
AN OZARKS MELODRAMA

The Killing Of Stanley Ketchel

by Robert K. Gilmore

The Webster County, Missouri town of Marshfield awoke early on the morning of Monday, January 16, 1911. The January session of the 18th Judicial Circuit would open today, and court week was one of the best entertainment events of the season in the Ozarks. People would be flocking into town from all over the county in the gray, gloomy cold, trying to find seats in the warmth of the court house.

The upcoming murder trial promised to be very theatrical, with lots of drama and excitement. To begin with, there was a strong cast of characters, including a celebrated murder victim and two scandalous defendants. A colorful and dogged defense lawyer would oppose a distinguished prosecuting attorney who had been hired for the occasion by an excitable millionaire. A controversial local sheriff, a bounty hunter, and dozens of supporting players rounded out the cast. The main storyline would be supplemented by a number of subplots,

Court watchers had seen other good trials in Webster County, but The State of Missouri vs. Walter Diple and Goldie Smith in the murder of Stanley Ketchel would be one to tell the grandkids about.

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Stanley Ketchel wearing his championship belt.

The Major Players

The Victim. The murdered man was Stanley Ketchel, the middleweight boxing champion of the world. Known as "The Michigan Assassin," his two-handed, brawling style of fighting had delighted his fans, and enabled him to win 46 of his 61 fights by knockouts. "A rushing, tearing, demon of the ring," one admiring biographer described him, "who made his opponent think all the furies of Hades had been turned loose." Ketchel lost only four fights in his career, one of them to Jack Johnson, the heavyweight champion.

He was born Stanislaus Kaicel in Grand Rapids, Michigan. Ketchel's father was a native of Russia, of Polish stock. His Polish-American mother was fourteen when Ketchel was born in 1886. Ketchel had run away from home at age 12 and hoboed his way through Canada, Montana and the Dakotas. "He worshipped the James brothers and would rather have been a great train robber than middleweight champion of the world," wrote a biographer. His first public appearance as a fighter was in "The Big Casino," a Butte, Montana, honky-tonk, when he was 17. Ketchel knocked out the local champion, Kid Tracey, and won a special \$50 prize. Ketchel gained recognition as middleweight champion in 1908, when he knocked out Jack "Twin" Sullivan in the 20th round.

Ketchel was a man of many moods. He would be "wild and untamed one second," according to a friend, "lovable the next, treacherous at times, and most amiable on other occasions." His early wild west days remained with him even after he became a champion, and he toted a revolver wherever he went. "I never knew him to sit down to a meal in any big town without first laying his big blue six-shooter across his lap," remembered a sportswriter acquaintance.

Only 24 years old, the handsome and popular Stanley Ketchel was at the height of his career when he was shot in the back with a .22 caliber rifle at a Webster County ranch.

How did a famous boxing champion come to be in the Ozarks? Why was he at a ranch on the Osage branch of the Gasconade River in the northeast corner of Webster County? To understand this, we need to meet another key player in this melodrama.

The Ozarks Millionaire. Rollin P. Dickerson was a successful Springfield banker, business man, super patriot, and sports buff. He had been a private in the Spanish-American war, but in Springfield was known by the honorific title of "Colonel." Dickerson's father, Jerome, was engaged in the land and timber business in Michigan at the time Rollin was born in 1869. The family moved to Springfield and at age 20 Rollin, with his father's backing, opened R. P. Dickerson's Mortgage Bank at No. 42 Post Office Arcade in Springfield. It had a capital of \$500,000. Dickerson also operated a jewelry store where he made loans on articles of value.

In addition to his Springfield businesses, Pete Dickerson, as his friends called him, owned an 860 acre ranch in Webster County, some 45 miles from Springfield.

In September, 1910, Dickerson went to Grand Rapids, Michigan, for a short vacation and fishing trip. From Michigan Col. Dickerson telegraphed home that on September 15 he would be returning to Springfield on the evening train. He would be bringing with him Stanley Ketchel, whose mother was Julia Kaicel, an old friend

from Dickerson's boyhood days in Michigan.

The newspapers were excited about the middleweight boxing champion of the world coming to Springfield. The sports writers explained that Ketchel (who had changed his name from the Polish spelling) wanted to move up to the more prestigious and lucrative heavyweight division. He was coming back with Dickerson to spend some time at Dickerson's ranch, where he would train and add weight to his 158 pound frame.

But something happened to change those plans. Ketchel fell in love with the Ozarks. Dickerson introduced Ketchel to Springfield society, and he joined the Elks Club. He became a well-known figure in Springfield, even taking Dickerson's pet lion cub for walks on a leather leash. Less than a month after he arrived in Springfield, Ketchel wrote a friend in the Bronx, "Springfield, Mo., Is my place now. It is the best country in the world and I have tried them all and I know." He went on to break some startling news. "I have quit the fighting game and I am going into the farming business. I have bought 32,000 acres of timber land and 800 acres of the best farming land in the world." He was going to put in a saw mill and "lumber it off." The letter was written on stationery of the "Missouri Land and Lumber Co., Stanley Ketchel, President".

Ketchel intended, however, to fight one more time as a middleweight. He was offered \$30,000 to fight Sam McVey in Paris. "Get trunks ready for trip and get reservations ready," he wired his manager, Pete "The Goat" Stone, in New York.

But Ketchel had no experience as a businessman. To gain knowledge for his timber and land business, he and Dickerson planned that Ketchel would manage Dickerson's ranch in Webster County for a while. While there, he could also get in shape for his upcoming fight.

None of these plans would be completed, however, for in this drama it was the destiny of Stanley Ketchel, the perpetual winner, that his life must intersect with those of two losers.

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The Defendants. Accused of Ketchel's murder were Walter Diple and his common law wife, Goldie Smith. If Stanley Ketchel was a winner, both Diple and Smith seemed to be born losers. Diple, 23, was a Christian County native, whose parents now lived at Webb City in Jasper County. Diple had served in the Navy for 17 months, was court-martialed twice, and had deserted. Goldie Smith, 22, was born in Texas County. She was first married at age 13, then again at 14. A child was born to this second marriage, but the court took it from Goldie ("because of moral character and the life she was leading") four and a half years later. Again married, perhaps divorced, she had been living a "bad life" in Kansas.

