

A ONE HUNDRED AND THIRTY YEAR OLD CRIME RESOLVED

I spend many hours in cemeteries working on gravestone restoration for the Pioneer Cemetery Preservation Commission and also photographing stones for the Iowa Gravestone Photo Project. I also maintain a list of all the Civil War Soldiers buried in Fayette County in order to obtain a military issued stone for the soldiers who do not have one. While working in the Lima and Dunham Grove Cemeteries I noticed that the gravestone for F.M. Shephard was in poor shape, needing a replacement.



Shepard Grave stone 2016

Cemetery records indicated Shepard was Francis Marion Shepard; and a Civil War Veteran. I began the process to obtain a Military issued stone. A Military-issued gravestone requires the following: Soldiers full name, birthdate, Company and Regiment, and dates of service. Locating the information requires extensive research. Research often yields discrepancies and sometimes, amazing stories.

Shepard Civil War Service

In May of 1861, (1) Shepard enlisted in Company A, of the 1st U.S. Reserve Corps Cavalry; Crandall's Company, Missouri Home Guard. He claimed to be nineteen years of age. In fact he was only seventeen. His birthdate was 1844, in District 7, Boone, Indiana born to William and Mary Ann Shepard.

A state organization, like a Home Guard does not fulfill the requirements for a government issued stone, but what about the Missouri Home Guard? The service record was quite substantial.

Missouri Home Guard

1. June 17th the company fought the pro-Confederate Missouri State Guard at the Battle of Boonville in Cooper County. It was a Union victory.
2. July 5th the Company moved to the Battle of Carthage in Jasper County. This Confederate victory sustained the Confederate hopes for the loyalties of Missouri.

3. July 14 to the 18th the Company was in time to see action at Fulton, Callaway County, Missouri.

4. July 18th the company rode to Martinsburg, in Audrain County. The battle ended with the confederates beating a hasty retreat.

5. August 10th the company fought at the battle of Wilson's Creek. General Fremont reported that 2000 of the 8000 Union troops were men of the Home Guard.

6. August 18, 1861, Company A traveled to St. Louis, Mo. and Shepard was mustered out of service.

Though the war was not over, the soldiers under the command of Nathaniel Lyon had served their terms of service. (2)

Records proved that F.M. Shepard was a mounted orderly to General Nathaniel Lyon from June 11 to August, 18, 1861 and mustered out on that same date. But was the home guard a state or national organization?

After several months of searching and inquiries that did not answer my questions, I felt a kinship with General Ulysses S. Grant who complained in a letter "With respect to the Home Guards, I should like to have some instructions. I have not been able to learn head nor tail about them, notwithstanding all of my efforts." (3)

I was finally able to prove Union records that the Missouri Home Guard became a National organization. (4) This was the information needed to obtain the Military issue stone.

But then there was something else.

The name Francis Marion Shepard is listed on the National Monument in Washington D.C. which honors peace officers killed in the line of duty. This Shepard was killed in the line of duty in Fayette County, Iowa. (5), (6), (7), (8)

Shepard returned home to Missouri and a year later, he married 16 –year- old Nancy J. Hargness. Together they moved to Fayette County, Iowa, which could have been the end of the story.

Barber Civil War Service

Just as Francis Shepard was settling into farming in Fayette, an eighteen-year-old, from Fayette County, Alexander Barber enlisted in Company A, 38th Infantry Regiment. Two days later his father Lawrence also enlisted. (9) The Civil war drew an enthusiastic response of Iowa men like these two. * Lawrence Barber was not a typical enlistee. The average of a soldier was between 18-21 years old. He was 38 years old, and he and his wife, Leafy Ann Gill Barber, had 10 children. (10)

Alexander and Lawrence reported for duty at Camp Franklin in Dubuque on November 4, 1862. This was an unfortunate stroke of luck for the two men. Camp Franklin was so badly managed that things there were in chaos. Men were not even issued uniforms; they had to wear what they wore to camp. Lawrence and Andrew Barber were given the rank of private which was almost the entirety of what they were to receive from the military. They were not given a rifle or any instruction in the use of military equipment.

In *A Brief History of the 38th, Iowa*, author David Wildman wrote, “The Regiment’s organization at Dubuque was delayed when the original Colonel was removed for incompetence.” (11)

Letters from officers confirmed the conditions. A letter from Sergeant Sholts to his wife described their situation. Three months passed and, “...there were still no uniforms, equipment or pay.” (12)

Andrew and Lawrence were in a company of discouraged and angry men, some of whom simply ran away. (13)

Despite their poor training, that December the regiment finally left Dubuque and headed for Louisiana by way of St. Louis. They were poorly equipped for the battlefield. At this point the men were, “living on poor rations and bad water, sleeping and marching in all kinds of weather, generally far from familiar environments, climates, and loved ones — all of which wreaked havoc on their bodies and minds.” (14) Lawrence and Andrew finally arrived at Port Hudson, Louisiana in July of 1863.

*76,242 Iowa men (out of a total population of 674,913 in 1860) served in the military, many in combat units attached to the western armies. 13,001 died of wounds or disease (two-thirds of the total). 8,500 Iowa men were wounded. *Iowa Civil War History-*
<http://thomaslegion.net/americancivilwar/iowacivilwarhistory.html>

July in Louisiana is unbearably hot and humid. The men wore wool uniforms, which stayed damp. Iowa men had no natural immunity against the mosquito borne diseases of Louisiana. Conditions deteriorated rapidly. Dysentery, typhoid fever and malaria ravaged the troops. For three weeks in July every single man of the 38th regiment was sick. Less than twenty men of the unit were even able to report for duty. (15)

The Dying Began

The men began dying at the rate of two per day. There were not enough healthy men to properly bury them. Weak and sick men scraped out shallow graves, in the middle of the camp.

