866; VIEWS OF EL PASO; and GOVERNOR RICHARD HUBBARD (with cut signature).

\$5,000 - 8,000

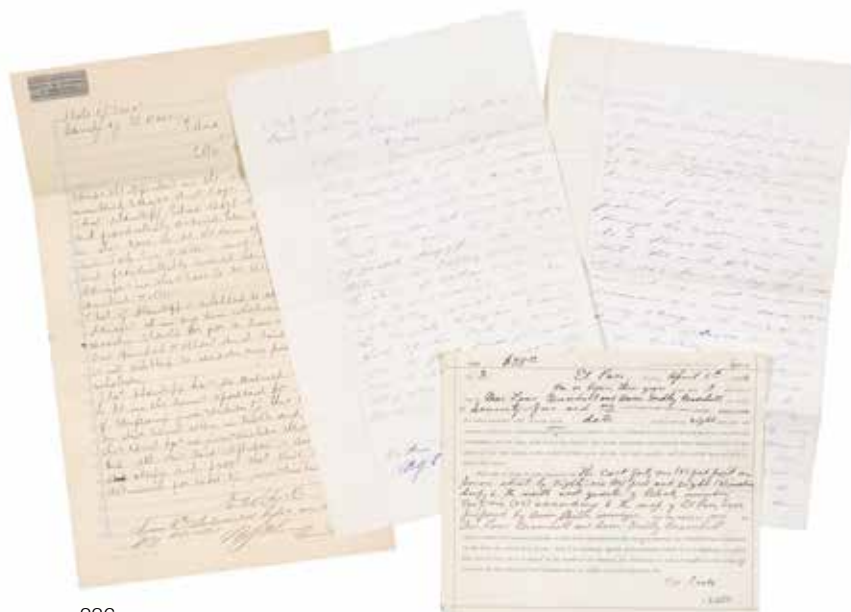
236⁵

EL PASO JUSTICE.

5 items:

1. Summons for Frank Norris, Eugene Sullivan and Tom Wade to appear at the trial of Baz ("Bass") Outlaw, 1 p, 8vo, El Paso, TX, January 6, 1893, signed by B.J. Thomas as Clerk.
2. Summons for George Look to appear in court to answer a legal dispute, 1 p, legal folio, El Paso, September 26, 1894, signed by J.A. Escajeda as Clerk.
3. Deed of sale for a lot in El Paso signed by George Look, 1 p, 8vo, El Paso, April 5, 1892.
4. Petition signed by Etta Clark, well known madam of El Paso, 1 p, legal folio, El Paso, July 14, 1894, submitted as part of a lawsuit against Edna Hoyt.
5. A pair of documents relating to the eviction of Dave Sperry, John Head and Jefferson Dukes from Skillcorn's House, 1 p, 8vo, El Paso, August 23, 1871.

\$1,200 - 1,800



236

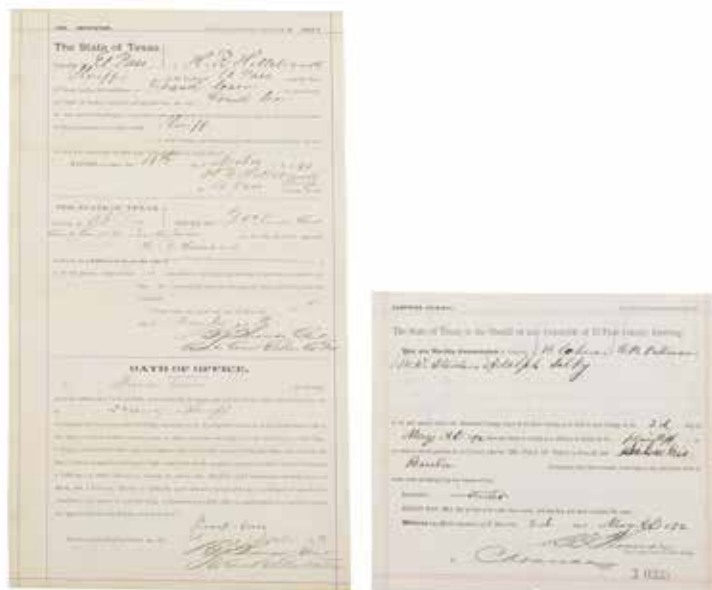
237

EL PASO JUSTICE.

4 items:

1. HILLEBRAND, H.R., Sheriff. Document accomplished and signed, oath of office of Deputy Sheriff Frank Carr, 1 p, legal folio, El Paso, November 28, 1890, also signed and accomplished by clerk B.J. Thomas and signed by Carr, with court seal.
2. ---. Subpoena for B. Cohn, C.B. Patterson, M.W. Stanton and Adolph Solky to testify on behalf of Siverio Borela, 1 p, 4to, El Paso, May 2-3, 1892.
3. 2 guilty verdicts delivered in the El Paso County courthouse, 2 pp, 4to, January 5 and 6, 1893, convictions of Andrews Avilar sentenced to 30 days in jail, and Laura Leighton sentenced to pay a fine of \$25.

\$500 - 700



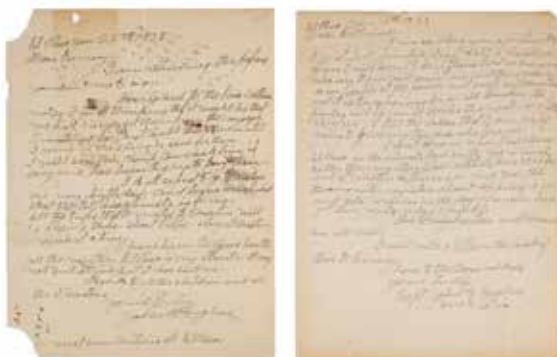
237



238



239



240

238^o

LITTLE MANNY CLEMENTS.

CLEMENTS, EMMANUEL, JR. 1868-1908. Albumen print cabinet card, 3/4 portrait of Clements, 5 1/2 x 4 inches laid down to 6 1/4 x 4 1/4 inch board, photographer's stamp to verso ("E.T. Stringfellow ... Pecos City, TX & Eddy, New Mex."), identified in pencil as "Uncle Mannen's only boy," creasing at upper and center left, some fading. WITH: Document Signed ("Manny Clements"), warrant for the arrest of Wah for the crime of keeping "a disorderly house ... for the purpose of smoking opium," 1 p, oblong 8vo, El Paso, July 7, 1897, lightly toned.

Emmanuel "Manny" Clements, Jr. was the son of "Big Mannen" Clements, a west Texas cattleman, and the cousin of John Wesley Hardin. Little Manny was involved in the Frazer-Miller feud in Pecos, then moved to El Paso where he served as Deputy Constable, Constable and Sheriff from 1894-1908. Clements bought the guns from the Selman-Hardin trial in 1908, and sold them to Tom Powers of the Coney Island Saloon. He was indicted for armed robbery later in 1908, and though acquitted, his law enforcement career was over. He was murdered in the Coney Island Saloon in El Paso in December of 1908, purportedly because he threatened to blackmail Albert Fall of Teapot Dome fame for his part in the murder of Pat Garrett.

\$800 - 1,200

239^o

JOE TOWNSEND, THE MAN WHO SHOT MANNY CLEMENTS.

Albumen print cabinet card, 5 1/2 x 4 inches laid down to 6 1/2 x 4 1/4 inches, full length portrait of Townsend with hat and cane, photographer's imprint to lower mount and verso ("Anderson / 403 Main St. / Houston, Texas"), n.d. but after March 1887, identified in pencil on the verso, minor wear, light stains to upper right and center margins. Provenance: purchased from Robert Stephens, Dallas, 1998.

A rare photograph of the man who shot and killed the vicious outlaw, Emmanuel "Mannen" Clements, Sr. Clements was an associate of John Wesley Hardin and himself a notorious thief. Townsend, the Ballinger City Marshal, shot him on March 29, 1887 at the Senate Saloon. A short while later, Townsend was ambushed by a shotgun while riding at night. He survived but lost his arm, which is visible in this photograph.

\$600 - 800

240

ARCHIVE RELATING TO TEXAS RANGER JOHN R. HUGHES.

HUGHES, JOHN R. 1855-1947.

1. Autograph Letter Signed of C.D. Winden to John R. Hughes regarding the theft of horses, 2 pp recto and verso, 4to, Alpine, TX, September 24, 1896, on stamped letterhead of Cyrus H. Larken, toned. In part: "*W.H. Dodson just came in & reported that he has a bunch of horses gone & that a gang of 5 men robbed Arreguy a sheep man—taking guns etc, & that Arreguy followed them into the Glass Mountains where they stood him off. I enclose letter from Shff. Boone which will give you some fight on the subject. As perhaps you know Mr. Ganley has been trying to find Burt Humphreys & a fine sorrell horse ... there is no one here to take the matter in hand. / You know Humphries better than I do & may have an idea what he is up too. I hear that he has made a talk about holding up a train. They say he is crazy & we know he wants to be bad.*"

2. 2 Autograph Letters Signed ("John R. Hughes") to his niece Catherine and to Emory, 2 pp, 4to, El Paso, January 25, 1938 and January 13, 1938, pages toned and thumbbed. With 8 x 10 inch gelatin silver print portrait of Hughes, 1930s, three holes punched at left margin.

\$1,000 - 2,000

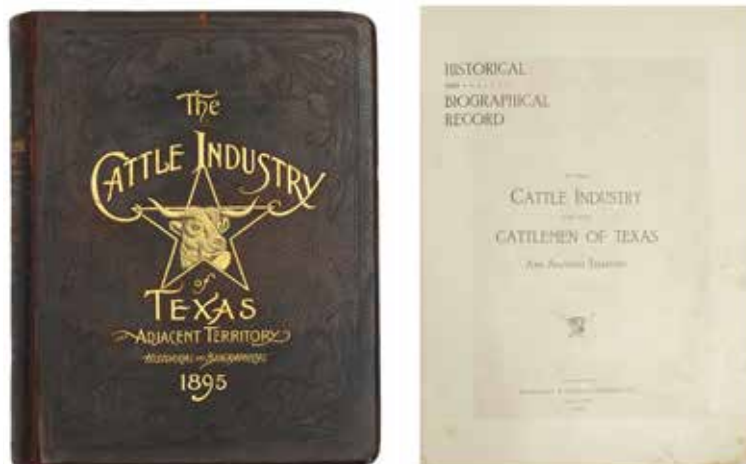
241

RARE HISTORY OF THE CATTLE INDUSTRY.