In August, Walter Diple was visiting his parents in Webb City. On Sunday morning, September 11, he left Webb City to see his sister who lived on Blue Creek, south of Chadwick, a tie and lumber boom-town about 35 miles southeast of Springfield in Christian County. Diple travelled to Springfield, where he caught the train to Chadwick.

On the same train (The Chadwick Flyer), was Goldie Smith, on her way home from Kansas to visit her mother and stepfather who lived in the same community as Diple's sister.

All passengers on the Chadwick Flyer got off at Chadwick, because Chadwick was the end of the line. That was as far as the tracks went. After delivering its morning load of passengers and freight to Chadwick, the locomotive was swung around on a turntable, and the Flyer made its afternoon run back to Springfield.

Goldie went over to the hotel to ask John Boles, the constable and hotel manager, how she could get to her mother's place, about 10 miles south. Boles told her, "There's a young fellow here who's going out to the same neighborhood. It might make it cheaper on both of you to hire a rig together and go out." He introduced Walter and Goldie, they hired a rig, and started south to their different destinations. They would come to Waiter's sister's place first.

On the way, as they talked, Walter suggested to Goldie that they play a joke on his sister--tell the sister that he and Goldie are married. Goldie agreed, and when they arrived Walter introduced Goldie as his wife. As the day wore on, a mutual attraction developed between Walter and Goldie. As Walter recalled, "It begun to get fast and fierce." Before nightfall, as they walked out to the barn to look at the stock, Walter asked Goldie to carry out the joke in truth and get married. No, Goldie said, she was not in condition to get married. She didn't know whether or not she had a divorce from her former husband. Besides, she told Walter, she had "not been living the right kind of life." They agreed, however, to live together as man and wife and to get legally married as soon as Goldie could find out if she were free or could get a divorce.

They stayed at Walter's sister's place for several more days, and then went on to visit Goldie's parents.

Their visiting completed, and running short of money, they left Christian County to look for employment. They arrived in Springfield late Friday afternoon, October 7 and took a room at a boarding house. They registered as man and wife, using the name "Hurtz."

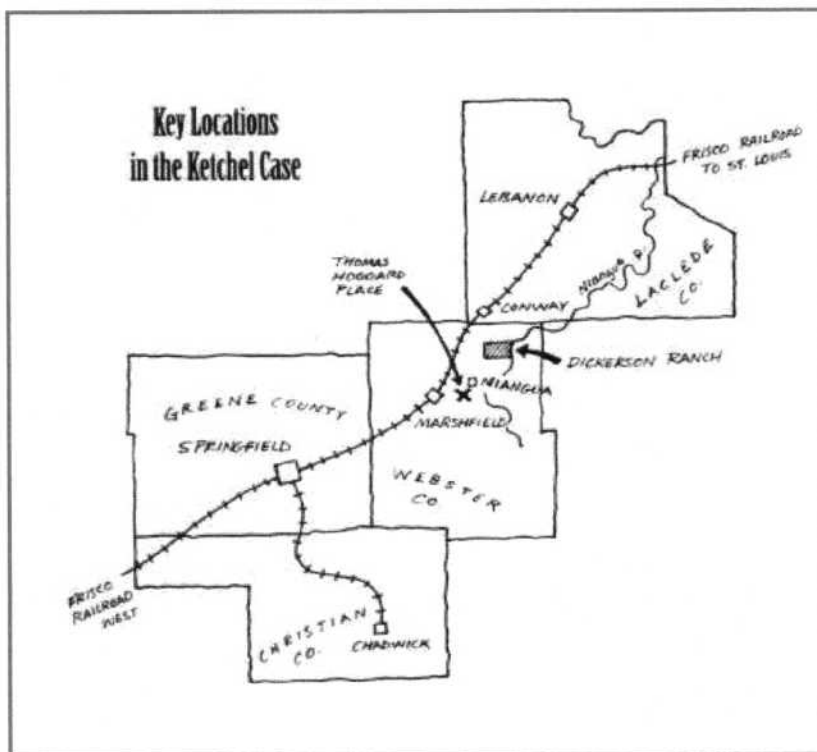
On Monday morning, October 10, Diplely went to the Spear's employment office, at 321 1/2 College Street, to ask for a job for himself and Goldie, husband and wife. "I might have a job for you," Spear told him. "Is your wife a stout, healthy woman?" Assured that she was, Spear sent the two of them to see R. P. Dickerson in the afternoon. "This man is very particular," Spear told Diplely, "and wants to see a party before he hires them."

Dickerson had decided to dismiss his present ranch manager, C. E. Bailey, and replace him with Ketchel. Ketchel was inexperienced in ranching as well as business, so Dickerson had engaged Spear's agency to find a ranch hand and a housekeeper to help Ketchel on the ranch.

The "Hurtz's," man and wife, satisfied Dickerson when he interviewed them Monday afternoon, and he hired them as housekeeper and ranch hand. The wages were \$30 per month, along with room and board. "I'm going out to the ranch on Wednesday," Dickerson told them. "I'm going to make a change out there. You can go to work right away then."

On Wednesday morning, October 12, Goldie and Walter met Dickerson at the depot. They boarded the train and left Springfield for Conway, the closest railroad town to the ranch. Walter and Goldie sat in the chair car, and Dickerson rode in the smoking car. It was not until they got off the train at Conway that Walter and Goldie were introduced to Ketchel, who had been in the smoking car with Dickerson. This was the first time the "Hurtz's" were aware of Ketchel. Dickerson told them that Ketchel would be the manager of the ranch and their immediate boss. Dickerson then rented a carriage from the livery stable and the party drove to the ranch, about seven miles southeast of Conway. They arrived in early afternoon.

The stage was set and the characters were in place for the action of the drama which would be revealed in the trial to come.



PROLOGUE: THE TRIAL BEGINS

Before testimony could even begin in the trial, there were fireworks.

That there were fireworks surprised no one familiar with the career of the lead defense attorney, Thomas Jefferson Delaney. Although Delaney had been prosecuting attorney of Greene County and an Assistant United States District Attorney, it was as a defense attorney that he built his reputation. "He thought few men were criminals at heart," wrote a contemporary, "and that most men who went wrong were more the victims of environment and circumstances than malice and deliberation." He was best known, perhaps, for his defense of the Christian County Bald Knobbers at Ozark in 1888, but he had dozens of other cases to his credit.