“Dirt, rubbish, filth of all descriptions and decaying animal and vegetable matter can be seen everywhere within the fort, and if Gen. Bank’s does not adopt stringent health measures the stench will breed disease as the weather is extremely hot.” (16)

Nothing was Done

The men of the 38th Regiment never saw a battle. Lawrence and Andrew never fired their muskets in a battle. Yet the company suffered losses as great as if they had charged directly into cannon fire. Thirty percent of the men died or were discharged, sent home ruined by disease.

The men sent home did not recover their health. Historian author Sara Handley Cousins writes, “Soldiers routinely described themselves to be “worn out” or “used up” by the stresses of war.” (17)

The Regiment was understandably termed, ‘The Martyr Regiment’.

On July 18, 1863 Lawrence and Andrew Barber were sent home disabled by disease. They boarded the steamer the ‘Ohio Belle’ at Vicksburg and began the long hot journey up the Mississippi River. (18) Days passed. Thirst for men with dysentery is incapacitating. They drank stale water from oak barrels, which churned through their intestines without assuaging their body’s critical need for fluid. Their bodies lost more water due to the temperature. They lay in the heat in utter misery as the steamer ploughed its way through the thick muddy waters of the Mississippi, slowly taking its cargo of sick soldiers back to Iowa; back to their homes. If they could just hold on, they’d be home.

Alexander did not make it.* On the second of August, fifteen agonizing days after they boarded the steamer, he died of dysentery. (19)

There was no means to let the family know that father and son were aboard the steamer. There was no means to inform them of Alexander's death. One can only imagine the family's reaction when Lawrence Barber came home and walked through the door without the oldest son.

Ike Barber was eight years old when his father returned from the war. His brother William was three. This man was not who they remembered.

Lawrence had to have been shocking altered. He had suffered. His uniform, distributed months ago were no doubt tattered, stained and dirty. He had not recovered his health or strength.

For the rest of his life, Lawrence could not work, and needed physical care. The children did not have enough to eat. Lawrence grew worse, and on September 26, 1866 just three years after he came home, he died. A military stone marks the site of his burial in Dunham Grove Cemetery, Randalia, Fayette County, Iowa (20)

His wife, Leafe applied for a widow's pension. She received \$8.00 a month from the government. Eight dollars a month for her children. All of the children were under the age of sixteen. The situation was impossible. (21)

There was nothing she could do. Trusting the system to help her family, she placed three of her children, Ike, Bill and Anna in the Soldier's Orphan Home in Cedar Falls, Iowa. The orphan's home in Cedar Falls was one of several founded by Annie Whittenmeyer one of America's foremost women reformers. (22)

Annie claimed she could not forget the words of wounded and dying men imploringly asking "Oh, what will become of my children?" (23) She assured the men their children would be cared for and began a movement which established the Soldier's Orphan home. Ike, Bill and Anna traveled to the Cedar Falls Orphanage at the old American House Hotel building downtown on 4th and Main Streets. Children from two to sixteen years of age were admitted.

*Alexander was one of 250 men left sick at Vicksburg when the Regiment steamed for Port Hudson on July 4. He was re-interred in the Vicksburg National Cemetery in 1866 as Unknown. Retrieved from - <http://www.38thiowainfantry.com/roster/>

The year that they arrived at the home, a measles epidemic struck. Fifty-five of the one hundred and forty-seven children became ill and nine children died. (24)

The Home was clearly overcrowded and it is possible it was also not a place that the townspeople were comfortable having downtown. Three years after their arrival the orphans moved to a larger brick building two miles west of Cedar Falls. Ike was twelve and Bill was eight.

The home had required classes and work assignments. They had rules for attention to hygiene. We don't know how they applied discipline. We don't know how the boys were treated. There was a difference between orphans and children who had been given up. There were cruel remarks a child could make, "My mother is dead. Your mother doesn't want you." There is no doubt that children removed from their mother would miss their mother and feel hurt or angry and confused. The new location west of Cedar Falls kept the home out of direct scrutiny by townspeople. We know discipline was strict. But we don't know what children experienced. We do know that starving children, now had enough to eat, a bed to sleep in and clean clothes. However, something was clearly not right for Bill and Ike. They ran away from the orphanage and went home. (25)

Years later when asked why, they answered, "This stuff is for sissies, let's go home." The statement was not true for Anna, age 14. She was still a resident of the home on March 3, 1868, but the boys were gone. (26)

The boys were now old enough to help with the farm work. Leafe welcomed them home and made no attempt to send them back. This is another indication of how they might have felt they had been treated. The boys helped on the farm and worked for their neighbors; the income for the family improved but barely.

Shepard Family

In 1882, Francis and Nancy Shepard had been married twenty years and had three sons aged fifteen, eight and two, and they had one daughter.

They attended social functions at Lima Church at Westfield Township. The congregation was building a new church using native lumber sawed at the Lima water-power mill, which perfectly demonstrated self-sufficiency and the reliance upon neighbors. There were sixty-seven active members of the Lima Union

Church Builders Association, as a farmer and active church member; Francis was likely counted in their ranks. (27)

Fayette County is larger than most counties in Iowa, at the time it was growing. The county would need additional law service.

Sheriff Levi Farr from West Union had served with Company C, Sixth Iowa Cavalry. (28) He knew the value of Union Army training and experience in marksmanship for selected individuals because most soldiers did not receive marksmanship training.