COX, JAMES, editor. *Historical and Biographical Record of the Cattle Industry and the Cattlemen of Texas and the Adjacent Area*. Saint Louis: Woodward and Tiernan Printing Co., 1895.

Folio (315 x 235 mm). Color frontispiece, 16 photographic plates, and numerous illustrations throughout the text. Original calf over boards, stamped in blind and gilt, spine lettered in gilt, floral endpapers. Some light spotting to tissues and a few leaves, spine rebacked, light shelfwear.

FIRST EDITION of this rare title. From Jenkins, *Basic Texas Books*: "The Cox volume was sent primarily to biographees ... In addition, the spine of the book was unequal to the task of holding together 743 folio pages and many copies literally fell apart. Furthermore, the publisher's remaining stock was destroyed, either by accidental fire or by simply being dumped on the trash heap ... Thus are rarities created in the world of books" (34). Howes C820.



241

\$4,000 - 6,000

242

TEXAS RANGERS.

A collection of manuscripts, photographs and memorabilia relating to the Texas Rangers, including: An 1853 tax document of ranger James Buckner "Buck" Barry;

A warrant served by JAMES MADISON BROWN, August 25, 1880;

An 1874 Texas land grant signed by Governor RICHARD COKE;

An 1896 subpoena signed by FRANK M. CANTON;

A cabinet card photograph of Deputy JOE CHEESEMAN;

A 1938 TLS of BURTON C. MOSSMAN;

A detective agency business card of LONG HAIR JIM COURTRIGHT;

A 1939 TLS of J. FRANK DOBIE, plus a Doris Ullmann portrait SIGNED AND INSCRIBED (some damage);

An 1897 ALS of J.B. GILLET, regarding Corbett Fitzsimmons fight, plus other documents and letters;

An 1895 bill of sale signed by CHARLIE GOODNIGHT, along with an 8 x 10 inch gelatin silver print photograph of his ranch.

JAY BANKS's Texas Rangers badge ("Capt / Retired"); Plus other items. Should be viewed.



242

\$1,000 - 2,000

243

FRANK HAMER ARCHIVE.

HAMER, FRANK. 1884-1955. 5 Checks Signed ("Frank Hamer"), 3 x 7 to 3 1/2 x 8 1/2 inches, Houston and Austin, TX, January 2 to March 11, 1950, various payees, drawn on the City National Bank and the Austin National Bank, cancellations at center, light thumbing throughout. WITH: Hamer's 1931 St. Louis Southwestern railway pass, signed on the verso, and a gelatin silver print portrait of Hamer with gun, blanket and hat, 5 x 8 inches, no imprint.

Frank Hamer was the Texas Ranger who led the manhunt for Bonnie and Clyde in 1934.



243

\$800 - 1,200



244

244^o

WOOD, LEONARD. 1860-1927.

1. Photograph Signed and Inscribed ("To Virgil J. Russell / With kind regards of / Leonard Wood"), 8 x 5 inch gelatin silver print photograph of Wood in civilian clothes, 1923, no photographer's imprint.
2. 8 x 10 inch gelatin silver print of Wood, Theodore Roosevelt, and other officers in Cuba, with stamp of Underwood & Underwood to verso.
3. A stereoview card of the above image published by Keystone View Company.
4. Typed Letter Signed ("Leonard Wood") sending New Year's greetings to Judge William H. Hunt, 1 p, 4to, Chicago, January 7, 1920.
5. Gelatin silver print portrait of Wood in uniform, c.1917, framed.

General Leonard Wood's long and distinguished military career began in the Southwest; he won the Medal of Honor for his actions during the 1886 Geronimo campaign.

\$800 - 1,200



245

245

BASS OUTLAW SIGNED CHECK.

OUTLAW, BASS (BAZ). 1856-1896. Check Signed ("B.L. Outlaw"), paid to the order of C.H. Larkin, 2 5/8 x 6 inches, Marfa Texas, June 10, 1892, drawn on the Humphris & Co., General Merchandise & Ranch Supplies bank, with cancellation stamp and endorsement on verso, lightly thumbed.
Provenance: purchased from Jim Curry, Austin, 1993.

Texas Ranger Frank Jones, Captain of Company D, called his sergeant "Baz" (or "Bass") Outlaw, "A man of unusual courage and coolness and in a close place is worth two or three ordinary men." However, his colleague, Alonzo Oden would add, "Bass couldn't leave liquor alone, and when Bass was drunk, Bass was a maniac." Outlaw was shot to death by John Selman in the backyard of Tillie Howard's brothel in El Paso, 1894 (SEE LOT 18).

\$1,000 - 1,500



246

246

BASS OUTLAW SIGNED CHECK.

OUTLAW, BASS (BAZ). 1856-1896. Check Signed ("B.L. Outlaw"), paid to the order of Carr and Jones, 3 3/4 x 8 1/4 inches, Alpine, TX, October 4, 1891, check blank but drawn on Humphries & Co., cancellation stamp dated October 6 to center, some thumbing, upper margin rough. WITH: Check Signed ("B.L. Outlaw"), paid to the order of "self," 2 1/2 x 6 inches, Marfa, TX, [Oct.] 31, 1892, cancellation stamps dated Nov 1 to center right, some thumbing, signature light.

\$1,000 - 1,500

247^o

JUDGE ROY BEAN DOCUMENT.

BEAN, PHANTLY ROY, JR. 1825-1903. Holograph Document Signed ("Roy Bean / J.P. Val Verde Co / Tex."), statement of William Gannon, 1 p, 4to, Langtry, TX, December 23, 1889, on lined paper, leaf lightly creased and toned, with "congress" blindstamp at upper left corner.

WITH: a Lillie Langtry cabinet card and several reproduction photos of Bean from the N.H. Rose Collection.

The famous "Hanging Judge" (who actually only sentenced two people to hang, one of whom escaped) here signs from William Gannon in regard to a recent shooting: "In the case of Roy B. Trent William Gannon being duly Sworn deposes and says— I went into the office as I came out I met Wm Cox I walked as far as the tank I heard a man Hallow Judge I looked around and Saw Wm Cox run in the direction of Judge Beans House Roy B. Trent Running after him he pulled out his Pistol and fired two shots at him / Question by Roy B. Trent / Was he running towards Judge Beans House / Answer. Yes he was running across the track / Wm Gannon / Sworn to before me / Roy Bean / J.P. Val Verde Co / Tex."

Roy Bean's house was next door to his saloon, which is likely where the altercation between the two men originated.

\$1,000 - 1,500

248

CHARLIE SIRINGO PHOTOGRAPH.

Photograph Signed and Inscribed ("Chas. A. Siringo"), gelatin silver print portrait, 8 1/2 x 6 3/3 inches, inscribed at the upper right margin, December 28, 1927, photographer's signature on the verso (E.A. Brininstool / June 16th, 1927") and also stamped by developer, addressee obscured, otherwise fine.

Provenance: purchased by Jim and Theresa Earle from Margaret Leussler, widow of Harrison Leussler of Houghton Mifflin.

Signed photographs of cowboy detective Siringo are rare.

\$2,000 - 3,000

249^o

CHARLIE SIRINGO LETTER.

SIRINGO, CHARLES. 1855-1928. Autograph Letter Signed ("Chas A. Siringo"), regarding accounting and mentioning Standing Bear, 2 pp recto and verso, legal folio, Hollywood, CA July 27, 1928, to Harrison Leussler, on lined paper, leaf toned and creased, some staining at upper left corner, 1 inch closed tear to lower margin.

Provenance: purchased from Margaret Leussler, widow of Harrison Leussler, Santa Barbara, August, 1978.

Siringo tries to iron out the accounting relating to his book sales. He invites Leussler for a visit and closes, "A bunch of friends cald to see me last evening— among them Standing Bear."

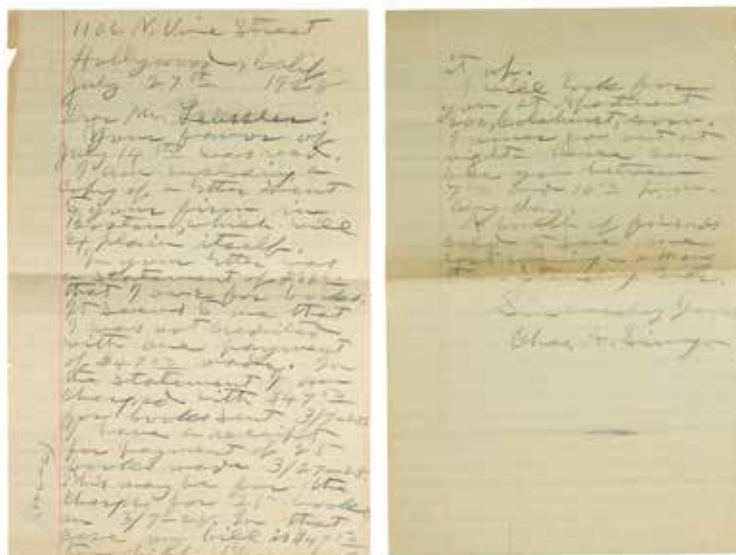
\$600 - 800



247



248



249



250

250^D

FOUR SIRINGO PHOTOGRAPHS.

BRININSTOOL, E.A., photographer. Gelatin silver print portrait of Siringo in hat and holster, 4 1/2 x 3 1/2 inches, initialed by photographer on recto and inscribed on the verso ("Charlie Siringo / Photo June 16, 1927 / by / E.A. Brininstool"), small chip to upper right corner. WITH: gelatin silver print portrait of Siringo posing with rifle and another man, c.1920, 5 1/4 x 3 3/4 inches, plus two other photos of Siringo from the same sitting, cropped to just Siringo and rifle and prepared for publication, 7 x 5 and 6 x 4 inches respectively.

