

THE ELLENBURG TREE OF JUSTICE

“Vigilante Law” Leads to a Double Lynching

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It was a time of intimidation, silence, and conspiracy, when the law was crudely shoved aside and a mob mentality ruled the night. It was a time of lynch law. In the black of night the Vinsons—father and son—were hanged. Sam, the father, cast an agonizing glance at the mob and exclaimed: "My God, haven't I a friend in this town? I never harmed any of you!"

Asked for any final words, son Charles responded: "Gentlemen, you will be sorry for this. I ask no pity for myself, but pity my mother. Give my love to my mother." Whereupon the father was pulled up. Then the son was hoisted as someone shouted, "Your Pa's up there—go up and see him!"

Thus ended the lives of two accused murderers by a surly crowd that feared there would be no justice in the established legal system. The "tree of justice," as a spectator named it, has long been gone, but the vigilante deed lives on. Perhaps the tree could better have been called the "tree of injustice."

We are all familiar with the typical Western movie in which gunfights and hangings proliferate. The early West is often characterized by its perceived lawlessness, a view—whether right or wrong—fostered by the film industry. And, indeed, there were pockets of violent crime. But the conflict between the "good guy" with a white hat and a white horse and the "bad guy" in black, riding a dark horse, was always more fiction than fact. Good does not always triumph over evil. In fact, sometimes it's difficult to distinguish the difference. Such is the case in the story that follows.

Whether violence was more rampant in 19th-century Washington than it is today is debatable. By the 1890s Ellensburg had an established system of law and order. It no longer lived up to its former name of "Robbers Roost." The Vinson lynchings were probably the last spasm of "Old West" lawlessness in what had once been a frontier community. Picture a time before automobiles: streets were primitive—trains, horses, buggies, and feet were the only means of transportation. This was Ellensburg in 1895; the backdrop for the Old West drama that began on a hot Sunday in August.

All afternoon the Vinsons had been drinking and attempting to beg, borrow, and cajole sums of money from passersby, not unusual behavior for them. A carpenter by trade, the elder Vinson, Sam, was said to be a hard worker but prone to alcoholic binges and domestic abuse. Born in 1841 in New Brunswick, Canada, he married a girl named Martha. The family immigrated to Minnesota in the 1860s and to Washington Territory in the 1880s, living in Tacoma and Allyn prior to making their home in Ellensburg in 1894.

Wherever son Charles went, trouble followed. Serious incidents occurred at Seattle, Hillhurst, Allyn, and Lester. By 1895 he had a sizable criminal record, including acts of violence, and had served two years in the territorial penitentiary at Walla Walla for armed robbery. He was mean-spirited, with seemingly no redeeming qualities. Always armed and frequently drunk, the father and son were not a welcome sight.

Around six o'clock a Mr. Wolverton, who worked in Butcher's lumberyard, stopped in at the Teutonia Saloon in Ellensburg. Sam met Wolverton and requested in a rough tone that he set up the drinks, saying: "You have money—I saw you get a \$20 gold piece changed here last night; and two men were going to follow and rob you, but I told them you were a good fellow, so they didn't do it. You ought to treat." Wolverton told Vinson that the money was Butcher's and attempted to leave. Sam caught hold of him, and it was only after a struggle that Wolverton was able to escape. "I can do you up too easy and won't have to use my fist either," Sam Vinson threatened as he followed Wolverton out the door. "A man who won't treat when he has money is no good."

At this point, John Buerklin, known as "Dutch John," went into the saloon. Sam left Wolverton alone and followed Buerklin. Upon entering the Teutonia, Buerklin asked several friends to join him for beer. The elder Vinson walked up and said, "Am I in it?" Buerklin replied in his German accent, "No, you ain't in it; I lend you two dollars, and you not pay it."

A quarrel commenced. Sam snatched a knife from the "free lunch table" and plunged it into Dutch John's right front side, just below the ribs. After pounding Vinson over the head with a whisky bottle until the old man sagged to the floor, the injured man, holding his protruding intestines in place, walked alone to the office of Dr. Thomas J. Newland, in the Kleinberg Building around the corner on Pearl Street. Meanwhile, Charles Vinson had been in the Maison Dorée restaurant, giving the manager, Frank Mow, a hard time. Despite the customary pistol Vinson wore in his belt, Mow managed to usher him to the door without incident.

