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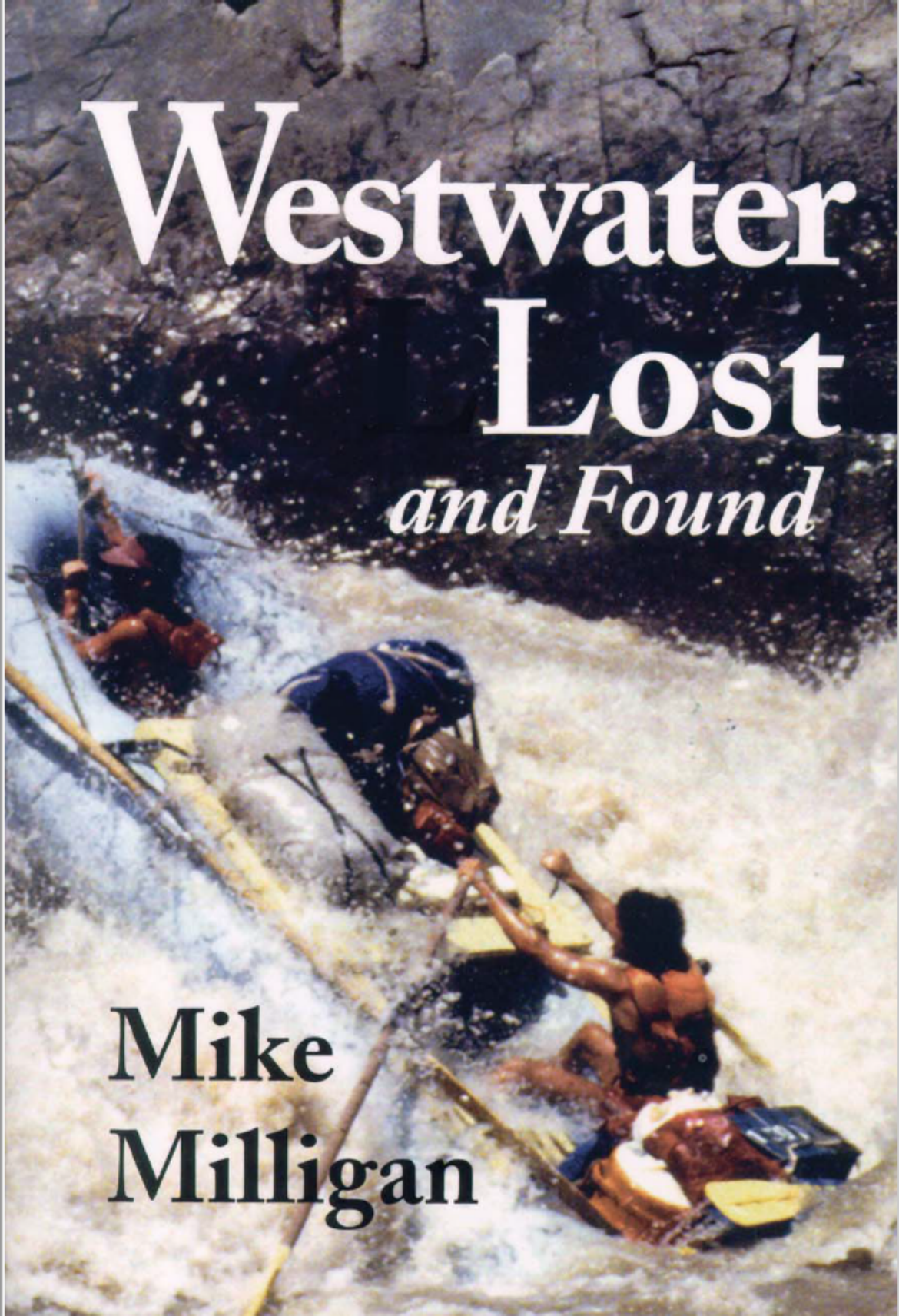
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# Westwater Lost *and Found*

**Mike  
Milligan**

## Gunslingers and Bad Guys

Even before the railroad arrived in 1883, there was activity around Westwater. Horse thieves and cattle rustlers often traveled the area between Utah and Colorado to escape the law. Without a large posse, it was nearly impossible to find anyone hiding in the canyons along the border. Some outlaws would hole up in the Dolores Triangle; others traveled to the Book Cliffs along the Wild Bunch trails. The Dolores Triangle is a remote desert region that is enclosed by the Colorado and Dolores Rivers and the Utah border. During spring runoff it is nearly inaccessible except from Colorado. In 1889 the *Grand Junction News* described the region.