Delaney was diligent and resourceful, and missed no opportunity to explore the limits of the law on behalf of his clients. Thus, even before the jury was selected, Delaney filed a motion to disqualify the Webster County Sheriff, C. B. "Cobe" Shields. He should not be permitted to select or summon jurors, or have any further conduct of the trial. The Sheriff, the motion said, "is unduly biased and prejudiced in favor of the State and against the defendants."

Delaney complained about the way the jury panel was selected, alleging that most of them came from only two townships, the homes of the Sheriff and two prosecutors.

In particular, however, Delaney cited as evidence of the Sheriff's bias and prejudice an incident which occurred just two days before the trial was to begin. On Friday, January 13, R. P. Dickerson wrote a letter to Sheriff Shields:

My Dear Mr Shields,

They have the Ketchel Johnson fighting pictures at the Grand today and tomorrow. I would like

to have you see them. Why not get a BUNCH of your friends and come up tomorrow and see them at my EXPENSE? They are good and I believe will help the Good Cause along. Try and come up tomorrow night and be my Guest. Your friend,

R. P. Dickerson

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Ketchel, although only a middleweight, had fought the black heavyweight champion, Jack Johnson, for the crown. Ketchel was outweighed by at least 35 pounds, but nevertheless managed to knock Johnson down in the 12th round. Johnson, although shaken, got to his feet and attacked Ketchel viciously, knocking him out and retaining the heavyweight title. "So terrific was the force of the kayo blow," read one account of the fight, "that most of the upper row of Ketchel's teeth were broken off at the gums and two of them were found sticking in Johnson's right glove when it was removed in the dressing room."

This fight was captured on film. Newsreels were popular in the emerging moving picture theatres, and prize fights were among the best subjects, because the range of action was limited and could be photographed by only one camera. The Johnson-Ketchel film was shown in Springfield at the Grand theatre. In addition to the fight films, the evening at the Grand included "pictures thrown on the canvas" of the ranch house where Ketchel was shot, and of Diple and Smith, with the caption, "Killers of Stanley Ketchel."

Shields and four others from Marshfield did attend the screening, although Shields maintained that he paid all his own expenses. "We took a Kentucky treat and all paid for ourselves," he claimed. Trial Judge C. H. Skinker denied Delaney's motion to disqualify the Sheriff, but Delaney later used the incident as one of many points in his request for a new trial.

Delaney was one of five attorneys of record for the defense, although only he and George Clay, from Joplin, actively participated in the trial. Ketchel's parents raised \$1500 for the defense, which was far short of the amount needed to carry the case on to the State Supreme Court. As he did in the Bald Knobbers trial, Delaney apparently simply absorbed many of the costs himself.

Representing the State were three attorneys. The elected Prosecuting Attorney of Webster County was A. H. Davis, and his assistant was J. E. Haymes, a former Webster County Prosecuting Attorney. Both men lived in Marshfield. Also on the side of the State was Roscoe C. Patterson of Springfield, who had been hired by R. P. Dickerson as a special prosecutor. Patterson, 34, had been a championship debater at Drury College, and was an experienced Greene County prosecutor. He had been in his second term as prosecutor when the 1906 lynching of four young black men took place on the public square in Springfield. Patterson was in charge of the resulting prosecution in that case.

In employing Patterson as a special prosecutor, Dickerson was taking no chances that the killers of Ketchel might escape conviction. A prosecutor employed by a private person was legal in Missouri until 1976, when the State Supreme Court declared it "inherently and fundamentally unfair."

After the inevitable petitions and counter-petitions accompanying the opening of an important trial, the trial was about to begin. Roscoe Patterson, the privately-employed prosecutor rose to make the opening statement. "May it please the Court and you, gentlemen of the jury, I will now read you the information in this case." He got no further.

Delaney immediately bounded to his feet to object that the opening statement must be made by the

Prosecuting Attorney as prescribed by law.

Judge Skinker upheld the objection, and required Prosecuting Attorney Davis to make the opening statement. That was one of only a handful of the hundreds of objections which Delaney raised during the course of the trial that would be upheld by the Judge.

THE PLOT: MURDER AT THE RANCH

Scene 1--In Which the Principals Arrive at the Ranch

It was early Wednesday afternoon, October 12, 1910, when Dickerson, Ketchel, Goldie, and Diplely arrived at the ranch, following their trip from Conway. Walter and Goldie were temporarily placed in an old log house across the hollow from the main ranch house. The log house was one of several tenant houses on the ranch. Dickerson and Ketchel stayed in the main house, in the room Dickerson reserved for his use. The ranch manager, C. E. Bailey, and his family lived in this house; but during the afternoon Dickerson dismissed Bailey as manager, although Bailey agreed to stay on until Saturday, October 15. (Bailey would later claim that he had not been fired, but resigned.) Diplely walked about a mile and a half to the small community of Rader to get some plates and utensils that he and Goldie needed to keep house.

The next morning, Thursday, October 13, Dickerson went back to Conway and returned to Springfield on the train, accompanied by Mrs. Bailey and her hired girl. Bailey moved out of the main house and in with Luther Brazeale, a cropper on Dickerson's ranch, with whom he intended to board until Saturday.

Walter Diplely worked Thursday morning painting the north side of the new barn. (The old barn burned after being struck by lightning on September 10. It had been insured for \$3500 and was being rebuilt.) Goldie cooked at the main house. In the afternoon Walter worked in the fields, helping to plant wheat. That night, after supper, Walter borrowed a .22 rifle from Ketchel, telling him he wanted to kill varmints. Ketchel also had a pistol, a .45 Colt which he carried conspicuously in his waist band and practiced with daily.

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Goldie and Walter spent Thursday night, their second night at the ranch, in the log house. They planned to move to the main house the next day. Ketchel stayed in the main house by himself.