“Oddly enough, marksmanship on a rifle range did not take precedence over other drills the soldiers learned for several reasons — the military believed that each man would shoot accurately when told to and the war departments did not wish to waste ammunition fired on random targets.” (29)

Sheriff Farr knew that Shepard had used a rifle and gun in the Civil War. In short order, he deputized Shepard as a deputy Sheriff, it was, in a sense the end result of his civil war service.

Barber Families 1882

Ike and Bill also had families. Ike married Hattie Slaughter and had two sons. (30) Bill married Hattie’s sister Alice and they had two daughters. (31) They both lived outside of Fayette village and their economic situation had not improved.

It was difficult for them to establish credibility and reputation. They had been removed from their communities as children. They were run-aways within a community who only knew them as poor and troubled. They hadn’t developed relationships with any of the people in the community. Neighbors who knew each other and depended upon each other for help with harvest, during sickness, or loaning tools or equipment did not know these men.

How could the brothers make ends meet and how did they feel about those who had so easily acquired more than they had? Society and life had cheated them out of a fair turn. And, possibly out of fair wages.

Bill talked freely about their activities and said that they had worked for a fellow who cheated them out of their pay. So they took his horse and sold it. (32) And they would do it again.

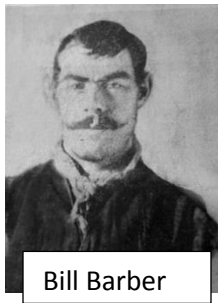
The brothers had become horse thieves.

On a single night late in August they stole three horses from a livery five miles west of Fayette. Next they stole a horse from a Mr. Brackett's livery and a harness from another livery belonging to James Kniffin. Dawn was breaking in the east when they stole a buggy from Rev. Enoch Fothergill, a United Brethren minister. (33)

It seems they were more interested in causing trouble than theft because the horses were not sold, but eventually found grazing where the brothers had hidden them in the woods near their home. (34)

Ike and Bill were guilty of horse theft, a serious crime punishable by death. (35)

And far worse accusations were to come. "On Aug. 20, 1882, the



Bill Barber

bodies of Charles McMahan, a wealthy bachelor farmer, and two hired hands, John Carlock and Robert Matheny, were found a few miles east of Mount Pulaski, Ill., having been dead several days.

McMahan's head was battered almost beyond recognition, and the heads of Carlock and Matheny had been nearly severed from their bodies. McMahan



Ike Barber

was evidently murdered for his money, and his men, presumably, because they interfered to save him." (36)

In due time, Ike and Bill were accused of those murders. Illinois authorities issued a warrant for their arrest and offered a \$5,000 reward for their capture.

Newspapers in Iowa carried descriptions of the two men along with information about the reward. On June 7, 1883, the *Waverly Republican* gave descriptions of the brothers.

Ike is 27 years of age; five feet, six inches tall; 170 pounds; dark hair; blue eyes. Ike was known to hold his head down and look away from people talking to him. Bill 23 years of age; five feet, eleven inches tall; 185 pounds; light complexioned. He held his head erect and talked freely. (37)

No one questioned the timing of the murders, August 19-20, 1882. This was when Ike and Bill were reported to have been stealing horses in Iowa, 340 miles away.

But nothing, including the truth could stop events from unfolding.

Just Horse Thieves

Sheriff Farr had an arrest warrant for Ike and Bill for the theft of a horse and buggy. (38) He spent a week looking for the brothers. He left orders with Deputy Francis Shepard to arrest the Barbers on sight. (39)

On Thursday, Sept. 7th just north of Fayette, a farmer, Lew Stansberry, saw the Barber boys in his orchard stealing apples. He did not confront them but instead hurried find Deputy Shepard.

Shepard and a hired man Charles Henry were busy threshing, when Lew Stansbury arrived. They stopped and listened as he told about seeing the Barber brothers. Lew Stewsbury claimed Shepard said.

“If I should succeed it would pay me better than threshing, altho’ I *may* get my head blown off.” (40)

This statement indicates that Shepard knew the Barbers had been accused of the murders and was aware of the reward being offered in Illinois. He and Charles Henry, followed Stewsbury to locate and arrest the Barbers.

But by then, the Barber brothers had left the orchard. (41) If they were stealing apples they had to have been hungry. Hungry men could work for food on the railway, and there was a construction camp only about six miles east of Fayette. Sure enough, Ike and Bill were waiting for food sitting on the back end of a wagon when Shepard and the two other men spotted them.

Shepard was the only man with a gun. He told Charles Henry and Lew Stansbury to remain behind and he walked toward the brothers.

No one ever saw what happened. They could only make assumptions based on what they heard.

First they heard Deputy Shepard yell. “Throw up your arms, you are my prisoners!” Then they heard Ike yell. “We are uh!” (42)

There was a gunshot, and another.

Moments later, Shepard came into view. He reeled and staggered a few feet and fell. Then he rose to his feet and staggered a few paces into a nearby hazel brush and fell again. Blood gushed from his chest and mouth.

Ike and Bill jumped on horses without putting on bridles, and rode into the wooded ravine. (43)

There is a discrepancy in what happened; some accounts put the Barber brothers at a boarding house near the camp stating, “They had just finished lunch and were leaving a store when the constable spotted them. As they mounted their horses, Shepherd commanded them to halt and raise their hands. Ike, who knew horse theft was punishable by hanging, decided to shoot it out; he slipped down under his horse and shot at Shepherd, hoping to wound him so he and his brother would have time to escape. The shot killed Shepherd, but not until he fired a shot and wounded one of the brothers. Ike and Bill, however, managed to mount their horses and they sped away.” (44) One more variation has Ike placing his revolver against the body of Shepard. (45) This seems unlikely because the brothers were unaware of Shepard’s death.

