

Sparks from westbound freight train caused fire

By Evelyn Ward

Sherman County Historical Society
March 1, 1904: Prairie Fire From Railroad — Sparks From Westbound Freight Engine Cause Trouble West of Town — Sparks from a locomotive pulling a freight train caused a prairie fire about two miles west of Goodland.

As the wind was blowing from the south, the smoke was shot into the atmosphere and the presence of the fire soon discovered by people of the town, who notified railroad officials here.

Before the prairie fire could be extinguished, it burned over several quarter sections of land and did some damage to the range of Swan Nelson.

March 2, 1904: (From Phillipsburg Dispatch) Not A Candidate This Year — The Goodland papers contained a very nice write up of the Rev. J. Ed Stevens of that city and said that he would make a good congressman for this district.

All who know Mr. Stevens endorse all that the papers say of him, but last Saturday after the Sherman county convention was held, Mr. Stevens wrote the editor of this paper a letter, stating that Sherman county had elected her several delegations, and that for the first time it would cast its solid vote this year for Congressman Reeder at the Beloit convention.

Mr. Stevens is a splendid gentleman, but he is not a candidate for congress this year.

March 3, 1904: Deweys To Add Sheep — A special from Topeka to the *Kansas City Journal*, dated February 28, says: "Instead of disposing of their ranch in northwestern

today in history

Kansas, the Deweys propose to operate on a bigger scale than ever. In the past they have handled cattle only. Now they propose to add sheep. A vast amount of their land is rough and useless for cattle purposes. It is ideal range for sheep, and the Deweys expect to stock up with 20,000 or more head of sheep this summer."

March 4, 1904: A severe wind and dust storm raged here Wednesday afternoon. The storm extended as far west as Denver and east as far as Belleville or further. The drifting of sand upon the railroad track around Limon hindered the train. The engine men suffered from the shower of small pebbles driven. by the furious gale.

March 5, 1904: The Rebecca lodge, auxiliary to the I.O.O.F., gave an invitation box supper at the Seyler hall and made something over forty dollars, which will go to purchase new paraphernalia for this lodge.

The boxes went at a good price. The fair owner of the basket was unknown to the bidders, who had to pay for it on the basis of the weight of the owner. If he bid \$1 a hundred, and the buxom lass tipped the scales at 150 pounds, his supper cost him \$1.50. A program was rendered and a pretty drill executed by the members of the Rebeccas.

March 6, 1904: Dewey Defense Continues — The trial of Chauncey Dewey, W.J. McBride and Clyde Wilson, at Norton, charged with the murder of Burch Berry June 3,

1903, is dragging its slow length along.

The testimony for the prosecution closed more than a week ago, and since that time, the defense has labored vigorously and vigilantly to see that nothing of importance to them, in attempting to establish the innocence of the accused, is overlooked or passed by.

As might be expected, all the evidence is intended to land hard blows on the Berrys. Sheriff McCullough of Cheyenne county added his voice against the plaintiffs; and an expert gunsmith penetrated the ignorance of the people with his knowledge of pistol barrels, his testimony going to show that the revolver of Burch Berry was used in the fight, was partly cleaned and reloaded by someone who neglected, in their haste, to clean the cylinder.

This point, connected with other testimony that the Berrys shot first, forms a link in the testimony which the defense so much desires to establish, even though it may appear ever so improbable and unreasonable to the common mind and the common sense of thoughtful people.

Some of the witnesses for the defense have in part corroborated the state's witnesses. A man by the name of Saulmon was the first witness brought to the stand. He was formerly employed on the Dewey ranch in 1902 and lived on what was known as the Morgan place, a mile and a half from Roy Berry's home. He said that he had tracked a stray

cow belonging to Dewey to Roy Berry's place. Berry ordered him to leave under penalty of death, adding that if he ever met Chauncey Dewey one of them would die.

Being cross examined by the attorneys for the state, Saulmon acknowledged his signature to a written statement as to what he would testify to for the state. The statement was not made public.

A.H. Trent, a liveryman of St. Francis, testified that he had known Daniel and Alpheus Berry to carry weapons. He said they had Winchester rifles with them when they stopped at his barn in St. Francis in 1902. They gave a Winchester to his hired man.

On another occasion, the Shaffer boys were with Alpheus Berry, and the party had three pistols which were given to his hired man to put in the office. John Mace and Newton Hall, both of St. Francis, testified that the Berrys went armed.

V. Daley said that Daniel, Burch and Beach Berry once stayed at his place over night and were armed. They made threats against the Deweys. They had a petition they wanted Daley to sign, but he refused. The Berrys told Daley that if the petition did not have the effect it was intended to have, "there wouldn't be a Dewey man left on the ranch."

Jerry Lyons of St. Francis testified that Daniel Berry came to town with pistols strapped to him. Berry told him that he had to carry a pistol to protect himself.