During the melee between Sam Vinson and Dutch John, the younger Vinson had come into the saloon. Frank Uebelacker, one of the proprietors, who was tending bar, walked around in front of the bar with a bung starter (a wooden mallet or stave used to pound a bung into the bung hole of a beer keg) to break up the fight. Young Vinson thrust his gun in Uebelacker's face, forcing him to retreat. Frank's partner, Michael Kohlhepp, upon hearing the commotion, hastened in from the back office. Grabbing a pool cue from the wall, he attempted to drive Charles Vinson out. When Kohlhepp got within a few feet, the young desperado started for the door, then turned suddenly and shot him through the right lung.

The wounded man had strength enough to disarm Charles, wrestle him to the floor and, with the help of patrons, hold him until deputy city marshals Emil Becker and Charles Frazier arrived. Others had constrained Sam. The father and son were handcuffed together and marched off to the nearby county jail, as no city jail existed at the time.

Excitement reigned in the streets that Sunday night, and there was talk of lynching. As a precaution, City Marshal Archie O. Wishard requested that all saloons close for business (which some contended should not have been open anyway, in compliance with the Sunday blue law) and stationed extra guards at the jail. No immediate attempt to seek vengeance was made, however, and by half past ten the streets were comparatively clear and quiet.

Kohlhepp was carried upstairs to his room where Dr. Paschal P. Gray attended him. Gray found that a .44-caliber bullet had entered Kohlhepp's chest about two inches above and to the left of

his right nipple, exiting near the shoulder blade, about three inches from the spine. He died less than two hours after sustaining his mortal wound. Ironically, the round fired by the son, upon leaving Kohlhepp's body, lodged in the father's wrist.

Buerglin, it was thought, would survive his stab wound. Dr. Newland, finding the entrails not cut, dressed the wound and expected him to recover. He was made comfortable in the doctor's office and provided with a nurse.

One of the sad footnotes to this story is that Martha Vinson, a good but reportedly abused woman, had not heard of the events of Sunday evening until she sat in church that night. The minister spoke of the awful crimes committed by a father and son. Though he did not mention any names, he had said enough—Mrs. Vinson realized the truth and fainted.

Coroner Theron Stafford, who lived in Cle Elum, some 25 miles west, was hastily summoned but failed to catch the night train. Monday morning, August 12, Justice James G. Boyle impaneled a six-man coroner's jury. Their conclusion, after hearing testimony, was that Michael Kohlhepp met his death from a gunshot wound inflicted upon him by Charles Vinson.

At four in the afternoon a preliminary examination of Charles Vinson, accused of murdering Kohlhepp, was held in Superior Court. After hearing the testimony of five witnesses, Justice Boyle had the younger Vinson held for trial on a charge of first degree murder.

By Tuesday morning, August 13, Buerglin's condition had worsened and he executed his will. That afternoon, before surgery could be performed, infection took his life. Buerglin's death prompted another inquest, composed of local citizens. Late that afternoon the coroner's jury rendered the opinion that John Buerglin died as a result of a knife wound inflicted upon him by one Samuel Vinson.

After the death of Dutch John, a popular teamster for Palmer Brothers Freight Line and Transfer Company, the mood of the townsfolk began to turn ugly. Buerglin's friends, already stung by the demise of Michael Kohlhepp, were among those who talked of lynching. Hatred for the Vinsons reached new heights. The men they had killed were highly regarded by many people in the community and were close friends of the Germans who had settled in the city and in "Dutch Flats," a small colony up Nanum Creek.

By nine o'clock Tuesday night, city and country folk alike still had not gone home. An hour later the streets were teeming with angry men in the vicinity of the courthouse.

Sheriff William M. Stinson, concerned about the safety of his prisoners, took the precaution of assigning six deputized armed guards and himself to stand watch over them. In a statement made more than a year later, Stinson claimed that information he had received indicated that no mob action would be attempted. Still, he gave the cell keys to his office deputy, Frederick D. Schnebly, and sent him away. The cell housing the Vinsons was considered impregnable. Stinson firmly believed that, lacking keys, a lynch mob could not get into the jail.

Promptly at midnight two groups of men, some masked—perhaps 50 to 100 in all—converged on the county jail. City marshals, unable to disperse the mob, ran to the city hall to ring the fire bell. The electric whistle at the Northern Pacific roundhouse took up the refrain.

An entry in the official record of alarms for the Ellensburg Fire Department reads as follows:

FALSE ALARUM [sic], 1895 - August 13 [14]. An alarm was sounded at 12:15 a.m. by bell and Northern Pacific Railroad Roundhouse whistle. On turning out, found it to be a false alarm. The alarm was sounded a/c of a mob breaking into the County Jail, taking out and lynching two prisoners.