The men in the railroad camp went for their horses and guns and started after them. (46) Sheriff Farr was telegraphed with the news. Deputy Francis Marion Shepard was dead.

Sheriff Farr was devastated

“Get on your horses and ride over every inch of this country,” Sheriff Farr told a large group of enraged and grieving men who were quickly organized into a posse. (47)

Around seven p.m. a man who lives near Cornhill, about six miles southeast of Fayette, came into town and said that he just found the brothers’ horses and the bridles were lying on the ground only a few feet away. This discrepancy regarding the bridles is in the same report. (48)

The brothers had abandoned the horses knowing they would need faster horses if they were going to have a chance to get away.

The posse rode in every direction as Ike and Bill hid whenever the searches came close. On one occasion, they were certain they had been spotted. Bill reported later that he told Ike, he thought the group saw them. (49)

Ike's response indicates that the brothers did not know what had happened to Deputy Shepard. They said, "Many of the men who were hunting them with guns after they shot Shepard met them and ran away, and that was one reason why they dared to come back. They believed the people would fear them." (50)

FRIDAY Sept. 8th

Early in the morning, a widow north of Strawberry Point awoke.

"About 3:00 a.m. I heard a noise at the barn. I got out of bed just in time to see two men riding rapidly out of the yard on my best horses." (51)

SATURDAY, Sept. 9th

The widow's horses were found grazing near some woods, but the Barber brothers were nowhere in sight. Without the horses, the posse was closing in. The brothers spent the day near Edgewood moving through the woods and hiding whenever they heard the men, some of whom were probably leading their horses through the trees.

By nightfall they were exhausted, hungry and thirsty. They spent the night in the barn of a German immigrant, in Auburn Township, but left before daylight. (52)

SUNDAY, Sept. 10th

The posse was certain they had the brothers trapped in the woods eight miles from Brush Creek [now Arlington]. They were about 17 miles from the railroad camp.

But, as the posse closed in Bill and Ike crossed a fence into a cornfield. Standing corn is about five and a half feet tall. It presents a thick deep cover.

At the far end of the field, a farmer was driving a wagon on the road. Ike and Bill jumped aboard. The farmer was unaware of who they were or what had

happened. And so, the brothers rode along. That night they camped south of West Union, near the fairground.

Monday, Sept. 11th

At noon the brothers came out of hiding in order to purchase crackers and beef at Samuel Holton's grocery store in West Union.(34) They went to two blacksmith shops, L.B. Dershan's and Archer's and even made a trip to the barber shop. In all, they spent about two hours in downtown West Union walking about freely. During this time, Sheriff Farr was out of town looking for them.

The brothers left West Union and the search continued. It seemed that Sheriff Farr would not get a break in his hunt, and then a report came of a stolen horse found near Independence. (53)

The brothers decided they must leave Iowa.

When they gave their reasons for leaving the county, Bill and Ike said they felt as if people would look down on them and be against them. Bill suggested that people would think they were like Jesse James and the Youngers. (54)

For the next ten months the brothers worked in Kansas first on a farm and later on a ferry on the Republican River, seemingly unaware of Shepard's death. (55)

Shepard Burial

September 10th Francis Shepard's funeral service was held outdoors in front of his home on Saturday morning.

The community was bereft. Francis Shepard was a fine man, a hard-working farmer, a good businessman a fair dealer.

To be killed by low-life horse thieves was unimaginable. Francis Shepard was a law abiding citizen, an honorable soldier of the civil war, a father, a husband, a good neighbor. He was one of their own.

There was a light rain in the early morning as Rev. Elder Schafer of the U.B. society conducted the service.

The mourners were full of emotion as Shepard's widow, Nancy and his four children stood and wept over the coffin. His youngest child was only two years of age.

"The good people of Fayette County began a subscription to raise enough money to pay off the mortgage on the farm of Francis Shepard." (56)

1883 Iowa

On Monday, May 28, 1883, the Barber brothers returned to Iowa.

They arrived in Waterloo and then rode the train to Independence and from there walked the thirty-two miles to Fayette County, not having enough money for a wagon or coach. They intended to visit all their sisters and friends and then leave Iowa for good.

June 2 Saturday, they arrived at their old home, two and a half miles south-east of Randalia. They were surprised to find strangers. A widow, Mrs. Ben Cave and her son were living in their home. She explained to the boys that their mother had moved to Glendive, Montana. (57)

They still did not know that Shepard had died.

Knowing their mother had gone to Montana, they decided to go there too. They began traveling in a westerly direction. (58) Widow Cave's son hurried to tell Sheriff Farr about the Barber's visit to their old home. It did not take much time for word to spread.

Sheriff Farr formed a posse of about seventy-five men. In the meantime, Bill and Ike walked to visit their sister Anna Mariah, (Mrs. Henry L. Felkey), who was living near Fayette. Until this point the brothers maintained that they had no idea of being accused of any crime but horse stealing. Anna told them differently. Now they knew they were wanted for murder. They had to get out of the state immediately. They left that night. It was raining as they walked west 15 miles towards Sumner, Iowa.