C.A. Kerns, a Topeka gunsmith, testified that he could distinguish the kind of gun from which the bullet taken from the body of Daniel

Berry was fired by the groves in the bullet.

He said a bullet fired from a Winchester or a Marlin rifle, by reason of the rifles in the barrel, made one revolution in every 14 inches, while a bullet from a Savage rifle made one revolution in eight or ten inches.

Mr. Kerns said that the bullet taken from the body of Daniel Berry was fired from a 30-30 caliber Winchester or Marlin rifle. He said he could tell by the curve of the grooves on the bullet. Mr. Kerns also testified that the shells taken from the revolver of Burch Berry show evidence of having been placed there within a few minutes after it had been discharged.

Robert McCullough., sheriff of Cheyenne County, testified against the Berrys. He said: "I was at Alpheus Berry's place June 2, to sell a windmill and water tank. Burch, Beach, and Roy Berry were there. Al Winship told me to put a bid on the windmill and tank for him. Burch asked me if Winship had put a bid on the mill and tank. I told him yes.

"Just after the sale, I said to Burch. 'You are not going to make any trouble about taking the tank, are you?' Burch replied, 'That depends upon who comes after it. There are two or three of the Deweys that I would like to thrash hell out of. But if you say so, I'll not make any trouble about the tank, but they must come after it at once.'"

Al Winship was the next witness and told a similar story to that of McCullough. The testimony of Tom Lebo and William Day, which followed, was along the same line.

None of the witnesses thereafter

were cross examined to any extent. Walter Wallace of Atwood was placed upon the stand and testified that his wife was an old acquaintance of the Berrys and that it was a common occurrence for them to stop with him for meals and to stay the night.

In April 1903, Alpheus Berry was there all one night and in a conversation about the Deweys said they had better watch, as the Berry boys were crack shots. In February 1903, Daniel Berry was there and told about an instance when Roy, Beach and Alpheus were in the sorghum mill, and Burch was talking to the Deweys on the road.

He said that if the Deweys had made a crooked move something would have happened, as the boys could shoot just where they wanted to and that they were going to get the Deweys if ever they came together.

Joseph Young, the official court stenographer, who took the testimony in the preliminary hearing, was called to testify to the variance of testimony of Mr. Hotchkiss, Beach D. Berry and other witnesses at the preliminary hearing from that given at the trial and especially to show that Beach Berry did not locate his brother, Alpheus, and his father at the time of the shooting, June 3, at the same points in reference to the Dewey people. This will be a motional point in the defense case.

From weekly issues of The Goodland News, provided by the Sherman County Historical Society. Since the paper was published weekly, some items were arbitrarily assigned a date.

matters of record

District Traffic

The following fines were paid in the Sherman County District Court:
Jan. 13 — Alonzo P. Olivas, 25, Goodland, was fined \$160 for driving while suspended.

Joshua G. Moberly, 22, St. Francis, was fined \$60 for failure to stop and stop sign.

Bradford A. Smith, 44, Sharon Springs, was fined \$132 for speeding, 82/65.

Joshua Lee McDowell, 23, Pratt, was fined \$210 for 3,900 over on tandem.

Jan. 14 — April N. Potter, 31, Strafford, Mo., was fined \$204 for speeding, 91/65.

Nickolas Peter Gray, 20, Goodland, was fined \$186 for speeding,

80/55.

Jan. 20 — Richard Allen Miller, 43, Goodland, was fined \$60 for expired registration.

Jan. 21 — Jason W. Garraway, 27, Independence, was fined \$231 for speeding, 84/55.

Joe L. Trevino, 26, Levant, was fined \$120 for expired registration and \$240 for no liability insurance.

Jan. 23 — Eric T. Hept, 27, Goodland, was fined \$114 for expired tag and \$250 for no proof of insurance.

Justin T. Walker, 22, Evergreen, Colo., was fined \$204 for speeding, 96/70.

Jan. 27 — David L. Douglas, 41, Denver, was fined \$560 for his second driving while suspended and

\$78 for speeding, 88/70.

Jan. 28 — Vickie J. Crotinger, 46, Goodland, was fined \$120 for failure to yield and \$10 for no seat belt.

Jan. 29 — Christopher S. Brown, 23, Goodland, was fined \$360 for driving while suspended.

Michael E. Weaver, 23, Dallas, was fined \$540 for speeding in a

construction zone, 94/60.

Jan. 30 — Shawn E. Nelson, 38, Goodland, was fined \$10 for no seat belt.

Feb. 4 — Jonathan T. Hester, 42,

Buffalo, N.Y., was fined \$240 for failure to move over for emergency vehicle.

Noel Ramirez, 27, Goodland was fined \$80 for no child restraint.

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