The Mountains of eastern Utah are especially wild and desolate and afford the best kind of hiding places for outlaws. In fact it is pretty generally supposed that there is a regularly organized band of horse and cattle thieves who plunder the country for hundreds of miles around and secrete their stolen property in this rendezvous and from thence drive them through the mountain wilderness to Arizona and there dispose of them.<sup>1</sup>

With growth came adversity, and Westwater, within a couple of years of the Denver and Rio Grande Western Railroad moving its tracks nearer the Colorado River, was labeled a lawless town. The *Salt Lake Herald* headlined a preliminary murder trial of Westwater resident Captain Wilson Ellis Davis in 1892 by blasting Westwater, stating, "The Indians left there over ten years ago—yet the law of violence which they were wont to practice





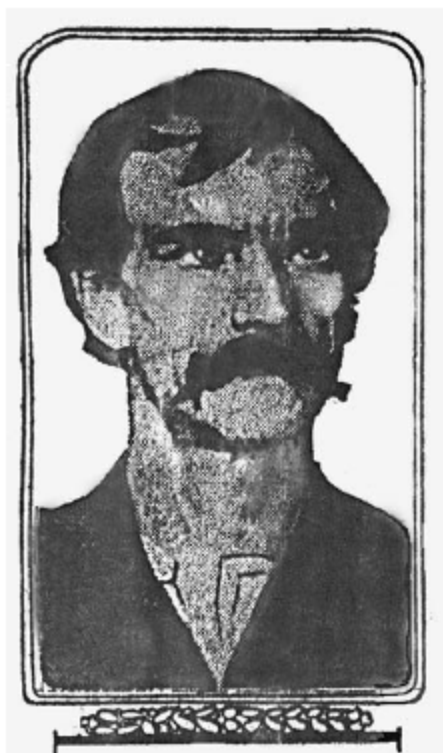
under seems to have remained and the white settlers who are possessing the country have been disturbed with not infrequent eruptions in the way of bloodshed."<sup>2</sup>

### Captain Wilson Ellis Davis

The incident that led to the preceding headline began on August 23, 1892, when Captain Davis returned to his ranch at Westwater after visiting with relatives in Grand Junction, Colorado. He was at the time about fifty-three years old. Physically imposing, he stood 5' 11" and had dark hair, dark eyes, and a heavy mustache. He had a slight handicap, generally imperceptible, as a result of being shot in both hips during the Civil War when he was a sharpshooter for the Union Army. Davis had entered the army as a private in 1860 and by the end of the Civil War had advanced to captain. He became interested in property in the vicinity of Westwater as early as 1890, when he attempted to buy Charles C. Brock's ranch near the border. Two years later he was a successful rancher who with his wife, Hessie, had moved onto Westwater Ranch the prior year, in February. Upon his return home from Colorado, Captain Davis discovered fence posts near his haystacks were charred, in what he suspected was an attempt to burn him out, and honey had been stolen from his beehives. He immediately suspected he knew who had done it and began to investigate.

Following a trail of spilled honey that led to the railroad station northeast of his home, then along the tracks and wagon road, he continued toward the Colorado state border. Shortly past Bitter Creek he stopped at George D. Grant's ranch, where he met George's son Frank Grant and inquired whether he had seen anyone along the tracks with his stolen honey. The Grants were likely some of the original settlers around Westwater, having established a ranch northeast of Bitter Creek along the Colorado River in 1889. Young Frank Grant had not noticed anything but voluntarily joined the investigation by riding Captain Davis's horse to near Charles Brock's cabin to spy on him and confirm whether the honey led in that direction. It was not the first time Captain Davis had had trouble with Brock.

Charles C. Brock lived about a half-mile west of the Colorado border in the vicinity of May Flats. He had a single-room log cabin



Captain Wilson Ellis Davis in approximately 1892, when he shot and killed the Brock Gang at Westwater. This portrait appeared in the *Los Angeles Times* on February 2, 1914, when he was being tried for another murder.

near the Colorado River. It was described as more like a den, being half cabin and half dugout built partially into a bluff and having an earthen roof and floor. A single door faced north, away from the river, between a north-facing window and another one on the side of the dugout facing east. Bars made from railroad bolts substituted for glass in the windows, and a stack of timber standing about four to five feet high and about twelve feet long in front of the door prompted Davis to refer to it as a "fort."<sup>3</sup>

From the railroad tracks the cabin was mostly invisible with only about a foot of the eaves showing. Brock had been living alone until a few days earlier when Charles A. Dussel and William Mueller moved in. They had worked for Captain Davis most of the summer doing odd jobs around his ranch until they were fired on August 19, just prior to Davis's visit to Grand Junction. Brock,



Area where Charles Brock's dugout, built between 1890 and 1892, was once located. Brock and his two gang members were buried near the dugout after being killed by Captain Wilson Ellis Davis on August 24, 1892.