The next day, Sunday June 3rd, they got into an empty school house in Wilson's Grove near Sumner, to hide out and rest. They built a fire in the school to dry out their clothes. (59)

But they had been seen. A farmer, Daniel Eastman saw them. Late in the afternoon he found Deputy Sheriff Jarvis in Sumner and reported his sighting. Jarvis gathered a small group of men and went to search the area. But by then, the brothers had left the school.

They had not gone far

Deputy Sherriff Jarvis gave orders for his group of men to separate. He and one of them, Almon Tibbets stayed together hidden in the underbrush. Soon they spotted the Barber brothers, walking toward them. Deputy Sheriff Jarvis told the men to halt and surrender. Startled, Bill and Ike grabbed their guns and began shooting. One of the bullets hit Jarvis in the left breast and lodged in his shoulder. (60)

As soon as they heard gunfire the other men came running. When the gunfire stopped they ran toward the sound of the shots. It wasn't very far, even an expensive Henry or Winchester rifle was ineffective after 800 meters. The Barber boys had to be close by. But a search of the area from where the shots had come only turned up coats, boots and cartridge belts, not Ike or Bill. Once again, the brothers had somehow eluded capture. (61)

The men quickly decided that the brothers were headed for Wilson Grove, about two miles north of Sumner. The men guessed that the brothers were probably in the timber along the Volga or Wapsie rivers. (62)

But Ike and Bill were headed to Tripoli about 10 miles south west of Sumner.

Monday, while taking refuge in a barn belonging to farmer Jay Cook two miles east of Tripoli, they were almost uncovered by Farmer Cook as he was getting hay for his cattle. They stayed and rested there all day.

By this time, the posse hunting for the brothers had swelled to one hundred men. Sheriff Farr from West Union arrived with a large group.

Ike and Bill were next spotted outside a house a mile south of Tripoli.

George W. Hayzlett, the Sheriff of Black Hawk County, was also involved in the search. He started out traveling north from Waterloo. When the two Sheriff's connected, they agreed that they did not have much of a chance of capturing the brothers in the dense woods along the rivers. The leaves were fully out on the trees, it would be easy for the brothers to simply hide. (63)

And it would be even easier for them to hide if they were to separate. Splitting up would have ensured the safety of at least one of the brothers. But they stayed as they always had, together.

The two Sheriffs did not want to risk losing any of their men. They believed the Barber boys were dangerous cold-blooded murders who would have no compunction about shooting them. The men of the posse however, were eager to go, to get them, each man perhaps hoping secretly that he would be the one to avenge Shepard's murder, or to claim the reward. The Sheriffs positioned the men in a large ring around a selected area. Then they began to close in.

By nightfall the posse had surrounded the area where the brothers were hiding. Ike and Bill were in a dense grove of trees. The posse began to close in on the men, as storm clouds closed in above them all.

Suddenly lightening cracked. The sound is so similar to gunshot that it must have startled at least a few of those expecting at any moment to be shot. Then the rain began. It was a heavy rain storm. It is impossible to see through the trees in a heavy rain.

Once more, the brothers escaped

The posse was attempting to reassemble as the brothers hurried out of the woods and crossed farm fields. They found shelter in another barn near another creek. They had to keep moving, but where? It wasn't possible to know how far they could go and they had seen such a large number of men after them.

They left the barn, but in the dark, they lost their way. They crossed another farm field and sometime in the night, found another barn, this one along Crane Creek about eleven miles east of Waverly and belonging to a German immigrant, Augustus Tegtmeier.

They tried to make a plan but they were too tired, wet and hungry. Maybe a German immigrant would not know that they were wanted. Maybe they could ask for food.

They waited. Later in the day, the son of the farmer came to the barn to do chores. Bill stepped out and asked him for food. The son Henry immediately recognized Ike and Bill. He knew they were outlaws and that there was a reward of \$6,000 for their capture.

He assured them that there was food in the farm house and his mother would prepare something to eat. He invited them into to the house.

As Mrs. Tegtmeier prepared and served the brothers food, Henry left the house and ran to his father and younger siblings. He told his father the outlaws were in the house and were being fed. He returned to the house.

Ike and Bill were finishing eating. Bill asked for a loaf of bread to take with them. As the brothers got to their feet to leave, five robust unarmed Germans burst through the door. In heavily accented English they demanded that the brothers give up; insisting that the brothers were arrested. (64)

The Germans grabbed for the brothers, but the brothers drew their revolvers and began to shoot.

Henry Kersting, one of the Germans, managed to grab Bill Barber. Two others quickly joined in using strength and blows. They pinned him to the floor. (65)

Henry Tegtmeier caught Ike by the throat. Ike shot his gun over Henry's shoulder and twisted away. He fired his guns as he backed through the door. Bill was still pinned down. Ike ran around outside to the window to the room where his brother was held down. He smashed the glass and poked his gun through the opening, and shot Henry Kersting in the back. Henry fell off of Bill with a thud. The shot was fatal.*

It looked as if they had a chance to escape. But one of the farmers, Henry Pope followed Ike out of the house and grabbed him from behind. Henry held on as Ike shot. The bullet went through Pope's chest. Ignoring the wound, Pope grappled with Ike and held him down as Mrs. Tegtmeier came running from the barn with a rope. With this the men bound both brothers. The fight was over. But Henry Kersting was dead.

Word was sent to Sheriff Jarvis. Little time passed as they waited for Jarvis to arrive with a small party of men on a fast team of horses. Sheriff Jarvis exchanged the rope for shackles.

*Kersting, George Henry, age 24 y –died 05 June 1883 – Fremont t Twp Cemetery. Bremer County. Born. Cook Co, IL, died Crain Creek, IA killed by Isaac Barber of the notorious "Barber Brother"; cemetery & newspaper research. WPA Record.

