

# The Rancho SAN JOAQUIN GAZETTE

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No. 6

## POSSE SLAYS DESPERADO

Reign of Terror.

### FOUR SHOT BY BANDIT.

*One Victim Dead,  
Other Dying.*

*Outlaw Is Himself Slain at  
Close of All-Day Fight  
Near Santa Ana.*

*Marksmen of the Militia Are  
Enlisted to End a Crimi-  
nal Career.*

*All Efforts to Establish Iden-  
tity of Girl's Assailant  
Fail.*

SAN JOAQUIN RANCH, Dec. 16. — [Exclusive Dispatch]. In the bloodiest battle in Orange County's history, an unknown outlaw, reckless through wanton depravity, attacked a 16-year-old girl near Irvine Station, Sunday night, and when tracked into the hills near Tomato Springs today stood off an army of deputy sheriffs, militiamen and citizens in a desperate six-hour gun battle. Killing Undersheriff Robert Squires and seriously wounding three others, the fiend was finally cut down by the posse with a bullet to the brain.

(DETAILS PAGE TWO)



SPECIAL TO GAZETTE

"The first few shots must have found their mark, for I saw Bob pitch forward, then lie still. Bob emptied his gun before he fell, but that fellow shot him five times before he hit the ground. I never saw a man who could shoot so fast."

— Deputy "Tex" Stacey



DESPERADO'S DEATH MARCH — San Joaquin Gazette Artist Albert Rampone reconstructs actions of the Tomato Springs Bandit. (A) Where Crime Was Committed, (B) Fugitive's Route to the Hills, (C) Where He Came Out of Hills Next Morning and Demanded Breakfast at Chamber's Ranch House, (D) His Position in Canyon After Breakfast, Where He Was Finally Killed, (E) Position of Posse of Over 200 Men on Hill Tops Both Sides of Canyon — Continuous Firing, (F) Militia Force of Twenty Men Make Way Up Bottom of Canyon — Took Position About 200 Feet From Fugitive When He Was Killed.

# THE SAGA OF THE TOMATO SPRINGS BANDIT!

**I**T STARTED AT SUN UP. It was over by noon. But even before the smell of gunpowder drifted from the canyon, a legend was in the making.

The "fiend" lay in Winbigger's undertaking parlor. Bob Squires lay there, too. Doctors were still working over Stacey, Culver and Prather.

No man ever earned such a big reputation in such a short time as did the unknown desperado who was the object of the greatest shootout in Orange County history. For six hours he held off a posse that ultimately counted two hundred men. And when they finally got him, they didn't know who they had. For lack of a better name, they called him the Tomato Springs Bandit.

## FOUNTAIN OF FOLKLORE

His nickname came from the battle site, a mile and a half northeast of the El Toro Marine Base, a brush-choked gulch from which has flowed more folklore than water for two hundred years.

Discovered by a thirsty friar with the Portola Expedition on July 26, 1769, the springs were dubbed the "Aguage del Padre Gomez." Their official Spanish designation was San Pantaleon. With the coming of the *gringos*, wild tomatoes were mysteriously found growing at the water hole, and the present, more pronounceable, name was applied.

To honor this "smallest place in Orange County boasting of a name," the late John Joplin published a fier called the *Tomato Springs Gazette*. In it, he claimed that *The legend of Tomato Springs is that rattlesnakes which infested the hills near there bit the coyotes and thus protected innocent sheep and lambs so they could drink unmolested from the waters of the Springs.*

Be that as it may, the Tomato Springs Bandit was no lamb.

## THE STRANGER ARRIVES

He was a drifter with a pack on his back. His hob-nailed half-boots marked him as a man from the timber country (which turned out to be Oregon). No one paid any attention to him as he wandered across Irvine's San Joaquin ranch mid-day Sunday, December 15, 1912, but by Monday night half the

county claimed to have seen him.

He was a tall, lithe fellow, about 27, smooth shaven, with sharp features and bluish-gray eyes. The *Times* described him as "dark"; the *Examiner* as "fair," with a strange yellowish tint, which might be styled a "jail pallor."

Late afternoon he stopped at the ranch of William Cook, who held an Irvine bean lease where the Marine Base is today. While at the house, "his eyes fell on Cook's niece, 16-year-old Myrtle H., a pretty brunette." He asked for work. None was to be had. He drifted on.

(Later, Mrs. Cook recalled for reporters, "When he left he had a surly look

might follow coyotes, Cook sent Myrtle and her sister, Jessie, 13, outside to tie it up. They carried a lantern.