Provenance: purchased Swann Galleries, c.1980.

\$800 - 1,200

251

TEXANA.

A group of photographs and documents relating to Texas in the 19th century, including:

A cabinet card of W.J. EDWARDS with San Antonio imprint;
A commission appointing Wm. H. Stacy as Captain in the Texas Rifles, October 10, 1885, signed by GOVERNOR JOHN IRELAND; with an 1883 land grant signed by Ireland;
An 1839 ALS of ALBERT SIDNEY JOHNSON;
An 1878 ALS of Major JOHN B. JONES;
An 1838 REPUBLIC OF TEXAS INDENTURE;
An 1843 DS of HENRY E. MCCULLOCH;
A cabinet card photograph of GOVERNOR PAT NEFF;
AN 1892 ALS of GOVERNOR LAWRENCE SULLIVAN ROSS, plus a land grant and a military appointment signed by him;
An 1882 ALS of CHARLES SCHRIENER;
A cabinet card photo of WELLS THOMPSON;
A promissory note signed by JAMES TREAT;
An 1838 legal document signed by R.M. WILLIAMSON;
WITH: unidentified cabinet cards, a gelatin silver print photo of a fire engine, c.1900; and more.

\$1,500 - 2,500

252^D

N.H. ROSE PHOTOGRAPHIC ARCHIVE.

A large collection of gelatin silver print photographs and film negatives, most 2nd generation, from the N.H. Rose Photography Collection, together with an album of correspondence to Rose and ED BARTHOLOMEW from various correspondents, including E.A. BRININSTOOL (11), MERITT BEESON, JOE BEELER, D.A. BROWN (11), CARL BRIEHAN (2), MARVIN HUNTER, plus others. Generally correspondence among historians.

Noah Hamilton Rose (1874-1952) was a journeyman news photographer in Texas at the turn of the last century who, in the course of his travels, amassed an impressive collection of Old West imagery. After an injury sidetracked him, he began to sell reproductions of his classic images, working closely with Old West collectors and historians throughout the country. Portions of his collection are at the University of Oklahoma and the Harry Ransom Center. This represents perhaps the residue of his collection, along with correspondence to Rose and Bartholomew, his collaborator, from many sources.

\$500 - 700

251

252

THE 20TH CENTURY

253

AL JENNINGS LETTER TO BILL TILGHMAN.

JENNINGS, AL. 1863-1961. Typed Letter Signed ("Al Jennings") to Bill Tilghman regarding a possible collaboration on a motion picture, 2 pp, 8vo, San Francisco, November 23, 1914, on Hotel St. Francis letterhead, some toning, matted together and framed.

Bill Tilghman was a onetime Marshal of Dodge City who began his career as Bat Masterson's deputy. Though not as famous as Masterson and Earp, he did capture the outlaw Bill Doolin. In 1915, rather than write a book, he decided to direct and star in a film biography of his life. An old contact, former outlaw turned attorney, Al Jennings, got wind of Tilghman's project and wrote this letter. In part: *"I am perfectly willing for you to put on anything in the world, no matter what it is, just so it is the truth and on the square from robbing a hen-roost to stealing a horse or a diamond ring, but do not get anything in there that does not belong to it. If you take any murderers in with you—make them real to life."* Tilghman finished his film without Jennings' help and Jennings went on to have a career in the movies as a consultant.

\$500 - 700

254^o

THE LAST OF THE TRAIN ROBBERS.

CARLISLE, WILLIAM L. 1890-1964. A group of items relating to Carlisle, including:

1. Copypress telegram announcing robbery of train number 19, 1 p, 8vo, Rawlins station, November 19, 1919, initialed "F.W." on letterhead of United States Railroad Administration Director General, page toned, upper and lower margins rough, small perforations at center left and lower right.

In full: *"No 19 last night held up by Lone Bandit near Medicine Bowl. Supposed to be Carlisle who is tall slim and smooth face lost hat getting off train keep close lookout throughout your train. Also along road and advise dispatchers office at once of any one of this description. Give special agents at various points looking over your train every assistance to thoroughly inspect your train."*

2. ALS of Bill Carlisle ("Will L. Carlisle") to Mr. G.H. Petrie confirming that they met earlier in the year, 2 pp recto and verso, 4to, Rawlins, WY, 1916, on penitentiary letterhead, with original transmittal envelope.

3. TLS of Bill Carlisle thanking a bookseller for ordering his book, 1 p, 4to, Laramie, WY, June 17, 1946, right margin darkened, creased.

WITH: photograph of Warden Roach and Sheriff McPherson on horseback and modern postcard of Carlisle.

4. An archive of research material about Bill Carlisle amassed by a television producer in the 1960s hoping to develop a show about him.

In 1916 a destitute Bill Carlisle decided the only way to support himself was to rob trains. He was, for a criminal, generous and gentlemanly, distributing some of his riches to others, and bowing to lady who tried to take his gun. He was captured, sent to prison, escaped, and captured again. He was pardoned for good behavior in 1936 and lived an exemplary life thereafter.

\$800 - 1,200

255

CHIEF STANDING BEAR.

Typed Letter Signed ("Chief Standing Bear"), to Harrison Leussler regarding an appointment, 1 p, 4to, Huntington Park, CA, November 4, 1929, page toned and creased, chipping and loss at upper right and lower left corners. WITH: gelatin silver print, 8 1/2 x 6 1/4 inches, of Chief Standing Bear on horseback, laid down to mount.

Provenance: purchased from Margaret Leussler, widow of Harrison Leussler of Houghton Mifflin Publishing, Santa Barbara, CA, 1978.

Chief Standing Bear writes Leussler, an editor involved in publishing books on the Old West, asking for a meeting and the address of Captain Pratt's daughter.

\$400 - 600



253



254



255





256



257



258

256

JOHN DILLINGER AND GIRLFRIEND.

Gelatin silver print full-length portrait of John Dillinger and Evelyn Frechette, with hand-tinting, 15 x 9 1/2 inches, in period carved oval frame, some buckling to image.

Provenance: purchased Leland's Auctions, May 2002.

A striking portrait of Dillinger and Frechette, taken in Moore, Indiana in 1934 while Dillinger and his gang were engaged in a bloody streak of bank robberies. A more famous still from this photo series shows Dillinger posing with a pistol in one hand and a tommy-gun in the other.

\$800 - 1,200

257

GANGSTERS.

1. [DILLINGER, JOHN.] *Wanted / John Dillinger, with alias, Frank Sullivan....* Washington, D.C.: Division of Investigation U.S. Department of Justice, March 12, 1934.

Printed broadside, 8 x 7 3/4 inches, framed with Check Signed of Melvin Purvis, August 16, 1934, paid to the order of ACSRR, canceled. Purvis was the lawman who hunted Dillinger, along with Baby Face Nelson and Pretty Boy Floyd.

2. [CAPONE, AL.] Gelatin silver print portrait of a seated Capone, 14 1/2 x 9 inches, 1919, photographer's signature ("M. Roderick?") to lower right corner, framed. Amusing photo of a young Capone chomping on a cigar.

\$500 - 700

258

20TH CENTURY OUTLAWS.

1. *Wanted / John Dillinger with alias / Frank Sullivan.* Washington, DC: March 12, 1934.

Printed broadside, 8 x 8 inches, double sided, toned and thumbbed. States that Dillinger is wanted for "feloniously and knowingly transporting Ford V-8 four door sedan...from Crown Point, Indiana to Chicago, Illinois." With another copy.

2. *Wanted / Mrs. Roy Thornton, Aliases Bonnie Barrow ... Clyde Champion Barrow...* Washington, DC: US Department of Justice, May 21, 1934.

Printed broadside, 8 x 8 inches, double sided, dampstained and toned. Wanted for violating the National Motor Vehicle Theft Act.

3. A collection of 18 gelatin silver print photographs, each 8 x 10 inches, most from the collection of Texas State Trooper Al Goolsby, and including images of Bonnie and Clyde, the troopers who pursued them, and the aftermath of the final shootout. With additional 2 volumes of Goolsby's State Trooper records.

4. Pocket album of Carl F. Holton, a lawman in Albuquerque, NM, containing descriptions of wanted criminals, 1889, many with 2 x 3 inch albumen print photos laid down to leaves.

5. A large collection of early 20th century wanted posters from the south, midwest, and west.

\$3,000 - 5,000

259^o

ARCHIVE OF WILLIAM S. HART LETTERS AND PHOTOGRAPHS.

4 Autograph Letters Signed and 4 Typed Letters Signed ("William S. Hart" and "Bill Hart"), 10 pp, 4to, Hollywood and Newhall, CA, February 21, 1918 to February 12, 1934, on various letterheads, many regarding the publications of his novels.

WITH: 2 Photographs Signed ("Bill Hart" and "William S. Hart"), 11 x 14 and 8 x 10 inch gelatin silver print portraits of Hart in western costume; together with 1- unsigned gelatin silver prints, some candid and others portraiture. AND WITH: a small group of ephemera.

William S. Hart was one of the foremost western actors of the silent era. After he retired from the screen, he wrote a series of western-themed short stories and novels.



259

\$800 - 1,200

260

POLAR EXPLORATION.

AMUNDSEN, ROALD, and ROBERT PEARY.
 Photograph Signed and Inscribed ("Sincerely Peary /—North Pole Apr 6th, 1909") and ("Mrs. Isador Lenz from Roald Amundsen / South Pole / 14th Dec 1911"), 7 3/4 x 6 inch gelatin silver print laid down to larger board, framed, photo loose from mount within frame.
 WITH: Signed photos of EDWARD EVANS, FREDERICK A. COOK, and EDMUND HILLARY, plus a check endorsed by HENRY M. STANLEY, January 14, 1891.



260

\$700 - 900

261

A GROUP OF THREE ADMIRAL BYRD SIGNED PHOTOGRAPHS.

BYRD, RICHARD E. 1888-1957.

1. Photograph Signed and Inscribed ("R.E. Byrd"), 9 x 7 inch gelatin silver print portrait laid down to larger mount, photographer's imprint at lower mount ("New York Times Studios"), inscribed at upper left corner ("May 18, 1927 / With sincere good wishes / R.E. Byrd"), very fine, framed. Portrait likely taken in advance of his 1927 trans-Atlantic flight.