The brothers were loaded and taken to the Bremer County jail at Waverly. (66)

They arrived at 6:00 am, Wednesday June 6th. It had been 10 days since they had arrived in Iowa to see their families.

Why did they return?

Bill explained the incident with Shepard at the railroad camp to Sheriff Farr. He said when they got down from the wagon they intended to give themselves up, but Shepard fired, striking Bill in the neck. Ike was irritated and fired back. (67) They ran and did not know Shepard had died until their sister Anna told them on Saturday.

Ike explained their plan to go to Montana to see their mother and sister. They never intended to hurt anyone. He said when they have their trial they will claim they were only guilty of justifiable homicide. Ike acknowledged they had newspaper notoriety for horse thieving. Bill is proud of that record, and glories in telling about it. (68)

News of the arrest and the Barber brother's presence in the Waverly jail was met with intense excitement. Iowa's early settlers were aggressive rugged people used to doing things for themselves and unwilling to wait for the slow arm of the law. They knew criminals could escape custody in the wooded areas of the state.

The general attitude of the crowd was that the brothers deserved to hang. Rumors suggested that they killed a man in Kansas. Stories about the difficult time the Sheriff had in the fight to bring them in circulated. The excitement grew and so did the crowd. Men arrived with clubs and axes.

Sentiment held that these men were the worst kind. If allowed to wait for a trial, they would escape again. The entire mob agreed that their trial should be held right there in Waverly.

About 9:00 pm a telegram warned Bremer County Sheriff James Adair about an angry mob from Fayette headed toward Waverly to lynch the brothers. The Sheriff acted rapidly. After dark he took them to the north side of the Court House to a wood-pile large enough to hide them. The two-seated hack and a team of fast quarter horses he arranged pulled up. The mob was on the way. Ike and Bill were bound side by side with shackles and chains. Deputy Sheriff John Christensen hustled them into the back seat of the hack and took the reins, as Deputy Clerk

Ernest Cooper jumped into the seat facing the Barbers. He leveled a revolver at them it was cocked.

The mob was closing in. It was twenty miles to Waterloo. With the horses at full gallop they bounced along dirt roads in the dark. Sheriff Adair could do little more than get the brothers onto a train car in Waterloo and pack them off to Independence twenty-seven miles east. The newly constructed stone jail in Independence would be harder for the mob to break into.

The men on horseback spent the night scoured the countryside trying to find the Barbers.

The Barber brothers were safely delivered to the jail in Independence.

From inside the jail, Ike and Bill heard the shouts of the mob.

“With the mob wanting to break us out of jail and lynch us will you give us clubs to defend ourselves?” pleaded Ike.

“I want to see my mother one more time,” said Bill.

“Boys” said the Sheriff, “A photographer wants to take your pictures. You can have us send a picture to your wives.” Upon hearing that news Ike broke down and wept. (69)

People of Independence were aware that the Barber brothers were in their jail. The Board of Supervisors was in session and became alarmed and ordered the immediate removal of the Barber brothers from the jail. Sheriff E.L. Currier, Independence, telegraphed Sheriff Adair saying, “Come tonight, men must be removed immediately.” (70)

Sheriff E.L. Currier of Independence reported that arrangements were made to take the boys to the Anamosa penitentiary in Jones County. However, Sheriff Adair rebuked this statement saying “I could not take them to Anamosa without orders from those higher in authority.” (71)

Sheriff Adair and S.F. Cass of Sumner removed the Barber boys from the Independence jail and incredibly, returned them to Waverly. One report said the officers from Waverly arrived and departed with the boys on the morning train for Waverly. (72)

They were dressed the same as when captured, bare foot wearing shirts, trousers, and waistcoats, and their faces, heads, ears and hands are badly bruised and cut from their capture by the German farmers. (73)

Friday June 8th in spite of the rain all day the mob outside the courthouse in Waverly grew. Around 9:00 pm the group from West Union arrived. Charles Shepard, a brother of Deputy Francis Shepard of led them. The mob pushed their way upstairs to the jail on the second floor of the courthouse.

A heavy wooden door barred their way to the hallway leading to the jail. But it soon cracked and splintered with the pressure of men's shoulders. The jail itself was a steel cage about twelve by sixteen feet with two separate cells and a runway between them.

Charles Shepard demanded the key for the cage from Sheriff Adair. He refused. He held fast to his refusal even when threatened by men with guns bent on killing. The mob turned their attention back to the cage.

Charles Shepard was not to be deterred. He struck the first blow on the cage with a sledge hammer. The men continued working on the cage with crowbars and the sledge hammer.

Bill and Ike crouched in a dark corner. (74)

It took a half an hour to break down the first door, and a few blows upon the lock of the second door broke it. The door swung open, Ike frantically fought with the men, hitting and scratching, twisting and turning, but he was finally subdued and a rope was placed around his neck. Bill was quiet as another rope was placed around his neck.

The frenzied mob grabbed the ropes and dragged the brothers down the stairs, out the door and down the steps to the sidewalk. Here the boys were allowed to stand up and the ropes around their necks were loosened.

The crowd looked for trees to lynch the brothers. Many wanted them to hang in the trees in front of the courthouse; some suggested a tree across the street. The Sheriff Adair interrupted and requested the mob not to hang them in the jail yard. (75)

In front of the courthouse the brothers were allowed to speak. Ike and Bill mounted the steps and after they said good bye to each other. Ike asked for a

chew of tobacco. He said "Gentlemen, I am going to tell you the truth, as I know I am going to die in a short time. I am going to tell you all about our deeds. We never killed anyone until last fall and within the last two weeks."