Dussel, and Mueller were all German and spoke the language among themselves. Brock claimed about 320 acres near his home.

In 1892 Brock was about forty years old and somewhat stocky, standing about 5' 6", and had sandy hair and a mustache. He was probably the boatman for Frank Clarence Kendrick in 1889 and thus learned about Westwater from the Colorado River while he was with the Denver, Colorado Canyon and Pacific Railroad Survey, better known as the Brown-Stanton Survey. The survey was to follow the Grand (Colorado) River to its confluence with the Green River, then continue to the coast through the Grand Canyon. Kendrick began his work in Grand Junction, Colorado, on March 28, 1889 and was responsible for the survey to the confluence. While in Grand Junction he hired Charles Brock as his boatman and two other residents, Frank Knox and George Cost, to assist with the survey. Kendrick's journal indicates Brock was spirited and fearless. His note for Wednesday, April 10, 1889, read: "Ran line down through Box X ranch to Sta 2207 at mouth of 'Hades Canon' [Westwater Canyon] where the

woman was drowned . . . Brock came near going over the rapids & we had to tow him back. This is a very fine valley.”<sup>4</sup>

A carpenter by trade, Brock helped build Captain Davis's beehives and did home repairs for him. By 1890 Brock had claimed land near Westwater. Not much was known about him prior to his move to Grand Junction a few years earlier except that he was a widower before he arrived and he had a daughter who was not living with him. Around Grand Junction he was described as a pretty decent man until about 1890 when he got in trouble with the law regarding some cattle rustling and spent time in jail at Grand Junction. Probably around the same time he was sentenced with his “gang” to six months of jail time at Moab. Since there was no jail in Moab, they spent their time in the Darrow Hotel under the watchful eye of Sheriff Richard Dallin Westwood.<sup>5</sup>

It was while Brock was in jail at Grand Junction that Captain Davis became acquainted with him. In December 1890 Davis approached Brock with a proposal to buy his property near the Utah state line. Although no purchase agreement was reached, Davis arranged to care for the property until Brock was released and then discuss buying it again. The sale was never consummated, though, and Captain Davis in February 1891 moved further south to Westwater.

Although Davis and Brock were neighbors and had helped one another for a couple of years, there was bad blood brewing between them. Not long before the stolen honey incident, Davis had approached Brock's cabin and discovered a quarter of beef hanging there that, judging from a cowhide, was his. Brock was not in at the time, so Davis told William Mueller to relay a message that he wouldn't stand for stealing and Brock had better stop it. Unbeknownst to Davis, Brock had stolen other ranch equipment from him that wasn't discovered until later.

In the spring of 1892, Captain Davis hired William Mueller.<sup>6</sup> He had come from Grand Junction, where he was considered a very peaceable and quiet citizen. The tallest of the three later living at Brock's cabin, he was described as having a medium build and black hair and eyes. The third gang member, Charles A. Dussel,<sup>7</sup> was dark complexioned, mustachioed, short, heavy, and about twenty-five years old. Not much was known about him



prior to his arrival at Westwater in early July 1892, when he became acquainted with Davis, who hired him.

Brock, Mueller, and Dussel complained about and cursed Davis, boasting of various ways they would ultimately kill him and feed him to the Grand (Colorado) River. Davis was not aware of their threats, but he was aware of a growing animosity, apparently brought to fruition by their attempt to burn his ranch. Something had to be done about them, something had to be said.

Not being discovered, Frank Grant returned from spying and reported that the honey trail led to Brock's cabin. Davis returned home briefly for dinner and to get a couple of horses. Uncertain how to approach the gang, he and Grant went to the bluffs above May Flats, where Davis spied on the Brock place through field glasses from a distance of about three or four miles away. After watching the cabin for a little over an hour, he decided to get closer. He and Grant cautiously rode their horses toward the cabin; stopping about a quarter mile away from it, they waited. Shortly, they heard a wagon making its way to the cabin. Still unnoticed, they crossed the railroad tracks and rode parallel to them about a hundred yards past the Brock place, where they remained unobserved, waiting to see what Brock was doing with the wagon. Faintly audible to Davis and Grant, the Brock gang was discussing leaving the state.