Suddenly a man jumped out at them, thrusting a revolver in their faces.

"Don't scream," he snarled, "or I'll kill you both!" He fired a bullet into the ground. "You see I mean business. Which of you is the older?"

Brave Myrtle instantly replied she was. "Put out that lantern."

She raised it to his face and saw that it was the stranger who had been there that afternoon. Producing a rope from his belt, the man tied Jessie to a fence post.

(The fact that he carried the cord gave rise to the theory that his hellish designs were deliberately planned.)

Then the man roughly grasped the older girl and led her to a hay stack behind the barn.

## JESSIE SPREADS ALARM

Meanwhile, back at the post, Jessie finally managed to untie herself and ran shrieking to the house. Cook met her half way, headed for the barn, but was driven back by two gun shots from the shadow of the hay stack.

Having no fire arms, the rancher jumped on a horse and raced to his brother's place. Here they got the latter's automobile and drove around to neighbors and told them of the assault.

By the time the farmers could reach Cook's, "the scoundrel had accomplished his criminal designs and was gone."

(Later, the *Blade* reported, "Dr. Gordon disclosed the fact that the girl was not injured in the slightest by the attempt of the bandit to ravish her.")

But the manhunt was on.



## FARMERS FOLLOW FIEND

In Santa Ana, Sheriff C. E. Ruddock learned of the crime by telephone from Irvine Station. Several deputies were dispatched and joined a party of farm people scouring the plowed fields by lantern light. At 2 a.m. hob-nailed tracks were traced to the foothills and the search was temporarily abandoned.

Next morning, shortly before daybreak, the stranger appeared at the ranch house of Ed Chambers not far from the Springs. Flourishing a pistol, he demanded breakfast from the Jap cook. After eating, he stalked off with the defiant boast:

"If anybody comes looking for me, they can find me in the hills. But they won't get me till I get some of them!"

## "COME AND GET ME!"

With the sun reddening the sky behind Old Saddleback, the ranchers regrouped at the edge of the hills and were met by Deputies Robert Squires and Tex Stacey. In the clear air of the

# THE FUGITIVE



**TWO YEARS EARLIER** — Bandit jumped bail in Oregon on similar assault charge that led to his undoing at Tomato Springs. This "wanted" picture was sent to Sheriff Ruddock by Sheriff Brown of Lane County, Oregon, in 1910.

on his face.")

That evening he bought a meal at Harry Spencer's house at Myford (now East Irvine), two miles away.



## A DASTARDLY ASSAULT

About 7 o'clock he returned to Cook's house, peeked through the windows at the family addressing Christmas cards. Hearing the dog bark, and fearing it

morning, even before they could see the outlaw on the ridge above Chambers' and William Cheney's houses, "his vile curses and defiant yells rang out."

Several of the farmers carried ropes. Talk of a lynching made the rounds, but the officers warned them not to attempt anything should the bandit be taken. Loosing Stacey's bloodhound, the deputies picked up the trail into the ravine.

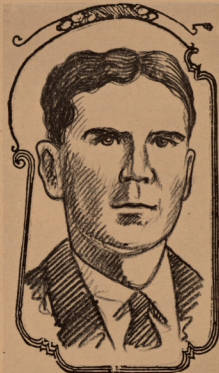
(The man's scent had come from a pistol holster dropped the night before in the hay stack.)

With the makeshift posse inching up the canyon, a series of shots blasted out from above in quick succession — clearly those of a rifle. After the first burst, Deputy Sheriff Squires skirted the hill trying to come up behind the man. Stacey and the others continued their frontal attack, dodging behind clumps of brush and cactus.

### DUEL WITH DEPUTIES

"Bob was quite a distance from me and evidently came upon the man almost face to face," Tex Stacey declared. "Both opened fire at once, Squires with his revolver and the bandit with a Winchester. The first shots must have found their mark, for I saw Bob pitch forward. I felt sure that poor Bob had got the

## MOURNED



**SLAIN DEPUTY** — Under-Sheriff Robert Squires formerly served with mounted police of Canada and did scouting in Montana. Universally liked, his funeral was one of the largest in Santa Ana history. Rev. Stevenson extolled him as "one of those men with hearts as big as water buckets."