From the crowd a voice said, "That's enough."

The crowd became quiet. Ike continued,

"This report in regard to what was done in Illinois is entirely false. It was told me in the jail at Independence that we confessed to killing a man in Illinois. That is a mistake. I am very thankful that you have allowed me to say these few words." Ike was asked if he wanted his body given to his family. "No. Bury me if you take the life out of my body; don't make anyone any expense in burying it." (76)

Bill took his turn. "I don't know anything about the killing in Illinois; I have never killed anyone except, perhaps last week." Bill continued, "Hang me dead and hang me right, and don't let my body be jerked to pieces." (77)

The boys shook hands with several members of the mob. Bill offered his hand to Charles Shepard. Charles backed away

John Mack, the city marshal told the mob that if they were bent on lynching them, they should take them outside of the town corporate limits. We have stain enough on our town and we don't want anymore.* The mob led the barefooted brothers with their arms tied behind them through the darkened streets eastward toward Murphy's Grove just outside the city limits. (78)

Bill took a silk handkerchief held in place with a gold pin from around his neck and handing the objects to a bystander with the request to give it to his little girl.

The man held out his hand to take the kerchief and nodded his head. Ike unpinned his neck scarf, and gave to a bystander, but did not give any directions. (79)

* Stain in Waverly town -John McRoberts lynched May11, 1868 in Waverly. Accused of stealing a horse. Buried in Harlington cemetery. Civil War private – Co. K, 3rd IA Inf. and Co. B, 38th IA Inf.

Outside of town the mob selected a basswood tree. A tree good for hanging leans so the body can hang away from the trunk. (80) The crowd of men removed their hats and allowed the brothers to pray. None of the crowd heard any sound from the brothers, but when asked what should be said to their folks. Bill responded to tell them what happened to us. Ike added his concern about the money in their coat pockets to be given to their wives in Fayette. They were informed that the fifty-four dollars had already been sent to their wives.

“Well, that is about all I have to say, only don’t let us be torn to pieces.” Bill said in a quiet voice. A voice near Bill’s elbow said, “And may God have mercy on your soul.” (81) Asked if he wanted to pray, Bill made an effort



William Barber

to pray saying a few words in a tremulous voice. Then he was lifted about four feet, and a rope thrown up to a man in the tree and was quickly knotted. The men supporting Bill backed away. With his arms pinioned behind him, Bill took about twelve minutes to strangle to death. It was 11:27



Isaac Barber

p.m. Ike was still watching for an opportunity to escape. He was calm; the rope was placed around his neck, tied to the tree, and the men supporting him backed away. The breath left him; it was 11:31p.m. (82)

Hand held kerosene lanterns threw a wavering light on the swinging men. The mob had achieved their end. The feeling which had so possessed them, as with all mob action, dissipated quickly. And as it did, many left.

A few stayed, until the brothers were obviously dead. Then they left.

The brothers were left hanging as dawn replaced the lantern light.

The last of the mob shoved off to return to their lives and chores, homes and families.

* Stain in Waverly town -John McRoberts lynched May11, 1868 in Waverly. Accused of stealing a horse. Buried in Harlington cemetery. Civil War private – Co. K, 3rd IA Inf. and Co. B, 38th IA Inf.

Still the brother's lifeless bodies remained hanging.

It was not until noon, that Mr. J.N. Wilson, the county coroner arrived.* He instructed that the boys be cut down. The dangling forms had nothing on save shirt, vest, and pants, and on their bare feet was a thick covering of clay which the boys got in being led along the street to their doom. (83)

This was grim work, but for a county coroner charged with recovering deceased persons and conducting autopsies it was unusual.

An autopsy may not have seemed entirely necessary, given the circumstances of the bodies. Still requirements of law obligated a cursory inspection. Mr. Wilson performed his duties inspecting the bodies, as they were placed into Pine coffins.

He paused for a second and looked at Bill neck. Just under Bill's shirt collar, on the left side of his neck and low enough to escaped notice, Mr. Wilson discovered a long deep scar. Given the texture and shape he determined that the scar was a bullet wound which was somehow never mentioned in any of the descriptions of the brothers. He made a note of it. His duties were completed.

Rev. John Calvin Magee of the Methodist Church met the burial crew at the Harlington Cemetery. He offered a few words, "...of supplication to the throne of grace." (84)

Ike and Bill's mother Leafy received word of her son's death. She asked that they be buried near their father. At first the Dunham Grove cemetery board refused to allow them to be buried. But Leafy persisted and petitioned the Board. Finally the Cemetery board gave permission with the stipulation that the brothers be buried in the farthest southeast corner of the cemetery and that a monument never be erected.

The following Thursday, June 14th the family raised the coffins from Harlington Cemetery and traveled by horse and cart 35 miles to reinterred the boys in Dunham Grove Cemetery, Randalia, Fayette County, Iowa. They are buried in the far southeast corner of the cemetery. Ike is nearest to the road. Two small bronze plaques on one cement foundation pinpoint the site. (85)

* J.N. Wilson Coroner of Bremer County <http://iagenweb.org/boards/bremer/biographies/index.cgi?re>

The Lynching Inquest

Lynching was a crime. Coroner J.N. Wilson presided at the inquest held four days after the hanging. Four men were jurors and many witnesses testified. The outcome was a sealed verdict given to the coroner to hold for the grand jury meeting in the fall. Rumors from the inquest indicated that indictments would be found against some of the more prominent actors in this deplorable transaction.