2. Photograph Signed and Inscribed ("To .Dr. J.L. Donhauser / with best wishes / R.E. Byrd"), 8 x 10 inch gelatin silver print of Byrd, likely in his Antarctic library, c.1934, some buckling to image.

3. Photograph Signed ("R.E. Byrd" and "Franklin D. Roosevelt"), 12 x 10 inch gelatin silver print, June 24, 1930, taken as Governor Roosevelt awards Byrd the Roosevelt Award for Distinguished Service. Rare to have the two signatures together on a photograph.



261

\$700 - 900



262



263



262^o

LINDBERGH, CHARLES A.

3 items:

1. Gelatin silver print photograph, 4 3/4 x 7 inches, showing Lindbergh at Bourget posing in front of the Spirit of St. Louis, surrounded by Major Pinsard, Captain White, USN, Serg Petroyat, Col. Pol-Manchetti and Major Weiss, small closed tear at lower margin, otherwise fine.
2. Gelatin silver print stereoview card of Lindbergh in New York on his return, two 3 1/8 x 3 1/8 inch photos laid down to 3 1/2 x 7 inch card, with Keystone View Company imprint to left margin, images faded.
3. Flown cover stamped "Air Mail—Pilot Chas. Lindbergh," 3 3/4 x 6 1/2 inch envelope postmarked from Saint Louis, Mo, February 20, 1928, also stamped "Lindbergh Again Flies the Air Mail" to lower right, lightly thumbled.

\$600 - 800

263

CONAN DOYLE PHOTO AND CUT SIGNATURE.

DOYLE, ARTHUR CONAN, SIR. Albumen print cabinet card portrait, 5 1/2 x 4 inches laid down to 6 1/2 x 4 1/4 inch board, c.1897, photographer's imprint to lower mount ("Sarony / 37 Union Square, N.Y."), mild fading to image, otherwise very fine. WITH: Cut signature ("Yours very truly / A. Conan Doyle."), 2 x 4 1/4 inches, n.p., n.d. Provenance: Emerson Latting collection (inked note to verso of photo).

Handsome early portrait of Doyle. Emerson Latting was a New York socialite who raised terriers and was active in the Kennel Club.

\$1,000 - 1,500

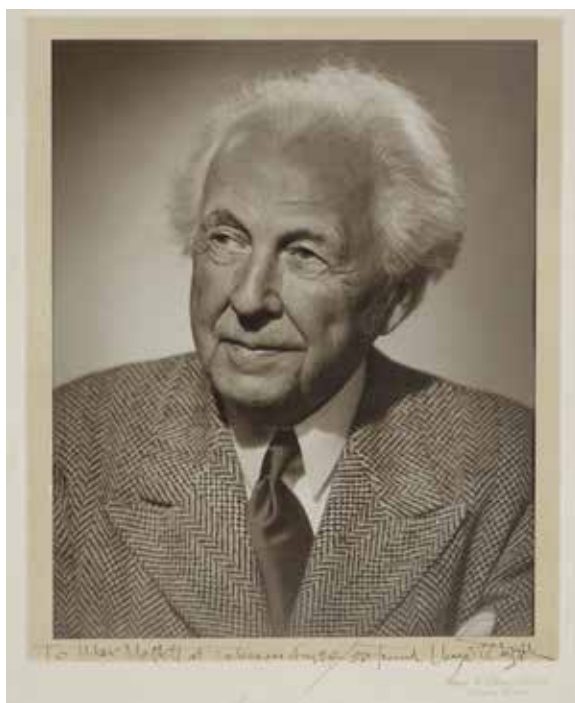
264

WRIGHT, FRANK LLOYD. 1867-1959.

Photograph Signed and Inscribed ("Frank Lloyd Wright") to Max Moffett at Taliesin, August 24, 1950, gelatin silver print portrait, 10 x 13 inches, matted and framed to 23 3/4 x 17 1/4 inches, photographer's imprint to matte ("Edgar L. Obama A.P.S.A. / Dodgeville, Wisconsin"), very fine.

Handsome large format portrait of the great architect, INSCRIBED BY WRIGHT AT TALIESIN.

\$2,000 - 3,000



264

265²

AMERICAN POLITICIANS, SCIENTISTS AND CELEBRITIES.

A collection of manuscripts and photographs, including:

1. BURR, AARON. Autograph Letter Signed ("A. Burr"), to J. Woodworth regarding legal business, 2 pp recto and verso, 4to, New York, [Dec] 28, 1824, toned, some staining, framed.
2. A collection of albumen print cabinet cards of various notables, including GROVER CLEVELAND, THOMAS EDISON (and his assistant, S.D. Mott), and COUNT MAGRI, COUNTESS MAGRI and BARON MAGRI (the widow of Tom Thumb and her new husband and brother-in-law); with *carte-de-visite* portrait of JAMES GARFIELD. WITH: a check signed of Clark Gable, April 20, 1950; a TLS of Ogden Nash, February 9, 1956, with sketch; a cut signature of William Golding.

\$1,200 - 1,800



265



END OF SALE

A Consideration of Other Guns in the Earle Collection



Ernest Hemingway's .22 Winchester Model 61

Over the course of 50 years, Jim and Theresa Earle put together the world's most remarkable collection of Western outlaw and lawman firearms, in terms of the breadth, rarity and the documentation and pedigree of the firearms. Importantly, they focused not just on the guns themselves, although those are spectacular, but they also collected mountains of documents supporting the guns and telling the fascinating story of the late 19th-century American Wild West. A long time and well-loved Engineering professor at Texas A & M, Jim's Aggie roots led him to explore, along with his beloved wife Theresa, not just the history of Texas, but also expanding into the early days of Abilene when it was the center of the cattle trade under Wild Bill Hickok, Deadwood in the Dakotas, and into the ranching wars of New Mexico and Arizona.

The firearms cover the period from the early 1870s up through Ernest Hemingway's .22 Winchester Model 61 he used on hunting trips in Africa in 1953-1954 and again in 1957. The Hemingway rifle

is accompanied by the original Kenya Police firearms form filled out in Hemingway's hand with the Winchester noted by serial number (#203648) for his 1957 trip. The documentation on the Hemingway gun is typical of Jim and Theresa's thoroughness and attention to detail, with most of the guns in the collection having primary documents relating to their previous owner, often with serial numbers or first hand attestation.

The most famous firearm in the collection is of course the Gun That Killed Billy the Kid, Colt SAA serial number 55093, taken from Billy the Kid gang member Billy Wilson when the gang was cornered at Stinking Springs, and then used by Garrett to shoot The Kid at Pete Maxwell's ranch on July 14, 1881. The well-known and well-documented revolver comes with a signed letter from Pat Garrett himself giving the gun to Tom Powers, the owner of El Paso's notorious Coney Island Saloon, who displayed it alongside other wonders until his death, when it was



Pat Garrett's Winchester 1895

returned to Garrett's widow in a well-publicized court case. Aside from that whale of an object, the Earle Collection sports 6 more Billy the Kid-Pat Garrett related guns, from the Whitney Shotgun, serial number 903, that Kid stole from Bob Olinger and then shot him with as he escaped the Lincoln County Jail on April 28, 1881, through Pat Garrett's Winchester 1895 and a little .38 double action from American Arms which he carried toward the end of his career, both backed by a letter from his son Jarvis Garrett. In fact, aside from the Kid gun, the Earle Collection holds six of Tom Powers famed guns, including John Wesley Hardin's Smith & Wesson Frontier .44 double action which he carried when he was killed by Old John Selman, as well as Selman's Colt which he used to kill Hardin. For the Hardin-Selman guns, Earle even maintains the original varnished wood display where the guns were chained, preserving the original evidence tags ("Exhibit A" and "Exhibit B") as well as Manny Clements receipt when he purchased the guns from the court.



Pat Garrett's American Arms .38 Double Action



Wyatt's Earp's Harrington & Richardson .32

The first gun the Earles ever bought was the Wyatt Earp shotgun he used to kill "Curly Bill" Brocius, sold by Sotheby Parke Bernet in 1973 for \$10,000. As recalled by daughter Susan Palmer, Jim and Theresa loaded up their wood-panelled station wagon in the middle of the night in order to drive to Dallas-Fort Worth airport to meet the cargo plane which was delivering the gun. "Other families went on beach vacations, we went to the OK Corral!" she continued. While they sold that particular gun in 1984, there is another Wyatt Earp gun present in the collection, a Harrington & Richardson .32 double action, this one direct from his widow with full documentation. Interestingly, that Wyatt Earp Brocius shotgun recently reappeared in the market and the Earles' ownership was noted as provenance: "Jim Earle of College Station, Texas who would amass the most important collection of western association guns every [sic] assembled (including the gun used by Pat Garrett to kill Billy the Kid)...." The reputation of Jim and Theresa Earle, and their reliance on provenance and documentation, is well deserved.

Another important firearm from the collection that descends directly through the widow is Cole Younger's Bisley Colt #194564 which was purchased from Paulina Younger by Richard Reiss in 1943. And from the grandson of General Leonard Wood, the commander of the famed Rough Riders in 1898, the collection features a presentation Colt, given to Wood by the Mexican Government in 1914 and then passed down through the family.



Cole Younger's Bisley Colt #194564

Like many collectors, the Earles were dogged in pursuit of their prizes. With each gun Jim recorded the history of the gun, and his involvement with it on nicely designed typed documents headed "Recollections." In his "recollection" of the Wild Bill Hickok rifle that was buried with Hickok at Deadwood in 1876, he notes that he first read about the rifle in 1975, in an old True West article about the owner Isabel Toomey McFadden, located her and her husband in the phone book and wrote them a letter for any information. With no response, he proceeded to add them to his Christmas Card list, and in 1977 he finally got a response and was put into contact with her son, Bill Duffy. He was able to view the rifle at that time, but Mrs. Toomey was not interested in selling. Finally, on May 24, 1993, 18 years after he had first learned of the rifle, Jim and Theresa Earle drove to Houston (now no longer in the panelled station wagon) in order to complete the transaction.