Grant and Davis then rode back to Davis's home, arriving about 11:00 P.M. Captain Davis resolved to return the following morning and discuss the missing honey and the gang's plan to leave the state. Wanting to participate, Frank Grant spent the night at Davis's home, as the hour was late.

The following morning the two men were up at daybreak. They rode their horses to Grant's home, then continued the rest of the way on foot along the railroad tracks. Both Mrs. Davis and Frank's mother had tried to persuade the men not to go, but Captain Davis insisted he wanted to talk to the men, catch them with his honey, and offer a settlement or have them arrested before they left the state. For three miles the two men walked along the Denver and Rio Grande Western Railroad tracks towards Brock's cabin. Both were packing weapons; Frank Grant carried a .44 Winchester carbine, and Captain Davis strapped on a borrowed .44 Colt revolver. When they neared Brock's cabin,

Davis told Grant to put his rifle under a nearby railroad bridge. He didn't want to arouse suspicion if they were seen, and he didn't want young Grant to get any more involved. They were approximately a half mile from the cabin.

The wagon stood empty near the Brock cabin. Charles Dussel was out front attempting to build a fire and holding a club of some sort to stoke it. Soon Charles Brock came out of the cabin and mounted his horse. He carried a bridle as he started off toward his pasture northwest of them. At first Davis concluded his concern that they were leaving the country had been confirmed. Brock appeared to be going to retrieve a working team of horses from his pasture. Dussel then hollered to Brock to take the hobbles off his horse and it would follow him in. They were just retrieving their saddle horses for the day. None of the three men noticed Captain Davis and Frank Grant about two hundred yards away.

Once Brock had left, Captain Davis told Grant to remain at the railroad tracks while he spoke to Dussel and Mueller. As Davis approached the cabin, Dussel remained out front stoking the fire; Mueller, who had not yet appeared, was getting dressed inside. Captain Davis walked up to the cabin and asked Mueller if he would come out and talk, but he refused. Davis then stepped back onto a nearby hill and waited.

While waiting, Davis talked with Dussel outside of the cabin. We only have Captain Davis's word for what was said because Grant was not near enough to hear their words. Unsure of what was happening he watched from a distance as Davis and Dussel faced each other. Suddenly, Grant heard Dussel swear at Davis, then saw him rush at him with his club, swinging and missing. When Dussel struck at him and missed a second time, Davis drew leather and shot into the air, hoping to back Dussel off, but suddenly another shot came from the window of the cabin. Now more threatened, Davis lowered his revolver and shot Dussel. "The ball took effect in the cheek-bone, passing entirely through the head at the base of the brain." He died immediately, his body lying six feet from the cabin.

The barred window prevented Mueller from getting a clean shot at Davis with his rifle. After killing Dussel, Davis rushed the door of the cabin, and as Mueller was turning to put a bead on him, Davis placed a shot "in the center of the forehead which

reached and pulverized the skull." Mueller, however, lived another twenty-four hours before succumbing to the wound. After the shooting stopped, Frank Grant went to the cabin and met Davis at the doorway; as he stared down at the bodies, he heard Davis say, "My God! This is awful." Grant then asked what Davis was going to do and he replied that "he thought he had done enough, and was going home."<sup>8</sup>

Heading back toward Westwater took Davis and Grant in the direction of Brock's pasture. As they began the long walk home on the wagon road leading toward the railroad tracks, Brock rode toward them leading Dussel's horse. Davis, wanting to explain what happened, asked Brock if he was heeled. Brock retorted, "Yes, I am heeled for a son of a bitch like you!" Davis asked him to dismount so they could talk. Again, Brock rebuked him, saying, "I am not going to get down for such a son of a bitch as you," and spurring his horse forward toward Davis, who stepped to his left and grabbed the horse's reins with his right hand. Unarmed, Brock grabbed the chain hobbles he had roped around his horse's neck and struck Davis on his back. Brock's horse jerked away from Davis's grasp and circled. Davis stood in the way of the cabin and told Brock to stop. Brock charged at him again, threatening that if he could get to his cabin where his rifle was, he would kill Davis. Davis responded by shooting Brock from about thirty feet away, hitting his side just above the hip. With Brock still charging, Davis fired a second shot. Hit in the left side of his head, Brock's limp body dropped at Davis's feet. Grant and Davis then returned home to report the shootings.<sup>9</sup>

At Westwater Station Captain Davis telegraphed his brother-in-law, W. J. Henderson, in Grand Junction. The telegraph read: "For very good reason I ran against Brock and his outfit at six o'clock this morning and as a result I want three plain cheap coffins soon as possible. W. E. Davis."<sup>10</sup> The following day, he turned himself in at Moab. Later that day a coroner's jury acquitted him.