—E. [Edward] C. Ferguson, Fire Chief

Approaching the courthouse quietly before the alarm had been sounded, the mob was not to be denied. Sheriff Stinson and guards Emmett Barton, William Carter, William Freyburger, Augustus G. Smith, Will F. Wallace, and Levi C. Wynegar were in the corridor when a gun barrel was thrust through the front door after entry had been refused. Swarmed by the mob, the seven guardians were powerless.

Armed with guns and tools, the mob demanded that the sheriff hand over the keys. Upon learning that Schnebly had the keys to the prisoners' cage, two armed men were dispatched with Sheriff Stinson to search for him. After a brief and futile search, the mob decided to break in.

Reminiscing in the *Yakima Republic* 42 years later, John M. Potts, who as a boy stole away from home to witness the lynching, added a different twist to the tale:

Not wishing to carry rifles while standing guard around the courthouse, the officers had placed them on a bed in the sheriff's bedroom in the jail and planned to run in and get them if the mob threatened to overpower them. When the mob arrived...the leaders ordered the prisoners' release. The officers refused and ordered the excited men to leave, but instead the men surged forward and the officers ran to get their rifles, only to find that the night latch on the bedroom door had snapped on, locking them out so they could not get the rifles. I believe the fact that door had accidentally locked averted bloodshed.

By whatever means it could, the mob took firm control of the jail. Sheriff Stinson, covered by an unnamed 16-year-old boy with a double-barrel shotgun, narrowly escaped having his head blown off. The first floor north-end door leading out of the sheriff's office toward the jail was smashed instantly. The jail proper was easily accessed by twisting off the padlock on the iron door. Once the mob gained entry to the jail, however, their tools proved inadequate to smash the cell door lock, protected as it was by a heavy case-hardened steel box. More tools were sent for. Wielding chisels, sledgehammers, and large pieces of railroad track, they set to work. Potts, who also witnessed this event, said later:

The mob tried to cut bars on the prisoners' cell with chisels and when they failed, attempted to batter down the bars with a railroad rail, but that did not succeed. After numerous attempts to break into the cell the men decided to give up the lynching, put on their coats, and started to leave.

Several accounts report that, during the effort to break into the cell, young Vinson delighted in harassing his antagonists. Using his hat, he repeatedly fanned out the flickering candle flame by which the mob was working. Vicious threats and profanity flowed from his mouth at his "blood hunters," as he called them, which probably only added incentive to their work. Periodically he spat tobacco juice at those closest to him.

"One man struck a light so as to see how to shoot the young man [Charles Vinson]," it was reported in the *Ellensburg Dawn*, "but he would snugly fit himself into the corner of the cage and with his hat fan out the light. Two shots were fired at him, neither of which took effect."

His father, by now very sober, took the matter seriously and maintained a sullen silence.

Potts went on to say in his account that "a blacksmith in the crowd had taken a chisel and started cutting the hinges on the cell doors, and finding that the hinges were giving way to the blows, he told the men to wait and they could get the accused murderers out of the jail inside of 20 minutes."

Meanwhile, several prominent people made repeated efforts to disperse the mob. Carrol B. Graves, a respected superior court judge since territorial days, came from his home to remonstrate with the vigilantes. His efforts proved futile, and he was unceremoniously shut up and hustled away. Similarly, the mob rebuffed the protests of several clergymen.

With renewed vigor, the intruders worked in turns until, after nearly two hours, they gained entrance to the jail cell. Bursting into the cell, the mob placed ropes around the necks of the Vinsons who put up a brief struggle. In the process, the elder Vinson's head was injured. Then the angry crowd led the Vinsons to Clarence S. Palmer's livery stable at Sixth and Main, but the telephone pole there did not suit the leaders.

They made another pause in front of Dr. Gray's house at 606 Main Street. But it, too, was unsatisfactory, so the mob continued on to find a better gallows. A third stop was made at Seventh and Pearl streets. There, in front of George "Ed" Dickson's home at 703 Pearl Street, they intended to hang the killers from the cross-arm of an electric light pole. At this point a former sheriff, Joseph L. Brown, asked the leaders of the mob to stop the lynching, but he was roughly pushed aside and covered with guns. Deputy Marshal Smith was equally unsuccessful in trying to quell the mob and rescue the prisoners.

Dickson came out to tell the mob that "Lizzie," his wife, was sick and very upset, begging that the alleged murderers not be strung up in the vicinity of his house. This, and the fact they were having difficulty scaling the light pole, prompted the lynching party to move a block farther east.