General Leonard Wood's presentation Colt (two views)



Tom Mix's pair of Colts engraved by Cole Agee

With the finest collection of Outlaw and Lawman firearms extant, the Earles also assembled a fine collection from the tradition of the showman cowboys, such as William S. Hart and Tom Mix. It's a very interesting connection as the outlaws and the lawmen of the Old West gave way to the new world transitioned into Hollywood, much in the same way the scouts of the wilder West transitioned into the Wild West shows narrating (and sometimes creating) their own history and mythology. The Tom Mix guns are particularly fascinating including a pair of Colts engraved by Cole Agee and owned by Tom Mix, as well as his last Colt single action with factory special features, and a factory engraved Colt Officer's Model single action (accompanied by a July 29, 1974 article written by Jim Earle himself for the December 1975 issue of *Arms Gazette*).

Jim and Theresa Earle began the collection in 1973, buying heavily throughout the 1970s and 1980s, and rarely selling. Many of these guns have now been out of the market for nearly 50 years, only seen in some cases on exhibition at the Texas Ranger Museum in Waco, or other reputable institutions. It seems very unlikely that the Earles' feat and their fantastic collection could be repeated today, with so many of the connections to the past when they first began now dead and buried. But the collection is also a testament to Jim and Theresa Earle, whose dogged determination, collector's acumen, and eye for rarity, importance, and provenance, helped create the most well-documented and important collection of outlaw and lawmen guns in existence, and supported by an impressive array of western manuscripts, documents and photographs.



William S. Hart's Colt

Luxury Asset Auction

Featuring Property from the Collection of
Jim and Theresa Earle, College Station, TX

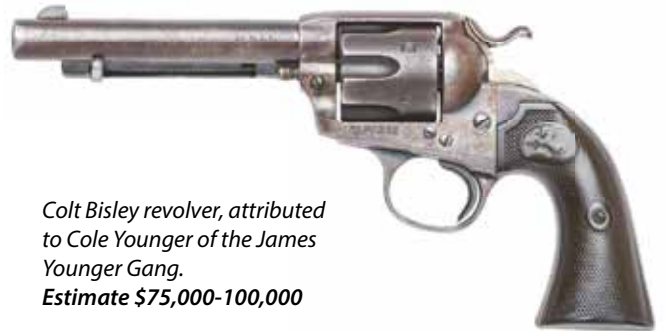
AUCTION DATE — Tuesday, **Sept. 21, 2021**, starting at 9 a.m.

ANNEX PREVIEW — Monday, **Sept. 20, 2021**, at 1 p.m. to 4 p.m.

We will be exhibiting select highlights at *The Big Reno Show*, August 20-22, and *Oregon Arms Collector*, August 28-29, 2021.



*Harrington & Richardson Model
32 Double Action, alleged to be
one of Wyatt Earp's carry guns.
Estimate \$75,000-100,000*



*Colt Bisley revolver, attributed
to Cole Younger of the James
Younger Gang.
Estimate \$75,000-100,000*



*Winchester Model 1895, carried by
Pat Garrett in the twilight of his career.
Estimate \$40,000-\$60,000*



*Winchester Model 61, carried by Ernest
Hemingway on his 1957 Kenya safari hunt.
Estimate \$50,000-\$100,000*

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**A 1957 CARMEN BASILIO
HICKOK AWARD BELT.**

\$100,000 - \$150,000

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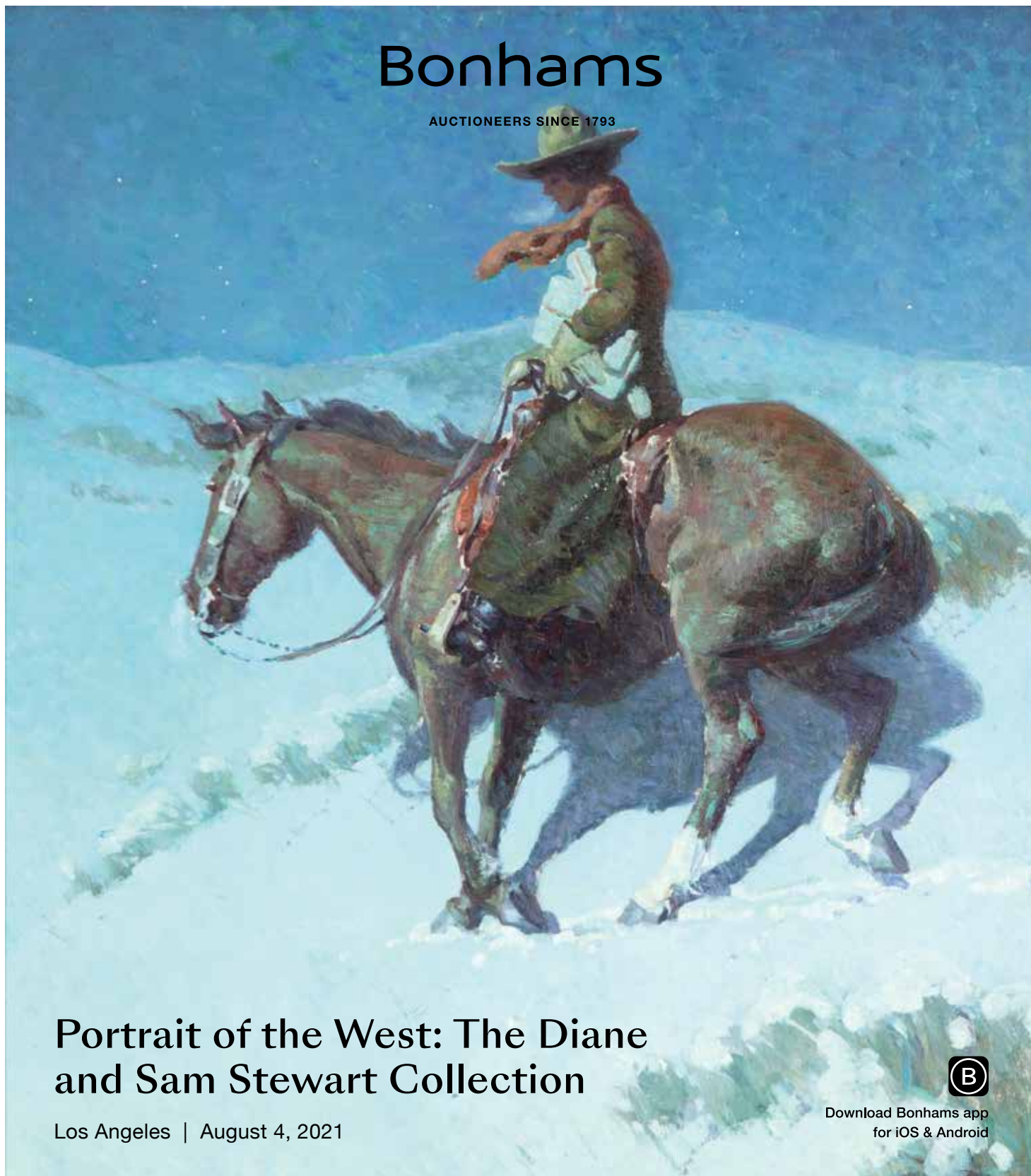
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FRITZ SCHOLDER

Figure and Shadow
Oil on canvas
Overall size: 69" x 80" x 1.5"
\$20,000 - 40,000

Bonhams

AUCTIONEERS SINCE 1793



Portrait of the West: The Diane and Sam Stewart Collection

Los Angeles | August 4, 2021



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WILLIAM HERBERT DUNTON (1878-1936)

Delivering the Mail

oil on canvas

30 x 25in

Painted circa 1912-15.

\$150,000 - 250,000

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We may also request a financial reference and/or deposit from bidders before approving the bidder registration. In the event a deposit is submitted and you are not the successful bidder, your deposit will be returned to you. If you are the successful bidder, any such deposit will be credited to offset the appropriate portion of the purchase price.

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You acknowledge and agree that we may rely upon the accuracy and completeness of the foregoing warranties.

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- (iii) Visa, MasterCard, American Express or Discover debit

or credit card issued in the name of the purchaser or record. Only one debit or credit card may be used for payment of an account balance. This method of payment may not be available to first time purchasers.

To the fullest extent permitted by applicable law, the buyer grants us a security interest in the property, and we may retain as collateral security for the buyer's obligations to us, any property and all monies held or received by us for the account of the buyer, in our possession. We also retain all rights of a secured party under the Uniform Commercial Code (which shall mean the New York Uniform Commercial Code, except where the Uniform Commercial Code of another state governs the perfection of a security interest in collateral located in that state), and you agree that we may file financing statements without your signature. If the foregoing conditions or any other applicable conditions herein are not complied with, in addition to all other remedies available to us and the consignor by law, we may at our election: (a) hold the buyer liable for the full purchase price and any late charges, collection costs, attorneys' fees and costs, expenses and incidental damages incurred by us or the consignor arising out of the buyer's breach; (b) cancel the sale, retaining as liquidated damages all payments made by the buyer; and/or (c) cancel the sale and/or resell the purchased property, at public auction and/or by private sale, and in such event the buyer shall be liable for the payment of all consequential damages, including any deficiencies or monetary losses, and all costs and expenses of such sale or sales, our commissions at our standard rates, all other charges due hereunder, all late charges, collection costs, attorneys' fees and costs, expenses and incidental damages. In addition, where two or more amounts are owed in respect of different transactions by the buyer to us, to Bonhams 1793 Limited and/or to any of our other affiliates, subsidiaries or parent companies worldwide within the Bonhams Group, we reserve the right to apply any monies paid in respect of a transaction to discharge any amount owed by the buyer. If all fees, commissions, premiums, bid prices and other sums due to us from the buyer are not paid promptly as provided in these Conditions of Sale, we reserve the right to impose a finance charge equal to 1.5% per month (or, if lower, the maximum nonusurious rate of interest permitted by applicable law), on all amounts due to us beginning on the 31st day following the sale until payment is received, in addition to other remedies available to us by law.