## WHERE TRAGEDY STARTED



**LONELY BEAN RANCH SETTING** — Mysterious stranger stopped at William Cook's house (on what is now the El Toro Marine Base) claiming he was looking for work. Later that night he returned and waylaid two farm girls near the barn. Brutal attack preceded epic gun battle in hills near present Lambert Reservoir.

worst of it after the bullets began flying our way."

Stacey then opened up with his pistol behind a stand of cactus. The bandit zeroed in with his Model '94, .25-.35.

"I was pumping lead toward him as fast as I could handle my Colt army special," said Tex. "I was about 400 yards away when he hit me in the right shoulder. I was unable to handle my gun with my right hand, so I shifted to the left and kept shooting until a bullet sent the weapon spinning."

(Later recovered, Stacey's Colt, with the front sight bent over, was displayed at the County Court House.)

A bullet nicked Stacey's left hand; a second one ploughed through the rim of his hat; a third tore through the lower part of his vest.

"The fellow taunted me to come up to the top and take him," Tex recounted, "but both of my hands were useless."

Stacey lay over an hour before he was picked up and hurried to Santa Ana for surgical treatment.



### SQUIRES WINGED BANDIT

Meanwhile the crackle of gunfire increased from the ridge above the fugitive and from below in the draw as new men arrived. Robert LeBard and two others circled and came in above the peak. Sheriff C. E. Ruddock, Marshal Sam Jerigan and Constable C. E. Jackson joined the foray and tried to reach Squires. The sniper's fire drove them back.

Afterwards there was a brief lull from the bandit, possibly while he tied up one forearm with a handkerchief to stanch the flow of blood. The wound was believed inflicted during his duel with Squires, who got off five shots before he fell. The injured (some say broken) arm undoubtedly prevented his cutting down others, for many of the posse unthink-

ingly stood up in full view.

### PICKS OFF TWO MORE

At half past ten, with scores of men along the ridges, Ruddock, Harry Tubbs, William Culver and Albert Prather again tried to reach Squires. They crept through the brush only to find the deputy stone dead with six bullet holes in his body. He had been hit through the neck, through the upper jaw, twice through the abdomen, through the arm and through the shoulder.

Steading his rifle on rocks, the bandit suddenly opened up on the four crouching men. Prather, a farm laborer for Cook, fell with a hole in his right temple. A second blast dropped Culver, a blacksmith from Irvine, who was shot in the knee.

Dragging the wounded, the officers scrambled for safety. The injured were carried to a field hospital established under the trees at Chambers' place where Drs. Wehry, Ball, Gordon and Burlew and C. S. Kelly, a druggist, took over.

### NATIONAL GUARD MOBILIZES

Word reached Santa Ana around 8:30 a.m. There was a hurrying to and fro and a pressing of autos into service to carry volunteers to the scene. Members of Company L, the local National Guard unit, formed at Armory Hall (on Fourth Street between Bush and Spurgeon), where they donned uniforms and were issued two bandoliers of ammunition per man. Reflected member Floyd H. Mitchell:

"The prospects of a skirmish with an armed bandit caused a real flurry of excitement among the boys."

Desultory shooting was still in progress when the militia arrived about 11. By now no fewer than 60 automobiles and dozens of rigs were parked in Chambers' yard. Some 200 men dotted the hillsides, but still they had been unable to dislodge the deadly marksman who had lost none of his bravado.

A lad kept firing his .22 rifle from a safe distance. The bandit laughed and called out:

"Boy, raise your sights about 100 yards, you're falling short!"

### "HERE COMES THE MILITIA"

Recalls eye-witness Merle Ramsey, now 79, "After Company L showed up it was getting dangerous. They were shooting at anything that moved. Dad took a shot because he thought this guy was up a tree. Everyone was shooting at something."

A platoon of Company L men were deployed along the foot of the ravine. Led by Capt. N. A. "Nate" Ulm, three men, Lt. Towler, Sgt. Eckman and Pvt. Davies were picked to flush out the killer.

Commented the *Times*, "They would have walked squarely up to him if necessary. They were in uniform, and the word was passed around not to shoot any man in the canyon in uniform."

In a half crouch, the skirmishers started toward their quarry, firing as they went. The shout passed from ridge to ridge:

"Here comes the militia!"

The bandit was entrenched roughly 300 yards below the brow of a hogback. In a desperate effort he dropped four shots at Ulm's feet. By now the rattle of gunfire could be heard in El Toro, four miles away.

Almost at the stroke of noon he was driven from his rocky stronghold. Sight of him was caught, and from the semicircle of the ridge dozens of rifles barked. For once he did not return the fire, but attempted to gain another deep draw. Suddenly he went down out of sight in the brush.