At the northeast corner of Seventh and Pine they selected a sturdy eight-inch-diameter cottonwood with adequate limbs. The tree was by the street near the home of attorney John B. Davidson, the only house on the block at the time.

No one was home at the Davidsons' to protest. Driven by the senseless murder of their friends, the mob set to work without further ceremony. Hands were quickly tied and nooses secured around the hapless men's necks. First they pulled Sam up until his feet were about a foot off the ground and fastened the rope to the tree trunk. They then pulled up the son until his bootless feet were but a few inches from the ground. It is alleged that the Vinsons, amazingly, did not struggle. "They presented a horrible sight," said a witness, dangling less than a foot apart.

Unlike most lynchings of that era, the crowd fired no shots into the deceased men. One vigilante, however, reportedly slapped young Vinson in the face as he hung dead.

The street was dark except for a few lighted torches borne by members of the mob, which numbered about 50 men. In addition, a crowd estimated as high as 150 had massed to witness the summary execution. Although these witnesses were unsympathetic toward the prisoners, some were critical of the lynching but probably feared to intervene.

All but the mob leaders were unmasked, yet "it was not possible to recognize any of them," according to one account. Only vague outlines of the crowd could be distinguished and only a part of the city was aware of what was going on.

It is said that John Kangley, superintendent of the Northern Pacific Coal Company of Roslyn, who happened to be in Ellensburg at the time, tried to intervene at this point for law and order, but was roughly pushed away.

Mary (Davidson) Kern, writing many years later, claimed:

A flashlight [an early type flashbulb] picture was taken of the hanging and in the front row was Tod[d] Wilson, a twelve-year-old boy who lived in our neighborhood and who had attended the lynching without his parents' knowledge. The picture taken at the lynching was a help in identifying the ringleaders of the mob and those who were responsible for the lynching.

Mary, who was six at the time, went on to say:

Our family was camping in the Nanum at that time and didn't learn of the hanging until late the next day. My father left early the next morning and kept some of the people from cutting down the tree, which he thought should be kept to remind the people what mob violence could result in, if not checked. After we sold our home place, the people who bought it cut the tree down.

The *Yakima Republic* reported in an uncorroborated story:

The man who pulled the ropes by which the men were hanged was offered \$1,000 as provided by the stabbed man [Buerglin] on his death bed for the man who hanged his slayer. The volunteer hangman refused the money and asked that it be turned over to some charity. It was given to the wife and mother of the lynched men.

This is a very unlikely story. It is never mentioned elsewhere. Moreover, it is highly improbable that a single man did the deed, given the circumstances. A thousand dollars was a great sum of money at that time. When Buerglin died his funds would not likely be accessible, assuming he even had liquid assets in that amount. It is more credible that many hands were involved and there was no such reward, regardless of what Buerglin may have said or not said on his deathbed.

Marshal Wishard, Deputy A. G. Smith and John L. Brown took the two bodies down about a quarter past seven Wednesday morning, August 14, and laid them on the sidewalk under the shade of the tree in which they had hung for five hours. At about eight o'clock the bodies were placed in a wagon and taken to the Cox undertaking parlor two blocks away, near Fifth and Pine, where they were washed, dressed, and prepared for burial. The family did not want possession of the bodies for burial. Because they were poor and unable to pay the burial expenses, Kittitas County covered the cost.

The few attending the funeral service for the two Vinson men were Mrs. Samuel (Martha) Vinson, her 15-year-old son Fred, Mrs. Minnie Dessieux (Martha's married daughter), and three local clergymen: Reverend Nathan Evans, Methodist; Reverend Bernard H. Moore, Baptist; and Reverend J. Francis B. Stevenson, Presbyterian. One or more of the three ministers probably conducted the Thursday morning service, which was followed by the burial.

The bodies were laid to rest in unmarked pauper graves at the county cemetery, known unofficially as "Potter's Field," adjoining the Holy Cross Catholic cemetery. A "good collection" is said to have been "taken up" in town to assist Mrs. Vinson.

More than the usual number of men occupied the streets of the city Wednesday. All of Ellensburg was abuzz with discussion of the sordid affair. While sentiment prevailed that the murderers got what they deserved, it was a matter of general regret that the law was not allowed to take its course.

An inquest was held Thursday morning, August 15, regarding the Vinson corpses. The jury returned a verdict that the Vinsons—Samuel, aged 54, and Charles, 29—met their deaths by hanging the 14th of August, at the hands of a mob made up of people whose names were unknown. In the aftermath of so much unlawfulness it was inevitable that a community seeking to restore its tarnished reputation would attempt to bring the miscreants to justice. But this was no easy task.