5. We reserve the right to withdraw any property and to divide and combine lots at any time before such property's auction. Unless otherwise announced by the auctioneer at the time of sale, all bids are per lot as numbered in the catalog and no lots shall be divided or combined for sale.

6. We reserve the right to reject a bid from any bidder, to split any bidding increment, and to advance the bidding in any manner the auctioneer may decide. In the event of any dispute between bidders, or in the event the auctioneer doubts the validity of any bid, the auctioneer shall have sole and final discretion either to determine the successful bidder, re-open the bidding, or to cancel the sale and re-offer and resell the article in dispute. If any dispute arises after the sale, our sales records shall be conclusive in all respects.

We further reserve the right to cancel the sale of any property if (i) you are in breach of your representations and warranties as set forth in paragraph 3 above; (ii) we, in our sole discretion, determine that such transaction might be unlawful or might subject Bonhams or the consignor to any liability to any third party; or (iii) there are any other grounds for cancellation under these Conditions of Sale.

7. If we are prevented by fire, theft or any other reason whatsoever from delivering any property to the buyer or a sale otherwise cannot be completed, our liability shall be limited to the sum actually paid therefor by the buyer and shall in no event include any compensatory, incidental or consequential damages.

8. All lots in the catalog are offered subject to a reserve unless otherwise indicated in the catalog. The reserve is the

Conditions of sale - Continued

confidential minimum bid price at which such lot will be sold and it does not to exceed the low estimate value for the lot. If a lot is offered subject to a reserve, we may implement such reserve by bidding on behalf of the consignor, whether by opening bidding or continuing bidding in response to other bidders until reaching the reserve. If we have an interest in an offered lot and the proceeds therefrom other than our commissions, we may bid up to the reserve to protect such interest. If the auctioneer determines that any opening or subsequent bid is below the reserve for a lot, (s)he may reject such opening bid and withdraw the item from sale. **CONSIGNORS ARE NOT ALLOWED TO BID ON THEIR OWN ITEMS.**

9. Other than as provided in the Limited Right of Rescission with respect to identification of authorship, all property is sold "AS IS" and any statements contained in the catalog or in any advertisement, bill of sale, announcement, condition report, invoice or elsewhere as to period, culture, source, origin, media, measurements, size, quality, rarity, provenance, importance, exhibition and literature of historical relevance, merchantability, fitness for a particular purpose, or physical condition ARE QUALIFIED STATEMENTS OF OPINION AND NOT REPRESENTATIONS, WARRANTIES, OR ASSUMPTION OF LIABILITY. Neither Bonhams nor the consignor shall be responsible for any error or omission in the catalog description of any property. No employee or agent of Bonhams is authorized to make on our behalf or on that of the consignor any representation or warranty, oral or written, with respect to any property.

10. All purchased property shall be removed from the premises at which the sale is conducted by the date(s) and time(s) set forth in the "Buyer's Guide" portion of this catalog. If not so removed, daily storage fees will be payable to us by the buyer as set forth therein. We reserve the right to transfer property not so removed to an offsite warehouse at the buyer's risk and expense, as set forth in more detail in the "Buyer's Guide." Packing and handling of purchased lots are the responsibility of the buyer and at the buyer's entire risk, as are the identification, application for, and cost(s) of obtaining of any necessary export, import, restricted material (e.g. endangered species) or other permit for such lots.

For an additional fee, Bonhams may provide packing and shipping services for certain items as noted in the "Buyer's Guide" section of the catalog.

11. The copyright in the text of the catalog and the photographs, digital images and illustrations of lots in the catalog belong to Bonhams or our licensors. You will not reproduce or permit anyone else to reproduce such text, photographs, digital images or illustrations without our prior written consent. Bonhams and the consignor make no representation or warranty as to whether the buyer acquires any copyrights on the purchase of an item of Property.

12. Bonhams may, in our discretion, as a courtesy and free of charge, execute bids on your behalf if so instructed by you, provided that neither Bonhams nor our employees or agents will be liable for any error or default (whether human or otherwise) in doing so or for failing to do so. Without limiting the foregoing, Bonhams (including our agents and employees) shall not be responsible for any problem relating to telephone, online, or other bids submitted remotely through any means, including without limitation, any telecommunications or internet fault or failure, or breakdown or problems with any devices or online platforms, including third-party online platforms, regardless of whether such issue arises with our, your, or such third-party's technology, equipment, or connection. By participating at auction by telephone or online, bidders expressly consent to the recording of their bidding sessions and related communications with Bonhams and our employees and agents, and acknowledge their acceptance of these Conditions of Sale as well as any additional terms and conditions applicable to any such bidding platform or technology.

13. These Conditions of Sale shall bind the successors

and assigns of all bidders and buyers and inure to the benefit of our successors and assigns. No waiver, amendment or modification of the terms hereof (other than posted notices or oral announcements during the sale) shall bind us unless specifically stated in writing and signed by us. No act or omission of Bonhams, its employees or agents, nor any failure thereof to exercise any remedy hereunder, shall operate or be deemed to operate as a waiver of Bonhams' rights under these Conditions of Sale. If any part of these Conditions of Sale is for any reason invalid or unenforceable, the rest shall remain valid and enforceable.

14. These Conditions of Sale and the buyer's and our respective rights and obligations hereunder shall be governed by and construed and enforced in accordance with the laws of the State of New York. Any dispute, controversy or claim arising out of or relating to this agreement, or the breach, termination or validity thereof, brought by or against Bonhams (but not including claims brought against the consignor by the buyer of lots consigned hereunder) shall be resolved by the procedures set forth below.

15. You accept and agree that Bonhams will hold and process your personal information and may share and use it as required by law and as described in, and in line with Bonhams' Privacy Policy, available at website at www.bonhams.com/legals/. If you desire access, update, or restriction to the use of your personal information, please email data.protection@bonhams.com.

SALES AND USE TAX

New York sales tax is charged on the hammer price, buyer's premium and any other applicable charges on any property collected or delivered in New York State, regardless of the state or country in which the buyer resides or does business. Buyers who make direct arrangements for collection by a shipper who is considered a "private" or "contract" carrier by the New York Department of Taxation and Finance will be charged New York sales tax, regardless of the destination of the property. Property collected for delivery to a destination outside of New York by a shipper who is considered a "common carrier" by the New York Department of Taxation and Finance (e.g. United States Postal Service, United Parcel Service, and FedEx) is not subject to New York sales tax, but if it is delivered into any state in which Bonhams is registered or otherwise conducts business sufficient to establish a nexus, Bonhams may be required by law to collect and remit the appropriate sales tax in effect in such state. Property collected for delivery outside of the United States by a freight-forwarder who is registered with the Transportation Security Administration ("TSA") is not subject to New York sales tax.

MEDIATION AND ARBITRATION PROCEDURES

(a) Within 30 days of written notice that there is a dispute, the parties or their authorized and empowered representatives shall meet by telephone and/or in person to mediate their differences. If the parties agree, a mutually acceptable mediator shall be selected and the parties will equally share the fees and expenses of mediation. The mediator shall be a retired judge or an attorney familiar with commercial law and trained in or qualified by experience in handling mediations. Any communications made during the mediation process shall not be admissible in any subsequent mediation, arbitration or judicial proceeding. All proceedings and any resolutions thereof shall be confidential, and the terms governing arbitration set forth in paragraph (c) below shall govern.

(b) If mediation does not resolve all disputes between the parties, or in any event no longer than 60 days after receipt of the written notice of dispute referred to above, the parties shall submit the dispute for binding arbitration before a single neutral arbitrator. Such arbitrator shall be a retired judge or an attorney familiar with commercial law and trained in or qualified by experience in handling arbitrations. Such arbitrator shall make all appropriate disclosures required by law. The arbitrator shall be drawn from a panel of a national or international arbitration service agreed to by the parties,

and shall be selected as follows: (i) If the arbitration service has specific rules or procedures, those rules or procedures shall be followed; (ii) If the arbitration service does not have rules or procedures for the selection of an arbitrator, the arbitrator shall be an individual jointly agreed to by the parties. If the parties cannot agree on an arbitration service, the arbitration shall be conducted by Judicial Arbitration and Mediation Services, Inc. ("JAMS") or another national or international alternative dispute resolution ("ADR") provider of Bonhams' choice, and the arbitrator shall be selected in accordance with JAMS' Streamlined Arbitration Rules and Procedures or the rules of the other ADR provider selected by Bonhams. The arbitrator's award shall be in writing and shall set forth findings of fact and legal conclusions.

(c) Unless otherwise agreed to by the parties or provided by the published rules of the arbitration service:

- (i) The arbitration shall occur within 60 days following the selection of the arbitrator;
- (ii) The arbitration shall be conducted in New York, New York; and
- (iii) Discovery and the procedure for the arbitration shall be as follows:
 - A. All arbitration proceedings shall be confidential;
 - B. The parties shall submit written briefs to the arbitrator no later than 15 days before the arbitration commences;
 - C. Discovery, if any, shall be limited as follows:
 - (I) Requests for no more than 10 categories of documents, to be provided to the requesting party within 14 days of written request therefor;
 - (II) No more than two (2) depositions per party, provided however, the deposition(s) are to be completed within one (1) day;
 - (III) Compliance with the above shall be enforced by the arbitrator in accordance with New York law;
 - D. Each party shall have no longer than eight (8) hours to present its position. The entire hearing before the arbitrator shall not take longer than three (3) consecutive days;
 - E. The award shall be made in writing no more than 30 days following the end of the proceeding. Judgment upon the award rendered by the arbitrator may be entered by any court having jurisdiction thereof.

To the fullest extent permitted by law, and except as required by applicable arbitration rules, each party shall bear its own attorneys' fees and costs in connection with the proceedings and shall share equally the fees and expenses of the arbitration.

LIMITED RIGHT OF RESCISSION

If within one (1) year from the date of sale, the original buyer (a) gives written notice to us alleging that the identification of Authorship (as defined below) of such lot as set forth in the UPPERCASE TYPE heading of the catalog description of such lot (as amended by any saleroom notices or verbal announcements during the sale) is not substantially correct based on a fair reading of the catalog (including the terms of any glossary contained therein), and (b) within 10 days after such notice returns the lot to us in the same condition as at the time of sale, and (c) establishes the allegation in the notice to our satisfaction (including by providing one or more written opinions by recognized experts in the field, as we may reasonably require), then the sale of such lot will be rescinded and, unless we have already paid to the consignor monies owed him in connection with the sale, the original purchase price will be refunded.