Scene 2--In Which Goldie Describes How She is Ravished

On Friday morning, October 14 Diplely used the borrowed rifle to kill a chicken, because, as he testified, "We weren't eatin' so good there--we had nothin' but canned goods." Defense counsel Delaney asked Diplely what happened after he shot the chicken:

Diplely: Brazeale [the cropper who lived on the ranch] asked me what I was shooting at and I tom him a ground hog. I says, "Can't you see it down the hill there?" He said no, he couldn't see it. I said, "I suppose it went into a hole." I says, "Do you suppose that gun would kill a man?" He said he would rather be shot by a .44.

I went into the basement [of the barn] and told him I was going to feed and I come out and got the chicken and took it to the house. Delaney: You didn't want him to know you had killed the chicken?

Diplely: No, sir. It was one of R. P. Dickerso'n's chickens.

Dipley worked in the field planting wheat all day Friday. Goldie cooked (the chicken, among other foods) and cleaned at the main house. Late in the afternoon Goldie began to move their things from the log house to the main house. Ketchel helped her.

When Dipley returned from the field to the house about 6 o'clock Friday evening, he noticed Goldie was acting strangely.

Dipley: I seen that there was something wrong with GoMie and I asked her what was wrong; she said nothing was the matter. I asked her two or three times and then she said that Ketchel had made some bad threats. She said, "I want to leave here."

After supper Dipley went over to talk with Bailey, who was leaving the ranch the next morning. He asked Bailey if he and Goldie could ride to Conway with him the next day.

Dipley: He said yes. He said, "What is the trouble?" I says, "I have quit." He said, "What is the trouble?" I told him that there hadn't been any trouble but I was leaving to prevent trouble.

After arranging to travel to Conway with Bailey the next day, Dipley returned to the house. At first, Goldie wouldn't tell him anything more. They went to bed and continued talking.

Delaney: Did Goldie later that night tell you what had taken place?

Dipley: Yes sir. She told me Ketchel throwed her across the bed and attempted to have sexual intercourse with her.

Counsel for the state objected to the testimony as immaterial, and was sustained by the Court.

Later, Delaney was able to bring out the incident when Goldie was on the stand:

Delaney: What did he do to you?

Goldie: He threw me on the bed and accomplished the biggest part of what he undertook. Delaney: He threw you on the bed for what purpose?

Goldie: I don't know what you call it. Delaney: Use the words; what did he throw you on the bed for--to have sexual intercourse with you?

Goldie: Yes, sir.

Goldie testified that Ketchel threatened to kill both her and Dipley if she told.

The prosecution wanted to know how the alleged attack started. "He kind of took hold of me," Goldie answered, "and I started to jerk away from him and started to halloo; he told me not to halloo." Counsel for the state then attempted to discredit Goldie's assertion that she was raped.

Patterson: You didn't halloo?

Goldie: No sir. I was afraid to halloo because I was afraid he would kill me: he had his gun on him.

Patterson: And you thought he would kill you?

Goldie: Yes, sir; I did. Then he threw me on the bed and that is where he done the rest... Patterson: Were your clothes torn any? Goldie: No, sir.

Patterson: There wasn't any mark on you? Goldie: No, sir.

Patterson: Was not a scratch?

Goldie: No, sir.

Patterson: Well, did he have intercourse with you and you were just laying there? Goldie: I didn't.

Patterson: Did you struggle any?

Goldie: Yes, sir; I fought him all I could. Patterson: Was there any marks on him when you got through ?

Goldie: Well, sir, I don't know; I didn't look to see.

Stanley Ketchel and Col. R. P. Dickerson. This studio portrait was taken just two weeks before Ketchel was killed. Photo inset: Dickerson had this \$5000 Vermont Marble monument erected at Ketchel's gravesite in the Polish cemetery near Grand Rapids, Michigan. The base is 8' by 6', and the monument stands twelve and a half feet tall.

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The prosecutor continued to question Goldie and determined that she cooked supper for Ketchel that night, and that she had not told another woman, Mrs. Brazeale, who lived only a short distance away, about the attack. "Is it not a fact," Patterson asked Goldie, "that you became enamored of him and that you yourself made overtures to him and Ketchel repulsed you?" Delaney objected but was overruled. Goldie answered, "No sir: that is not a fact."

Whether or not Goldie Smith was actually assaulted had little or no bearing on the outcome. In his final instructions, the judge told the jury that even if they believed that Ketchel did "assault and ravish" Goldie, they could not use "heat of passion" as a reason to reduce the charge against Diple from first degree to second degree murder. Furthermore, the judge informed the jury, they must find Diple guilty of first degree murder, even if they believed that Goldie was assaulted and ravished by Ketchel, and that Diple shot and killed Ketchel because of that assault.

Self defense would be Diple's only plea.

Scene 3---In Which Ketchel is Shot and Mortally Wounded

Ketchel was shot in the room of the ranch house used as a dining room and as the bedroom where Walter and Goldie slept Friday night. The ranch house faced the south and was built in an ell shape. Across the front of the house were three rooms, the two end rooms were each approximately 14' x 17', the middle room smaller. Like many Ozarks homes of that period, there were two front doors, one into each of the larger rooms. A screened porch ran across the front of the house. 136

The dining room was the east room and opened into the kitchen which was in the ell on the north (back) side of the house. The kitchen floor was eight to ten inches lower than the dining room floor. There was a bed in the northeast corner, its foot toward the kitchen door opening. Both Dipley and Goldie claimed that the .22 rifle, with which Dipley had killed the chicken, leaned against the end of the bed. A dining room table was pushed against the wall dividing this room from the middle room, and three chairs could be pulled up to the table. A wash stand, dresser, rocking chairs and other furniture crowded the room.

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On Saturday morning, October 15 Goldie and Dipley got up early and Goldie fixed breakfast. Dipley went out to feed the horses, even though he would be leaving the ranch shortly. "I knew the boys would be after them to take them out to work," he explained. After feeding the horses, Dipley came back in the house and he and Goldie had breakfast. It was about six o'clock, Goldie later recalled, "It wasn't hardly plum day light yet." Ketchel came out of his bedroom to the front porch. Ketchel had a .45 Colt revolver at his waistband. The little .22 rifle was at the end of the bed.