Three years earlier the trial of some purported Roslyn bank robbers became a fiasco. The first trial resulted in a conviction, but it was subsequently proven that the convicted men could not be guilty and they were set free. Then the genuine criminals were arrested, but the jury could not agree on their guilt. By this time Kittitas County was nearly bankrupt. There being no money to hold yet another trial, the judge gave the prisoners their freedom.

This incident served to remind Ellensburg's citizens that there was no certainty the Vinsons would have been found guilty of a capital offense, in some manner justifying the unlawful actions of the vigilante leaders.

Some citizens even made threats against the prosecuting attorney for issuing warrants for the arrest of the accused mob leaders. Then there was the problem of identifying those responsible for the lynching and gathering evidence sufficient for a conviction. Some had been masked. It had been dark. Some of the leaders were prominent in the community. Few were willing to admit they were witnesses and testify in court.

Finally, there was the question of whether an impartial jury could even be assembled in Ellensburg where so many citizens had witnessed or were implicated in the jailbreaking and subsequent lynching. An attempt was made, nonetheless, to identify and punish the parties responsible for the mob violence.

On Sunday, August 18, all the saloons were closed down. Ellensburg was peaceful and quiet. On Monday morning it was reported that the sheriff was swearing in some extra deputies. Soon after noon rumor that the militia company had been ordered to report to the armory was confirmed by the appearance of 37 "blue-coats," called out by Governor John H. McGraw. They were soon established in their quarters, awaiting orders from their leader, Captain Armstrong. A guard of the armed militiamen was posted at the jail each night.

During the afternoon and evening warrants were served on Frank Uebelacker, Kohlhepp's partner in the Teutonia saloon; Michael Linder, former deputy county treasurer; William Kennedy, blacksmith; John Bush, wagon maker; Frank Fiegler, brewer; Robert Linke, farmer; Patrick Desmond, farmer; and Frank Groger, brewer. All arrests were made without resistance, and no demonstration of any kind was directed against the arresting officers.

Examination of the arrested men took place before Justice Boyle in his courtroom on Tuesday afternoon. They were arraigned as a group on the charge of murder in the first degree, committed August 14, 1895, when, in the words of Chief Prosecutor Eugene E. Wager, "they did purposely and of their deliberate and premeditated malice kill Samuel and Charles Vinson, father and son, by means of ropes placed and tightly drawn around the necks of said Samuel

and Charles Vinson." Will G. Graves appeared for the prosecution and Edward Pruyn and William J. Welsh acted for the defense. The courtroom was crowded with interested citizens.

A large number of witnesses were called and the court adjourned until Wednesday morning before all the men had been examined. Prior to adjourning, however, Groger, Bush, and Desmond were dismissed, evidence lacking against them.

Examination of the five remaining prisoners resumed Wednesday morning, August 21, and at noon the prosecution rested. Upon reconvening in the afternoon, the attorneys made their summations. Justice Boyle held Uebelacker, Fiegle and Kennedy without bail, remanding them to jail. Pruyn made a motion for the discharge of Linder and Linke. The justice took the matter under advisement until Thursday morning, continuing to hold the men in jail.

The next morning, as promised, Justice Boyle rendered his decision on the motion to discharge. He overruled the motion and held both men without bail, to await trial in superior court at its next term. During the interim, more arrests were made. Shortly after noon on Monday, August 26, Lambert Raskins, who at one time had been a molder in the foundry and later a bartender for the Teutonia, was brought into the city by Bryon A. Chisholm, in a semicomatose condition, charged with being an accessory in the Vinson lynchings.

He was turned over to Dr. Newland, who dressed his head and facial lacerations. Deputies William H. Hoskins and William H. McKee guarded the injured prisoner as he rested in Dr. Newland's office until he was well enough to be confined under guard in the Cadwell block for further convalescence before going to jail.

Raskins was rumored to have bragged that he was one of the lynchers and the one who slapped the younger Vinson as he hung. These accusations he denied when he was arrested at Chisholm's Mill near the German settlement, about ten miles up the Nanum Canyon. Deputy S. W. Greene, the arresting officer, for some unexplained reason deputized Chisholm and turned the prisoner over to him to be brought into town.