"Rush him!" yelled Ruddock. Instantly scores of armed men poured into the canyon.

### 200 GUNS BLAZING

A. J. McFadden recalls the charge:

"Alex Jeffrey and I were lying behind a cactus. Some fellow — a deputy (he was an impulsive bugger) says, 'We can't wait here all day, let's go down and get him!' He got up and started down into the gulch. Everybody else got up. Well, I got up, too. I didn't want to be called a coward."

"I took a shot at a stump, and I was just working the lever of my Springfield when here comes this damn fellow down the gulch less than 50 yards from me. Before I could get my gun to my shoulder, some guy hit him. Thank God! Because I'd've blown him wide open in a few more seconds!"

When found in a thicket, the bandit was face down, dead, a bullet hole through his left temple.

Excitedly, men gathered to look.

"I think I hit him," somebody said.

"In a pig's eye," said someone else.

A horse was finally brought up. The bandy was packed out of the smoky canyon and thrown in the back of Nate Ulm's touring sedan.

One old-timer remembers:

"When they came into Santa Ana, they had this fellow sitting upright in the back seat. They drove down Fourth Street — up and down, up and down — everybody a hollerin'. They were showing him off."

### SUICIDE IDEA UNPOPULAR

Naturally everyone wanted to know:

*Who got him?*

The candidates were many.

Harry Tubbs swore that Sam Burke, a former high school football hero, fired the critical shot.

District Attorney Koepsel vowed that

## DEAD BANDIT



**A SORDID CAREER ENDED**—Picture was taken in Orange County morgue of outlaw following six-hour gun battle on Irvine Ranch. Publication in Los Angeles Times produced numerous witnesses who knew bandit in Orange.

it was Deputy City Marshal Iman of Anaheim who downed him.

As several hundred rounds were fired during that last barrage, it will never be known for sure. Nor was much attention paid to powder burns.

Perhaps the truth came from John Osterman of El Toro, the man who put the dead man on the back of a horse. After the final volley, he claimed he heard one last pistol shot. He believed that it came from the desperado. However, his theory was not very popular.

There was one empty chamber in the .32 pistol picked up near the body. At the autopsy, the single bullet taken from the man's brain was a .32.

Still, after such an outlay of energy

and gunpowder, it is not surprising that the Coroner's jury rendered the verdict that "The desperado came to his death from a gunshot wound in the head, the wound having been justifiably inflicted by members (sic) of a Sheriff's posse."

### NEW NAME EVERY NIGHT

An even greater mystery surrounded the bandit's identity. His pockets produced nothing save several nameless money order receipts from Oregon.

Nonetheless, Sheriff Ruddock assured *Blade* readers that he would "ferret out all clues to prove who the fiend really was." Pictures were printed in the Los Angeles papers, and for the next seven days a new name appeared nightly. Among the suggestions: Ira Jones of Clatskanie, Oregon; Joe Matlock, "the notorious Oregon outlaw" (with a record of similar assaults), a man named "Wells," seen in Newport Beach a few days earlier; and "C. C. Curran, a Glendale shopkeeper."

Four days after the shooting, Coroner Winbiger and Sheriff Ruddock announced that they were "satisfied" that it was Joe Matlock under an assumed name.

Two nights later they were just as satisfied that it was Ira Jones, and that is the name history ascribes to the Tomato Springs Bandit.

### GAZETTE REVEALS TRUE IDENTITY

But the truth is that it *was* Joe Matlock, as shown by the autopsy report, the death certificate and records of Orange County Cemetery District No. 1, where one Joe Matlock was rendered "County burial No. 1513."

Why the switch?

It turned out that the desperado was the black sheep son of a prominent citizen and former mayor of Eugene, Oregon. Though his father openly denied the relation after seeing the body, he secretly admitted to Ruddock, "Yes, that's my son."

On December 23, 1912, unmourned and under an alias, the Tomato Springs Bandit was buried in a county box. For 55 years the secret was kept out of respect to his family (now long gone).

### A DOUBLE EPITAPH

One last fact, never before revealed, rounds out the story of Orange County's epic man hunt. In a measure it explains the madness of a man whose crime was an obvious invitation to death, and yet who made no effort to flee.

When he arrogantly taunted his pursuers: "Come and get me!" Joe Matlock already knew that he was a dead man.

He was dying of TB.

★ ★ ★

— JIM SLEEPER