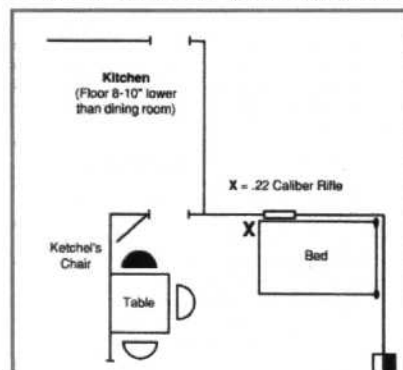
After eating his breakfast, Dipley went out on the front porch to smoke. Ketchel went into the dining room and sat down at the north end of the table, with his back to the kitchen door. Goldie served him his breakfast. Dipley finished his cigarette and reentered the house. Dipley described the scene with Ketchel:

He said, "What in hell are you doing around the house at this time of day; why hain' t you out in the field." I says, "Why, I am not going out in the field today. I have quit." He says, "What in hell is the matter with you this morning?" I says, "I suppose you are awful damned innocent that you don' t know what is the matter." He said, "Don' t you start nothing here or I will give you some of this," and he opened his shirt and showed me his gun. I says, "I guess you would give me some of that all right." He said, "Yes, God Damn you, if you start anything I will shoot you in two." I says, "Will you?" and I jumped to the foot of the bed and grabbed the little rifle that was setting there.

What happened in the next few seconds is disputed. Here we rely on the testimony of Dipley and Goldie, for it is upon their version that a verdict of self-defense might be won from the jury.

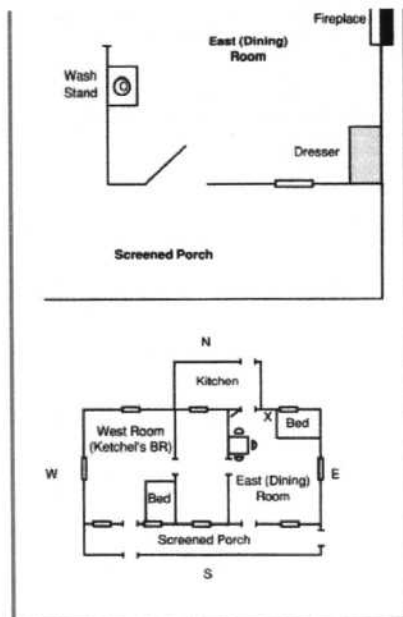
Delaney asked Dipley, "Where did he have his hand when you grabbed the little rifle?"

Dipley: In his bosom; he put his hand in his bosom when he said, "If you start anything I will shoot you in two." I grabbed the little rifle at the corner there and jumped into the kitchen backwards or sideways. Ketchel was standing at that time. He got up from the table and was standing and looking over his left shoulder and had his hand on his gun in his bosom. I told him, I says, "Throw up your hands" or "Take your hand off your gun." I don' t know which it was I said. He said, "By God, I won' t." Then I shot.



The action of the Ketchel killing was concentrated on the main floor of the Dickerson ranch house, especially in the east (or dining) room, which also served as the "Hurtz's" bedroom. The accompanying sketches are from descriptions of trial witnesses.

Ketchel was evidently seated for breakfast in the chair at the north end of the table, with his back to the kitchen door. The floor of the kitchen was eight to ten inches lower than the dining room. According to



Dipley and Goldie, the "little gun," the .22 caliber rifle with which Ketchel was shot, was leaning against the wall at the end of the bed. When Ketchel seemed to threaten him, Dipley said he seized the rifle and leaped past Ketchel into the kitchen. When Ketchel refused an order to take his hand off his gun, Dipley shot him.

The prosecution ridiculed this story, suggesting instead that Dipley "stealthily approached Ketchel from behind and assassinated him."

After being shot, Ketchel made his way back to his room at the west end of the house, and collapsed on his bed.

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The court asked Goldie to tell what was said:

Goldie: My husband told Ketchel to take his hand off his gun; he said, "No, by God, I won't." Then he shot.

The Court: Then your husband shot? Goldie: Yes, to the best of my knowledge. The Court: Did you make any exclamation? Goldie: I says, "Oh, Mr. Ketchel, don't shoot Walter.t" That was what I said.

After Ketchel was shot, he stumbled past Goldie into the middle room and fell. She ran out on the front porch, Dipley went out the back door.

Patterson: You run out on the front porch? Goldie: Yes, sir. Then I heard a noise back in there and I come back in. I thought my husband was in there with him. I run back in and went to the door of the kitchen there and just as I got there I seen my husband right there and I knew that he wasn't in the other room. My husband said to me, "Come on Mamma, let's go."

Patterson: He said, "Come on, let's go?"

Goldie: Yes, sir. Then he went back in there and picked up the gun and taken it with him.

The gun that Dipley picked up was Ketchel's .45 revolver. He was afraid, he testified, that Ketchel would revive and use the weapon on them.

Bailey and Brazeale had been down in the pasture, hunting cows that had wandered off during the night. Between 6:30 and 7:00 they returned to see Goldie and Dipley just outside the main house. Dipley was carrying the .45 revolver. "What's the trouble?" Bailey called. "I shot the

_, " Dipley replied.

Bailey returned to the main house where Dipley picked up some of his and Goldie's possessions and left the

house. Bailey looked in on Ketchel, who had managed to get to his bed and was lying on it. Bailey called Dr. O. C. Benage in Conway to come out and look at Ketchel. He also called R. P. Dickerson in Springfield. Bailey then returned to Brazeale's house where he told Dipey how to contact the local constable, Alex Anderson.

Scene 4 --In Which Colonel Dickerson Makes a Dramatic Offer

The phone call to R. P. Dickerson set in motion a series of remarkable events. Dickerson, learning that the morning train to the northeast had just left, ordered up a special train to take him to Conway. He called two Springfield physicians, Drs. Fulbright and Fulton, to accompany him and attend to Ketchel. He called Emmett Newton, a friend and newspaper man, and a Springfield policeman, Alfred Sampey, to join him. Sampey was to bring along bloodhounds to trail the assailant.

The Frisco Railroad Company had some difficulty in assembling a crew for the special train.

About 9 A. M. the excitable Dickerson, racing about to make final arrangements to leave Springfield, speeded around the corner in front of the Metropolitan Hotel, skidded into the curb, and broke the front axle of his Hudson roadster.

The Frisco finally got a crew assembled and made up the train for the special mn--an engine, tender, baggage car, and a coach. The train left the Mill Street passenger station at 10:14 A. M. with Dickerson and his entourage which now included two bloodhounds, two reporters, and two commercial travelers who needed a ride to Marshfield.