If, prior to receiving such notice from the original buyer alleging such defect, we have paid the consignor monies owed him in connection with the sale, we shall pay the original buyer the amount of our commissions, any other sale proceeds to which we are entitled and applicable taxes received from the buyer on the sale and make demand on the consignor to pay the balance of the original purchase price to the original buyer. Should the consignor fail to pay such amount promptly, we may disclose the identity of

Conditions of sale - Continued

the consignor and assign to the original buyer our rights against the consignor with respect to the lot the sale of which is sought to be rescinded. Upon such disclosure and assignment, any liability of Bonhams as consignor's agent with respect to said lot shall automatically terminate.

The foregoing limited right of rescission is available to the original buyer only and may not be assigned to or relied upon by any subsequent transferee of the property sold. The buyer hereby accepts the benefit of the consignor's warranty of title and other representations and warranties made by the consignor for the buyer's benefit. Nothing in this section shall be construed as an admission by us of any representation of fact, express or implied, obligation or responsibility with respect to any lot. **THE BUYER'S SOLE AND EXCLUSIVE REMEDY AGAINST BONHAMS FOR ANY REASON WHATSOEVER IS THE LIMITED RIGHT OF RESCISSION DESCRIBED IN THIS SECTION.**

"Authorship" means only the identity of the creator, the period, culture and source or origin of the lot, as the case may be, as set forth in the UPPERCASE TYPE heading of the print catalog entry. The right of rescission does not extend to: (a) works of art executed before 1870 (unless these works are determined to be counterfeits created since 1870), as this is a matter of current scholarly opinion which can change; (b) titles, descriptions, or other identification of offered lots, which information normally appears in lower case type below the UPPERCASE TYPE heading identifying the Authorship; (c) Authorship of any lot where it was specifically mentioned that there exists a conflict of specialist or scholarly opinion regarding the Authorship of the lot at the time of sale; (d) Authorship of any lot which as of the date of sale was in accordance with the then generally-accepted opinion of scholars and specialists regarding the same; or (e) the identification of periods or dates of creation in catalog descriptions which may be proven inaccurate by means of scientific processes that are not generally accepted for use until after publication of the catalog in which the property is offered or that were unreasonably expensive or impractical to use at the time of such publication.

LIMITATION OF LIABILITY

EXCEPT AS EXPRESSLY PROVIDED ABOVE, ALL PROPERTY IS SOLD "AS IS." NEITHER BONHAMS NOR THE CONSIGNOR MAKES ANY REPRESENTATION

OR WARRANTY, EXPRESS OR IMPLIED, AS TO THE MERCHANTABILITY, FITNESS OR CONDITION OF THE PROPERTY OR AS TO THE CORRECTNESS OF DESCRIPTION, GENUINENESS, ATTRIBUTION, PROVENANCE OR PERIOD OF THE PROPERTY OR AS TO WHETHER THE BUYER ACQUIRES ANY COPYRIGHTS OR OTHER INTELLECTUAL PROPERTY RIGHTS IN LOTS SOLD OR AS TO WHETHER A WORK OF ART IS SUBJECT TO THE ARTIST'S MORAL RIGHTS OR OTHER RESIDUAL RIGHTS OF THE ARTIST. THE BUYER EXPRESSLY ACKNOWLEDGES AND AGREES THAT IN NO EVENT SHALL BONHAMS BE LIABLE FOR ANY DAMAGES INCLUDING, WITHOUT LIMITATION, ANY COMPENSATORY, INCIDENTAL OR CONSEQUENTIAL DAMAGES. IN NO EVENT SHALL THE AGGREGATE LIABILITY OF BONHAMS AND ITS CONSIGNOR TO A PURCHASER EXCEED THE PURCHASE PRICE ACTUALLY PAID FOR A DISPUTED ITEM OF PROPERTY.

Seller's guide

SELLING AT AUCTION

Bonhams can help you every step of the way when you are ready to sell art, antiques and collectible items at auction. Our regional offices and representatives throughout the US are available to service all of your needs. Should you have any further questions, please visit our website at **www.bonhams.com/us** for more information or call our Client Services Department at +1 (323) 850 7500.

AUCTION ESTIMATES

The first step in the auction process is to determine the auction value of your property. Bonhams' world-renowned specialists will evaluate your special items at no charge and in complete confidence. You can obtain an auction estimate in many ways:

- Attend one of our Auction Evaluation Events held regularly at our galleries and in other major metropolitan areas. The updated schedule for Bonhams Auction Evaluation Events is available at **www.bonhams.com/us**.
- Call our Client Services Department to schedule a private appointment at one of our galleries. If you have a large collection, our specialists can travel, by appointment, to evaluate your property on site.
- Send clear photographs to us of each individual item, including item dimensions and other pertinent information with each picture. Photos should be sent to Bonhams' address in envelopes marked as "photo auction estimate". Alternatively, you can submit your request using our online form at **www.bonhams.com/us**. Digital images may be attached to the form. Please limit your images to no more than five (5) per item.

CONSIGNING YOUR PROPERTY

After you receive an estimate, you may consign your property to us for sale in the next appropriate auction. Our staff assists you throughout the process, arranging transportation of your items to our galleries (at the consignor's expense), providing a detailed inventory of your consignment, and reporting the prices realized for each lot. We provide secure storage for your property in our warehouses and all items are insured throughout the auction process. You will receive payment for your property approximately 35 days after completion of sale.

Sales commissions vary with the potential auction value of the property and the particular auction in which the property is offered. Please call us for commission rates.

PROFESSIONAL APPRAISAL SERVICES

Bonhams' specialists conduct insurance and fair market value appraisals for private collectors, corporations, museums, fiduciaries and government entities on a daily basis. Insurance appraisals, used for insurance purposes, reflect the cost of replacing property in today's retail market. Fair market value appraisals are used for estate, tax and family division purposes and reflect prices paid by a willing buyer to a willing seller.

When we conduct a private appraisal, our specialists will prepare a thorough inventory listing of all your appraised property by category. Valuations, complete descriptions and locations of items are included in the documentation.

Appraisal fees vary according to the nature of the collection, the amount of work involved, the travel distance, and whether the property is subsequently consigned for auction.

Our appraisers are available to help you anywhere and at any time. Please call our Client Services Department to schedule an appraisal.

ESTATE SERVICES

Since 1865, Bonhams has been serving the needs of fiduciaries – lawyers, trust officers, accountants and executors – in the disposition of large and small estates. Our services are specially designed to aid in the efficient appraisal and disposition of fine art, antiques, jewelry, and collectibles. We offer a full range of estate services, ranging from flexible financial terms to tailored accounting for heirs and their agents to world-class marketing and sales support.

For more information or to obtain a detailed Trust and Estates package, please visit our website at **www.bonhams.com/us** or contact our Client Services Department.

Buyer's guide

BUYING AND BIDDING AT AUCTION

Whether you are an experienced bidder or an enthusiastic novice, auctions provide a stimulating atmosphere unlike any other. Bonhams previews and sales are free and open to the public. As you will find in these directions, bidding and buying at auction is easy and exciting. Should you have any further questions, please visit our website at www.bonhams.com or call our Client Services Department at +1 (212) 644 9001.

Catalogs

Before each auction we publish illustrated catalogs. Our catalogs provide descriptions and estimated values for each "lot." A lot may refer to a single item or to a group of items auctioned together. The catalogs also include the dates and the times for the previews and auctions. We offer our catalogs by subscription or by single copy. For information on subscribing to our catalogs, you may refer to the subscription form in this catalog, call our Client Services Department, or visit our website at www.bonhams.com/us.

Previews

Auction previews are your chance to inspect each lot prior to the auction. We encourage you to look closely and examine each object on which you may want to bid so that you will know as much as possible about it. Except as expressly set forth in the Conditions of Sale, items are sold "as is" and with all faults; illustrations in our catalogs, website and other materials are provided for identification only. At the previews, our staff is always available to answer your questions and guide you through the auction process. Condition reports may be available upon request.

Estimates

Bonhams catalogs include low and high value estimates for each lot, exclusive of the buyer's premium and tax. The estimates are provided as an approximate guide to current market value based primarily on previous auction results for comparable pieces, and should not be interpreted as a representation or prediction of actual selling prices. They are determined well in advance of a sale and are subject to revision. Please contact us should you have any questions about value estimates.

Reserve

All lots in a catalog are subject to a reserve unless otherwise indicated. The reserve is the minimum price that the seller is willing to accept for a lot. This amount is confidential and does not exceed the low estimated value.

Auction House's Interest in Property Offered at Auction
On occasion, Bonhams may offer property in which it has an ownership interest in whole or in part or otherwise has an economic interest. Such property, if any, is identified in the catalog with a ▲ symbol next to the lot number(s). Bonhams may also offer property for a consignor that has been guaranteed a minimum price for its property by Bonhams or jointly by Bonhams and a third party. Bonhams and any third parties providing a guarantee may benefit financially if the guaranteed property is sold successfully and may incur a financial loss if its sale is not successful. Such property, if any, is identified in the catalog with a symbol next to the lot number(s).

Bidding at Auction

At Bonhams, you can bid in many ways: in person, via absentee bid, over the phone, or via Bonhams' live online bidding facility. Absentee bids can be submitted in person, online, or via email. Irrespective of previous bidding activity a valid Bonhams client account is required to participate in bidding activity. You will be required to provide government-issued proof of identity and residence, and if you are a company, your certificate of incorporation or equivalent documentation with your name and registered address, government issued proof of your current address, documentary proof of your beneficial owners and directors, and proof of authority to transact. By bidding at auction, whether in person or by agent, by absentee bid, telephone, online or other means, the buyer or bidder agrees to be bound by the Conditions of Sale. Lots are auctioned in consecutive numerical order as they appear in the catalog. Bidding normally begins below the low estimate. The auctioneer will accept bids from interested parties present in the saleroom, from telephone bidders, and from absentee bidders who have left written bids in advance of the sale. The auctioneer may also execute bids on behalf of the consignor up to the amount of the reserve, but never above it. We assume no responsibility for failure to execute bids for any reason whatsoever.