Chisholm and his prisoner set off for Ellensburg in a buggy. When they had gone several miles Raskins attempted to escape. In the struggle for Chisholm's pistol, both men fell out of the buggy. Chisholm picked up a rock and struck Raskins on the head, hurting him badly. Dazed and bleeding, he arrived at Newland's office. One report says Greene had no authority to arrest Raskins, much less deputize Chisholm to deliver his prisoner. Therefore, after the fact, a warrant for Raskins' arrest was issued.

The remaining arrests were less dramatic. Martin Holmes and Nicholas Mueller were taken into custody without incident. Mueller, a farmer, was arrested Saturday, August 31, and Holmes the following Monday. A fourth man, Chris Bachman, was captured and imprisoned in Tacoma. He received permission of his jailer to visit the "water closet," but it is reported that "in a transitory fit of forgetfulness failed to return." In other words, in his ruse of going to the rest room, he made good his escape and never stood trial in the lynching of the Vinsons.

Monday morning, September 2, the five foremost defendants were arraigned in superior court, charged with the murder of Samuel Vinson. Once again they pleaded "not guilty."

On Monday, September 16, distinguished Judge Thomas J. Humes, a King County Superior Court judge in Seattle, exchanged benches with Judge Graves. The latter man disqualified himself from the trial of the accused Vinson lynchers because he had witnessed a part of the affair. Court was

called into session promptly at 9:30 that morning. The state was represented by Prosecutor Wager, assisted by Will G. Graves. The defendants' counsel included Henry J. Snively, Edward Pruyn, John B. Davidson, Austin Mires, Clyde V. Warner, and William J. Welsh.

Linder, Uebelacker, Kennedy, Fiegle and Linke were to go on trial for first degree murder in the death of Samuel Vinson. Three others—Mueller, Raskins, Holmes—were held in the murder of Charles Vinson. All continued to plead "not guilty."

Selection of an impartial jury for the group of five defendants proved to be a long and arduous task. Juror summonses totaling more than 80 names were used. Examination and selection of 12 male jurors (women did not sit on juries at the time) took three days. Both sides exhausted their preemptory challenges. Not until 7:45 Wednesday evening, September 18, was the final juror seated.

The trial itself took less time than the jury selection. Prosecutors called 13 witnesses (a 14th could not be found)—predominantly deputies. The defense presented 26 witnesses, including the 5 defendants themselves and 17 character witnesses. Testimony concluded at 3:35 on Friday afternoon, September 20. Closing arguments lasted until almost 11 o'clock that night.

Judge Humes then gave detailed instructions to the jury. By the time the jurors retired to deliberate, the hour was approaching midnight. Some say the jury reached a decision before midnight, but others more reasonably said it took almost two hours. Regardless, it was a secret verdict until court convened at half past nine Saturday morning.

News that the jury had reached a verdict packed the courthouse. At 9:45 the jury was brought in and the sealed verdict passed to Judge Humes. He examined it and then handed it to the clerk of the court, who in a very solemn voice said, "Not guilty." The five accused of lynching Samuel were thus exonerated and set free. But the three accused of Charles' death continued to be held, though they were never brought to trial. After dismissing the five, the judge ruled that Mueller, Raskins and Holmes were being improperly held, having failed to receive a preliminary examination.

The court instructed that the remaining prisoners be held until a complaint could be properly filed by the prosecuting attorney's office. Moreover, a hearing had to be held before a magistrate by five o'clock Monday, otherwise the prisoners must be released. Prosecutor Wager deemed it useless to give them a preliminary examination in view of the outcome of the Samuel Vinson case. At five o'clock they, too, were given their freedom.

Two men had their lives taken without due process of law—without a trial. And those who were responsible for this gross injustice escaped any consequences for their collective deed. The three men charged with killing Charles were never brought to trial because it was "deemed useless." The other five were acquitted of having taken Samuel's life by a jury of their peers—in essence, absolving them of any crime. The three others, against whom there was insufficient evidence to warrant a trial, brought to eleven the total of men arrested in connection with the lynching.

Whether any of them possessed a sense of shame or remorse for what he had done that dark August night is unknown. Also unknown is how many others may have been guilty of participating in the crime. Today this event, little known four generations later outside the older families, creates scarcely a ripple in the life of modern Ellensburg.

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AUTHOR'S NOTE: My Wife Loree Linder (Webster) Baumgart is a granddaughter of one of the mob leaders, Michael Linder. Another leader, Frank Joseph Uebelacker, was married to Anna, a sister of Loree's grandmother Katie (Michaels) Linder. On Tuesday, September 24, 1895—three days after Michael was acquitted of murder—he married Katie.