The Special was approaching Strafford when Dickerson and Newton realized that no one had called the Webster County sheriff, C. B. "Cobe" Shields, to tell him what had taken place. They had the engineer blow an emergency warning on the whistle as they passed through Strafford, and the conductor threw a note to the station agent, asking him to telegraph ahead to the Sheriff. Sheriff Shields and several deputies boarded the train in Marshfield, and the train continued to Conway, making the 43 mile mn from Springfield in 45 minutes, including the stop in Marshfield to pick up the Sheriff.

Meanwhile, back at the ranch, a crowd had begun to gather. Dr. Benage of Conway and Constable Anderson had arrived. George Noland, a carpenter who had been building the new barn, went in and stayed with Ketchel throughout most of the morning. Ketchel kept asking Noland for water, and said, "I guess they got me." There would later be much cross-examination about whether Ketchel said "they" or "he" got me. "They" would imply Goldie's involvement. Noland discovered the hole in Ketchel's back where the bullet entered. It struck a major blood vessel in his right lung and the pleural cavity was filling with blood, making breathing and talking difficult. Goldie was still in the Brazeale house. No one at the ranch was doing much about anything, except talking.

The Special arrived in Conway about 11 A. M. The Dickerson party rented two carriages from Ollie Newman's livery stable and headed for the ranch. The special train continued on to Lebanon, where there was a "Y" that enabled it to turn around and return to Conway where it awaited the return of the Dickerson party. Dickerson and the rest made the seven mile trip from Conway to the Ranch in 35 minutes, arriving about 11:45 A. M.

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Dickerson and Newton rushed into the room where Ketchel lay. Newton testified later that Dickerson

exclaimed, "Stanley, speak to me. How did this happen?" "I was sitting at the kitchen table," Ketchel whispered, "and I was shot in the back by this man Hurtz." "Get the woman too," he added, "for she robbed me." No money was found in Ketchel's pockets although he was in the habit of carrying large amounts of cash and flashing it around. Both Goldie and Dipley denied taking any money from Ketchel. Ketchel was still wearing his diamond rings. Dickerson removed them and took them back to Springfield with him.

Dickerson became very excited and dashed from the house accusing Smith and Dipley of robbing and killing his son. In great agitation, he offered a reward of \$5,000 for Dipley. This was an offer that he would repeat many times, usually with the stipulation that the reward would be paid for Dipley dead, and "not one cent for him alive!"

The assembled doctors decided Ketchel's wound was fatal, and told Dickerson that there was nothing more they could do there. Ketchel, they said, would be better off in the hospital in Springfield. After giving the order to get Ketchel ready for the trip back to Springfield, Dickerson went back outside. This time he told the people to find Dipley, to shoot first and then yell "halt." He had enough money to protect anyone who killed Dipley, he said, and he wanted Dipley's head or arm to hang on his living room wall.

The trip back to Conway to board the train took two and a half hours, because they had to travel very slowly to keep Ketchel comfortable. At Conway, Dickerson repeated to the crowd gathered there his offer of \$5,000 for Dipley dead. News of the large reward spread quickly by word of mouth and the telephone. The amount and the terms were not always reported accurately, but practically everyone in the county heard of the reward for the man who shot Ketchel.

The Special made it back to Springfield even faster than it made the morning run. Ketchel died a little after 7 P. M. and his body was turned over to Ely Paxton's funeral parlor to prepare for burial. (Mr. Paxton's door had a sign which read, "Please wipe your feet before coming in to see the dead man.") No autopsy was held. Goldie was charged as an accomplice to murder and lodged in the Springfield jail. Dipley had disappeared.

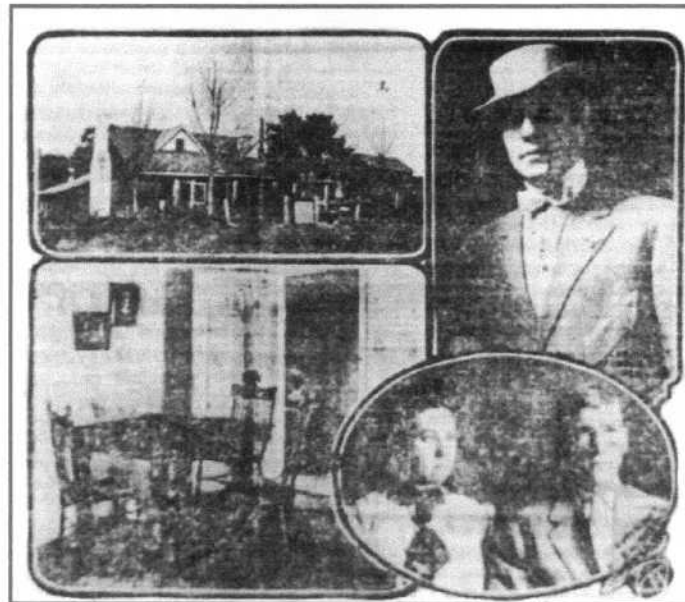


Photo montage from the Springfield Leader, January 19, 1911. Clockwise from top left: The Dickerson ranch house; Stanley Ketchel; Goldie Smith and Walter Dipley; the dining room where Ketchel was shot. The door opens into the kitchen. Ketchel sat in the chair with its back to the door. Note what appears to be a funeral bow on the back of the chair.

Scene 5--In Which Diple is Captured and Confined

In all the excitement and hubbub around the ranch house, no one saw Diple leave. Bailey had advised him to surrender to the township constable Alex Anderson, who lived nearby. Instead, Diple started south, "toward the railroad tracks" and the main road to Niangua. Asked why he hadn't surrendered to Anderson, Diple explained, "Well, I was in a little fear; I didn't know what might happen if I give up there to him. I knew Marshfield was the County Seat and I thought I would come over here and give up to the sheriff."

Carrying Ketchel's .45 revolver in his pocket, Diple travelled in the general direction of Marshfield, sometimes walking along the railroad, sometimes along county roads. "When I would come to a house, I would go through the woods," Diple explained. Diple also stopped and sat down and rested a lot, so that by the evening of the shooting he was still some five miles from Marshfield. Tired and hungry, he hid Ketchel's pistol in the log corn crib at the Thomas Hoggard farm. He then went up to the farm house and asked to stay the night. He was from Christian County, he told them, and was hunting stray horses, two bay mares with a star on the forehead.