Another report of the inquest said the testimony would implicate several parties in the lynching. It also gave some insight into the testimony saying, "As a rule the witnesses were nearly as ignorant as to who did the work as if they were blind." (86)

Those involved may have found their anxiety about being found guilty allayed by Iowa Governor Buren Sherman when he gave his general opinion of lynching.*

"As lynching is caused mainly by the inability of our courts to properly punish murders, on account of law technicalities, what can our judges do?" (87)

In letters to the editor it appeared people were more upset about the location of the hanging rather than the hanging itself.

"They thoughtlessly hanged them in a grove devoted to picnics, but this was an error in judgment for which the mob should apologize to the teachers of public and Sabbath schools, who will now be compelled to seek other and less historic spots where their little ones may fall out of swings and eat the awful cake" (88)

Fall passed and still there was no return of the news of the inquest.

November papers reported the meeting of the Bremer District Court was scheduled for December.

Although Hattie, the widow of Ike Barber had filed for divorce (89) she defended her husband and said those who lynched her husband should be brought to trial and she has the names of the eighteen men who were in on the hanging. (90)

But her list would not shed light on anything. The identities and locations of the men who were involved in the lynching were widely known. The *Chicago Times*

*Buren R. Sherman, 12th Governor of Iowa - Company G, Thirteenth Iowa Infantry,

reported that the young man who fastened the rope to the tree to lynch Bill Barber and the man who did the similar for Ike still live in Waverly. It seemed probably that the grand jury will find indictments against those who participated most actively in the lynching, but it is claimed their convictions are very doubtful. Mrs. Barber states positively that Ike did not shoot at Shepard until he had shot Bill Barber. (91)

In his court in December, 1883, Judge George Ruddick's charge to the Grand Jury called things by their right names. The Judge described his own attempt to race from Winnebago County to Waverly to stop the hanging, but he was too late. His clear statement was under the law; the persons who hung the Barber boys are guilty of murder. The law can give it no other name. (92)

Still, notwithstanding the fact that the judge's charge to the jury was that the lynching was murder and commanded an indictment. The grand jury of Bremer County failed to indict any of the parties who took part in lynching the Barber boys. (93)

The Grand Jury failed to indict anyone for the murder of Ike and Bill. No one was judged responsible for the death of two innocent men. No one was responsible for denying them a trial.

But, were they guilty of murder in the first place?

There is proof that Ike and Bill Barber were innocent of the Illinois crime.

Springfield, Ill. August 23, 1882. A special to the *Sate Journal* from Mount Pulaski says:

"The coroner's inquest in the triple murder case of Charles McMahon, and his two farm hands was held today with closed doors. Nothing has been learned of any importance. Logan County offers \$3,000 reward for the apprehension and conviction of the murders. This added to the reward offered by the governor and private parties, foots up \$6,100. The mystery surrounding the murder is as great as it was Sunday."

Pinkerton detectives solved the Illinois crime. Almost two years after the lynching of the Barber brothers their innocents was established. The *St. Paul Daily Globe*, February 21, 1884 page 5 states "Murders traced to St. Louis. It transpired tonight. J.H. Hall (John Holland Hall) * was arrested here on last Saturday, charged

with being one of the murders of Charles McMahan, a wealthy farmer living five miles from Mount Pulaski, Illinois, and his two farm hands, Robert Matheny and John Carlock, in August 1882. The arrest was made by Pinkerton's detectives, but they would give no information in regard to the matter, and started with the prisoner tonight for Lincoln, Ill., the county seat of Logan County, in which the murder was committed. They also had in custody, but whether under arrest or not could not be learned, a man named David Long.

The murder was a peculiarly atrocious one and created intense excitement at the time, the entire county being raised to the highest pitch, and rewards offered by the state, county and relatives amount to \$10, 000. The bodies of McMahan, Mathey and Carlock were found on August 21, 1882 in the tall grass near McMahan's house, with their feet hobbled, their mouths gaged and badly decomposed, indicating they had been dead two or three days. The crime was evidently committed for robbery. It being believed that McMahan had a large sum of money in the house. Pinkerton's detectives have been at work for some time. Two or three persons will soon be arrested."

David Long is the same man who found the bodies. (94)

The True Murder's Trial and Sentence

Five months later the trial of the accused murder was held. *The Northern Pacific Farmer*, July 3, 1884, reported " Crime lightly punished – The jury in the Mount Pulaski murder case returned a verdict of guilty against J.H. Hall and fixed the punishment at penitentiary for life. William Ferris and Mrs. Bell Hall were acquitted. The crime, one of the most barbaric of its class on record was committed in August 20th 1882.

If there still is doubt about who committed the McMahan murders a witness for the state [Long] testified that "he wormed himself into the confidence of the prisoner, and from hints dropped by the latter felt assured that he killed McMahan and his hired men. Hall told Long that McMahan's watch was not so

* JOHN HOLLAND HALL, b. Abt. 1843. Son of John & Rachel Simpson Hall. John H. Hall was married - His wife was Isabel Ferris, William Ferris was her brother. John's brother Noah Hall was a brother-in-law to Chas. McMahan. Personal contact with John Holland Hall's great grandfather's cousin.

valuable as was generally believed; that he could only get \$125 for it, and that if McMahan had not made it manifest that he knew who his assailant was he would not have been killed.” (95)

The Aftermath of this Story



A new stone was obtained for Deputy Francis Shepard and was installed in Lima Cemetery on ----- with proper ceremony.

Flowers were placed on the graves of Ike and Bill Barber in Dunham Grove Cemetery.