In Person

If you are planning to bid at auction for the first time, you will need to register at the reception desk in order to receive a numbered bid card. To place a bid, hold up your card so that the auctioneer can clearly see it. Decide on the maximum auction price that you wish to pay, exclusive of buyer's premium and tax, and continue bidding until your bid prevails or you reach your limit. If you are the successful bidder on a lot, the auctioneer will acknowledge your paddle number and bid amount.

Absentee Bids

As a service to those wishing to place bids, we may at our discretion accept bids without charge in advance of auction online or in writing on bidding forms available from us. "Buy" bids will not be accepted; all bids must state the highest bid price the bidder is willing to pay. Our auction staff will try to bid just as you would, with the goal of obtaining the item at the lowest bid price possible. In the event identical bids are submitted, the earliest bid submitted will take precedence. Absentee bids shall be executed in competition with other absentee bids, any applicable reserve, and bids from other auction participants. A friend or agent may place bids on your behalf, provided that we have received your written authorization prior to the sale. Absentee bid forms are available in our catalogs, online at www.bonhams.com/us, at offsite auction locations and at our Los Angeles, San Francisco and New York galleries.

By Telephone

We can arrange for you to bid by telephone. To arrange for a telephone bid, please contact our Client Services Department a minimum of 24 hours prior to the sale.

Online

We offer live online bidding for most auctions and accept absentee bids online for all our auctions. Please visit www.bonhams.com/us for details.

Bid Increments

Bonhams generally uses the following increment multiples as bidding progresses:

\$50-200.....	by \$10s
\$200-500.....	by \$20/50/80s
\$500-1,000.....	by \$50s
\$1,000-2,000.....	by \$100s
\$2,000-5,000.....	by \$200/500/800s
\$5,000-10,000.....	by \$500s
\$10,000-20,000.....	by \$1,000s
\$20,000-50,000.....	by \$2,000/5,000/8,000s
\$50,000-100,000.....	by \$5,000s
\$100,000-200,000.....	by \$10,000s
above \$200,000.....	at auctioneer's discretion

The auctioneer may split or reject any bid at any time at his or her discretion as outlined in the Conditions of Sale.

Currency Converter

Solely for the convenience of bidders, a currency converter may be provided at Bonhams' auctions. The rates quoted for conversion of other currencies to U.S. Dollars are indications only and should not be relied upon by a bidder, and neither Bonhams nor its agents shall be responsible for any errors or omissions in the operation or accuracy of the currency converter.

Buyer's Premium

A buyer's premium is added to the winning bid price of each individual lot purchased, at the rates set forth in the Conditions of Sale. The winning bid price plus the premium constitute the purchase price for the lot. Applicable sales taxes are computed based on this figure, and the total becomes your final purchase price.

Unless specifically illustrated and noted, fine art frames are not included in the estimate or purchase price. Bonhams accepts no liability for damage or loss to frames during storage or shipment.

All sales are final and subject to the Conditions of Sale found in our catalogs, on our website, and available at the reception desk.

Payment

Payment may be made to Bonhams by cash, checks drawn on a U.S. bank, money order, wire transfer, or by Visa, MasterCard, American Express or Discover credit or charge card or debit card. All items must be paid for within 5 business days of the sale. Please note that payment by personal or business check may result in property not being released until purchase funds clear our bank. For payments sent by mail, please remit to Bonhams Client Services Department, 7601 W Sunset Boulevard, Los Angeles, California 90046.

Sales Tax

Residents of states listed in Paragraph 1 of the Conditions of Sale must pay applicable sales tax. Other state or local taxes (or compensation use taxes) may apply. Sales tax will be automatically added to the invoice unless a valid resale number has been furnished or the property is shipped via common carrier to destinations outside the states listed in the Conditions of Sale. If you wish to use your resale license please contact Client Services for our form.

Collection of Purchases

Scheduling an appointment and payment in full prior to arrival will facilitate the quick release of your property. If you are sending a third-party to collect, please provide details to our Client Services Department at invoices.us@bonhams.com prior to your scheduled pickup or we will be unable to release your property.

For your convenience, pre-allocated 30-minute collection time slots are available Monday through Friday between 9am – 4:30pm. To schedule collection of purchases, please contact our Client Services Department on +1 (323) 850 7500.

Shipping & Removal

Bonhams can accommodate shipping for certain items. If you wish to receive a Bonhams Shipping quote, please confirm as such at the time of registration. Carriers are not permitted to deliver to PO boxes.

International buyers are responsible for all import/export customs duties and taxes. An invoice stating the actual purchase price will accompany all international purchases.

Handling and Storage Charges

Storage charges of \$5 per lot, per day will begin accruing for any lots not collected within 14 calendar days of the auction.

Bonhams reserve the right to remove uncollected sold lots to the warehouse of our choice at the buyer's risk and expense. Further transfer, handling, storage and full value protection fees will apply if move to a warehouse of our choice.

Auction Registration Form

(Attendee / Absentee / Online / Telephone Bidding)

Please circle your bidding method above.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Paddle number (for office use only)

General Notice: This sale will be conducted in accordance with Bonhams Conditions of Sale, and your bidding and buying at the sale will be governed by such terms and conditions. Please read the Conditions of Sale in conjunction with the Buyer's Guide relating to this sale and other published notices and terms relating to bidding. Payment by personal or business check may result in your property not being released until purchase funds clear our bank. Checks must be drawn on a U.S. bank.

Notice to Absentee Bidders: In the table below, please provide details of the lots on which you wish to place bids at least 24 hours prior to the sale. Bids will be rounded down to the nearest increment. Please refer to the Buyer's Guide in the catalog for further information relating to instructions to Bonhams to execute absentee bids on your behalf. Bonhams will endeavor to execute bids on your behalf but will not be liable for any errors or non-executed bids.

Notice to First Time Bidders: New clients are requested to provide photographic proof of ID - passport, driving license, ID card, together with proof of address - utility bill, bank or credit card statement etc. Corporate clients should also provide a copy of their articles of association / company registration documents, together with a letter authorizing the individual to bid on the company's behalf. Failure to provide this may result in your bids not being processed. For higher value lots you may also be asked to provide a bankers reference.

Notice to online bidders: If you have forgotten your username and password for www.bonhams.com, please contact Client Services.

If successful

I will collect the purchases myself ☐
 Please contact me with a shipping quote (if applicable) ☐
 I will arrange a third party to collect my purchase(s) ☐

Please email the completed Registration Form and requested information to:

Bonhams Client Services Department
 7601 W. Sunset Blvd
 Los Angeles, California 90046
 Tel +1 (323) 850 7500
bids.us@bonhams.com

Bonhams

Sale title: The Early West: The Collection of Jim and Theresa Earle	Sale date: August 27, 2021
Sale no. 27262	Sale venue: Los Angeles
General Bid Increments: \$10 - 200by 10s \$200 - 500by 20 / 50 / 80s \$500 - 1,000by 50s \$1,000 - 2,000by 100s \$2,000 - 5,000by 200 / 500 / 800s \$5,000 - 10,000by 500s \$10,000 - 20,000by 1,000s \$20,000 - 50,000by 2,000 / 5,000 / 8,000s \$50,000 - 100,000by 5,000s \$100,000 - 200,000by 10,000s above \$200,000at the auctioneer's discretion The auctioneer has discretion to split any bid at any time.	
Customer Number	Title
First Name	Last Name
Company name (to be invoiced if applicable)	
Address	
City	County / State
Post / Zip code	Country
Telephone mobile	Telephone daytime
Telephone evening	
Telephone bidders: indicate primary and secondary contact numbers by writing ① or ② next to the telephone number.	
E-mail (in capitals) _____	
By providing your email address above, you authorize Bonhams to send you marketing materials and news concerning Bonhams and partner organizations. Bonhams does not sell or trade email addresses.	
I am registering to bid as a private client <input type="checkbox"/>	I am registering to bid as a trade client <input type="checkbox"/>
Resale: please enter your resale license number here _____ We may contact you for additional information.	

SHIPPING	
Shipping Address (if different than above):	
Address: _____	Country: _____
City: _____	Post/ZIP code: _____

Please note that all telephone calls are recorded.

Type of bid (A-Absentee, T-Telephone)	Lot no.	Brief description (In the event of any discrepancy, lot number and not lot description will govern.) If you are bidding online there is no need to complete this section.	MAX bid in US\$ (excluding premium and applicable tax) Emergency bid for telephone bidders only*

You instruct us to execute each absentee bid up to the corresponding bid amount indicated above.

* Emergency Bid: A maximum bid (exclusive of Buyer's Premium and tax) to be executed by Bonhams only if we are unable to contact you by telephone or should the connection be lost during bidding.

BY SIGNING THIS FORM YOU AGREE THAT YOU HAVE READ AND UNDERSTAND OUR CONDITIONS OF SALE AND SHALL BE LEGALLY BOUND BY THEM, AND YOU AGREE TO PAY THE BUYER'S PREMIUM, ANY APPLICABLE TAXES, AND ANY OTHER CHARGES MENTIONED IN THE BUYER'S GUIDE OR CONDITIONS OF SALE. THIS AFFECTS YOUR LEGAL RIGHTS.

Your signature: _____	Date: _____
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Santa Fe, Nov 30, 1881.

An agreement entered into at date and place above written between the New Mexican Printing and Publishing Company of the first part, and Pat A. Garrett, of the second part:

Witnesseth - That the said party of the first part undertakes the publication of the "Life of Billy, the Kid," of which said Garrett is the author, with the following conditions:

First - The said book is estimated to contain (128) one hundred and twenty-eight pages, to be set in small pica type (24 ems pica wide and of proportionate length.)

Second - It is to be printed on No 2 book paper, weighing (90) ninety pounds to the bundle, and to be bound in (34) third, four pound cover paper.



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AUCTIONEERS SINCE 1793