Diple asked to use the telephone and called Central at Marshfield. The family overheard him asking the whereabouts of the "wife of the man who done the shooting." After supper, Diple was told he could sleep in an upstairs room, and he went up to bed.

Thomas Hoggard sent two of his children over to a neighbor, C. Z. "Zib" Murphy, to borrow some molasses. They told Murphy about the stranger, and Murphy became suspicious that the stranger might be the man who did the shooting that he had heard about on the telephone. Murphy returned with the children to Thomas's house, but he and Thomas couldn't decide if the stranger was the right man. They tried to call Central in Marshfield to get a description but were unable to get through. Zib then spent the entire night shuttling back and forth in the neighborhood, making many phone calls, trying to get a description so they could decide if the man sleeping upstairs was the man who shot Stanley Ketchel. Zib returned to the Hoggard farm about four o'clock Sunday morning, to find Thomas still up. They sat together, in the dark, because Thomas had run out of oil for his lamps.

About six-thirty on Sunday morning, October 16, the day after the shooting, Joe Hoggard appeared at the farm. Thomas's brother, Joe had been over in Wright County, hunting for Jim Todd's wife who had run away from home. When he got back to Webster County the day before, he had almost immediately heard about the shooting. At Hall's store, Joe said,

Someone remarked to me there [better quit what I was doing and go after this man. There was five thousand dollars for him and there wasn't nothing in what I was doing, was the remark that was made there.

When Joe finally got back home, early Sunday morning, he found a problem. While he had been gone, one of his mares had dropped dead in his front yard. So he continued to his brother Thomas's farm nearby, to get Thomas to drag off the dead mare.

When Joe rode up, he was met by Thomas and Zib who had finally been able, over the phone, to get a description of the man who was being hunted. But the description was vague, and they were still not sure the stranger was the right man. About all they knew was that the wanted man had tattoos on his arms. Joe, ever a man of action, took charge. Thomas described in court what happened:

Joe rolled off of his horse and came in the kitchen where the stairsteps started up. Joe walked on to the

stairway and nodded for Murphy and I to follow him and of course we followed him; and he [Dipley] was sitting on the bed. Mr. Murphy and my brother Joe demanded to see his arm: of course his arm filled the descriptions we had got and my brother told him to consider himself under arrest.

The four men left the farm and walked the mile and a half to Niangua to get a rig with which to go on to Marshfield. On the way, Dipley told Joe, "I'm the duck they are looking for." He went on to tell Hoggard that he had shot Ketchel in self-defense. "I didn't mean to shoot him. I aimed to arrest him and take him to Conway for insulting my wife."

At Niangua, while they waited for Jesse Elmore to get a rig ready, Joe bought Dipley breakfast at the hotel. Before they left Niangua they got a telephone call from Thomas's house telling them that a pistol had been found in the corn crib. On the way to Marshfield, they stopped back by Thomas's house and picked up the pistol.

They arrived in Marshfield about 10:00, but Sheriff Cobe Fields was not in town. Joe was cautious. "I wouldn't deliver him until I saw Shields. I said I wanted a receipt for him until Cobe come back. I turned him in there and the gun and got a receipt for it."

The defendants were in custody. There would be a trial, and the plot of the melodrama would be played out in court.

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RESOLUTION: THE VERDICT

The courtroom was packed and the narrow aisles jammed for the closing arguments. Dipley's parents and three brothers were present, as they had been on other days of the trial. Dipley's family seemed to ignore Goldie, although she set next to Dipley throughout the trial. Spectators were expecting, according to the Springfield Leader, "a flow of oratory such as has never before been heard in the old court house."

The State stressed Dipley's desertion from the Navy and Goldie's unsavory lifestyle. She was denounced as "a vile creature," and "devoid of all principles of pure womanhood." They ridiculed and branded as a lie the defendants' version of the killing as self-defense. Instead, the prosecution said, Goldie had deliberately placed Ketchel at the breakfast table with his back to the kitchen (he had sat at the opposite end of the table for supper the evening before). Dipley then came in the kitchen door, they argued, "stealthily approached Ketchel from behind and assassinated him." It was not self-defense, the state said, but murder, willful and premeditated. Death was the appropriate penalty.

The defense claimed that Walter Dipley was justified in acting on appearances in shooting Stanley Ketchel. Ketchel was armed with a revolver, they said, and Dipley believed that Ketchel was about to draw the weapon. He was afraid for his life and shot in self defense. Goldie should not be considered a party to the shooting at all, and should be acquitted.

The jury (seven Baptists, four Methodists, and one no-church) deliberated 17 hours. They found the defendants guilty of first degree murder and recommended life in prison for both Dipley and Smith.

Delaney immediately filed a motion for a new trial, citing numerous errors by the court. This motion was denied. The case was appealed to the Missouri Supreme Court. On this appeal, Goldie was freed (after having served 17 months in the penitentiary) because, the Court said, the State failed to show that there was a

conspiracy to kill Ketchel, and she had no part in the shooting. The Court affirmed the conviction of Diplely to serve a life term.

EPILOGUE

Diplely, #12241, became a cobbler in prison. He spent some time in solitary confinement for inciting a riot and for possession of narcotics. He was paroled by Governor Guy Park in 1934 after serving 23 years, and died from kidney disease in 1956. He is buried in an unmarked grave in a Toquerville, Utah cemetery. Goldie later appeared in Springfield and operated a small cafe on Boonville Hill. She married "Gentleman Jim" Hooper, described by the newspapers as an "erstwhile colorful gambler." In his later years Hooper became a barber, but made a poor living for the couple. After Hooper's death, Goldie eked out a living selling trinkets from her front porch at 627 Boonville Street.

Stanley Ketchel's body was returned to his family in Michigan on October 17, two days after the shooting. R. P. Dickerson and his friend Emmett Newton accompanied the body in a private railroad car. A family funeral service was held in Belmont, Michigan on October 20, and a public service later at the Polish Catholic Church in Grand Rapids. Dickerson reported that he had been forced to restrain Ketchel's fiancée, Jewell Bovine, from committing suicide.

In 1912, Dickerson had a \$5000 monument erected over Ketchel's grave in the Polish cemetery. It was 12 feet 6 inches tall, and made of Vermont marble.

During the trial, Delaney made many efforts to show that Ketchel was Dickerson's illegitimate son. "Do you know that R. P. Dickerson was the reputed father of Ketchel?" he asked witness after witness, drawing each time a vehement objection from the prosecution--an objection always sustained by Judge Skinker. Dickerson, of course, denied he was Ketchel's father, and Ketchel's mother said she was prepared to travel from Michigan to Marshfield to testify that Dickerson was not the father.

Once every year, for 22 years after Ketchel's death, a small notice appeared in a San Francisco newspaper's classified column:

"Ketchel, Stanley--In loving memory of Stanley Ketchel, died Oct. 15, 1910. O."

The mysterious "O" was finally revealed to be Olga Harting, one time Ziegfield Follies girl. She apparently had no romantic relationship with Ketchel, only reverence for the memory of a man who was her girlhood idol.

R. P. Dickerson continued to live a colorful life. He kept a series of lion cubs for pets which he let run loose in his yard. The involvement of the United States in the World War in 1917 brought out the Colonel's patriotism. He volunteered to form a regiment of "Rough Riders" composed of America's best sportsmen. Although that offer was turned down, he did operate The Five-Bar Mule Ranch, said to be the largest mule ranch in the world. His stated purpose was to supply the U. S. Army with the best mules in the world. In 1919 he proposed a bill to give sheriffs in every county the "surplus machine guns, Enfield Rifles, hand grenades, and other implements of modern warfare" left over from the War. The goal Fight the Red Menace.

He and others formed the Loyalty League, whose aim was "to spread patriotism and loyalty through out the United States through educational propaganda." The League also volunteered to keep an eye on any and all subversive elements in the United States. The Loyalty League lasted well into the 1920s and was active in promoting veteran's affairs.



The land where the Springfield Zoo is located had formerly belonged to Jerome Dickerson, the father of R. P. Dickerson and of Mrs. Harry Durst. Harry Durst was a former mayor of Springfield. In 1922, 115 acres were sold to the city at a very low cost and with easy payments on condition that it be known as Dickerson Park Zoo.

R. P. Dickerson died in 1938.

Joe Hoggard, his brother Thomas Hoggard, and Zib Murphy sued R. P. Dickerson to collect the \$5000 reward he promised for the capture of the killer of Stanley Ketchel. The outcome of that trial is told in the following story.

Roscoe Patterson, whom Dickerson hired as a special prosecutor of Diple and Smith, was one of Dickerson's defense lawyers in the reward suit. Patterson served a term in the House of Representatives and became a United States Senator in 1928. He was the author of the Patterson Act (later called the "Lindbergh Law") which made it a federal offense to transport a kidnapped person across a state line.

Thomas Jefferson Delaney continued his colorful career in Springfield until his death at age 60 in 1920. The late Judge Paul Barrett, who served as a commissioner on the Supreme Court of Missouri for 30 years, was an unabashed admirer of Delaney's ability at cross-examination. "There was never another Missouri lawyer," Judge Barrett wrote this author, "with a greater genius for asking detailed, relevant, and probing questions; an enviable and rare talent bringing to pause many a recalcitrant and unwilling witness.

"His examination of all witnesses in the Diple case is a classic and must have had some effect on the jury's not executing Diple for shooting Ketchel in the back."

On the stage, a melodrama is characterized by action and violence, heroes and villains, suspense and danger. Chance and coincidence often play a role, and the basic seriousness of the situation is often relieved by moments of humor. By these standards, the Webster County killing of Stanley Ketchel, and the resulting trial, was indeed a real Ozarks melodrama.

ACKNOWLEDGMENTS

Judge Paul Barrett, 1901-1988. Several years ago, shortly after I met him, Judge Barrett introduced me to the fascinating story of the murder of Stanley Ketchel. The personalities and events of this early twentieth century incident excited him, both as a legal scholar and as an Ozarker. He wanted me to write the story, and he gave me boxes full of transcripts, scrapbooks, news clippings, and documents - precious raw materials for any Writer. And along with these artifacts he supplied something, even more precious - his own keen legal enthusiasm, his friendship, and his trust.



At long last, Judge, here is your story.

Special thanks are due also to: James Eoff, Russell Runge, and Kristine Wirts, graduate students who, at one time or another, have worked with the Ketchel materials. Dr. Erwin Busiek, for sharing his own information and research with me. John Hulston and Barbara Callahan, for good editorial help and advice.

RKG

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JOSEPH HOGGARD, ET. AL., Plaintiffs VS

R. P. DICKERSON, Defendant

There was no doubt that R. P. Dickerson offered a reward several times during the day on Saturday, October 15. The offer was not always stated in the same terms, although the amount was always the same, \$5,000, and it was for the man who murdered Stanley Ketchel.

The reward offer was made by the excited Dickerson to several different groups at the ranch; two or three times on the return trip from the ranch to Conway; at Conway, from a door of the train to a group of 100 or more people; and at Marshfield, to a crowd gathered there. At Marshfield, after Dickerson had made his offer for "the dead body of the man who shot Stanley Ketchel," someone in the crowd asked how much he would give for him living. "Nothing at all," Dickerson replied, "I want him dead."

Several of Dickerson's expressions hint at his desire to have Diple killed rather than captured: "He is armed--bring him in dead," "Shoot him down and take no chances," and "Shoot him first and cry halt afterwards." Dickerson himself said that he told the crowd at the ranch that "I would give them five thousand dollars for this man dead, or for his head or his arms. I was very much excited."

However, when Joe and Tom Hoggard and Zib Murphy called on Dickerson in his Springfield office a few weeks after the murder to collect the reward. Dickerson refused. He explained why: They came in. I says, "Gentlemen, what can I do for you? They says, "We come up to see about that reward for capturing Diple." I says, "I never offered any reward for him alive. I offered it for him dead."

Zib Murphy added: He said a right smart more. Only he said he would have liked for us to have shot him; just shot him a little. If we had just shot him up enough so he would have to suffer a week or two.