Davis had pulled the boots off of the dead men and taken them to his ranch to prove they matched the footprints in the vicinity of his hives and burnt fencepost. James Wells, a Westwater resident and jury member, discovered honey cached near the river below Brock's cabin. Several members of the jury

searched for the hobbles Brock used, but they were not found. Evidence proved the guilt of the Brock gang, but did it warrant the shooting? According to the jury, it did; justifiable homicide was the rendered verdict. One jury member, H. H. Jacobs, felt threatened at the inquest because Captain Davis was present with a revolver strapped on. Other members of the jury were questioned later, but it was not conclusive that Davis had intimidated them into an acquittal. The bodies of the three men were buried near Brock's cabin.

When news of the violence reached Salt Lake City, Deputy Marshal William Goodsell was sent to retrieve Captain Davis for a preliminary hearing before U.S. Commissioner Greenman. Davis's reputation preceded him, and a local newspaper reported he had an "unenviable reputation as a killer," having previously killed two men in Nevada and another in Idaho. Davis voluntarily surrendered and was turned over to stand trial for the murder of Charles Brock. Since Brock had not been armed, it was felt Captain Davis could not argue self-defense.

The trial was held in Utah Territory's First District Court at Provo, Utah, beginning December 19, 1892. Initially, Frank Grant was also implicated in the murder, but the charge was dropped and he did not stand trial. Witnesses clearly established the wounds to Dussel and Mueller, but there were discrepancies in Brock's wound to the head. Contradicting Davis and Grant's testimonies, a few witnesses claimed the bullet hole entered the back of the skull and not the front. The court ordered that Brock's body be exhumed to determine the trajectory of the bullet and where it entered the head. The exhumed evidence corroborated the defendant's claim that the bullet did enter the front forehead above the hairline. Evidence was introduced that Davis had killed a man in Ashley, Utah, in self-defense, and Davis denied another charge, which never came to trial, that he had raped a woman in Colorado. Captain Davis won over many of those attending the trials. The *Salt Lake Herald* dated September 27, 1894, stated, "Captain Davis does not impress one as a disagreeable or quarrelsome man. On the contrary, he is a very gentlemanly appearing fellow, and will make friends where ever he goes."

One question raised in the trial was what had become of the chain hobbles that Captain Davis claimed Brock hit him with.



They had not been found during the original inquiry authorized by the Moab justice of the peace. However, Deputy Marshal Enoch Gray of Provo found them when he accompanied the prisoner Davis to Westwater in October 1892 to allow him to take care of some business matters. The court was packed during all of the proceedings, which lasted about two weeks. Captain Davis eventually was found guilty of voluntary manslaughter. A second trial began on September 24, 1894, and reached the same verdict. Davis was sentenced to eight months in the Grand County Jail.<sup>11</sup>

Captain Davis's case did not remain out of the headlines for very long. Grand County probate judge Jefferson A. Huff wrote a letter, dated January 16, 1895, to J. W. Judd, U.S. attorney, in Salt Lake City. A bill presented by Moab's sheriff, M. H. Darrow, to the county court for Davis's board at his home prompted the letter. It read in part: "Please inform me whether the county is liable when W. E. Davis was not imprisoned, but running at large without a guard."<sup>12</sup> The sheriff had been confused because the words "Utah Penitentiary" had been crossed out on the court order for Davis's imprisonment and replaced with "Grand County." After consulting with other officials, Darrow interpreted the instructions to mean that Captain Davis was not to be jailed and was instead to become a house guest of the sheriff. Sheriff Darrow submitted the bill for room and board when he turned the prisoner over to the new sheriff, William Sommerville.

Neither did this case end Captain Davis's brushes with legal trouble. More than twenty years later, the *Grand Valley Times* on January 30, 1914, included the headline "Bad Man of Early Days in Trouble: Capt. W. E. Davis, Who Killed 3 Men at Westwater, Charged with Murder." Seventy-three years old and separated from his wife, Wilson Ellis Davis, the former Civil War officer, was living at a veteran retirement community at Sawtelle, California, near Los Angeles. On the evening of January 1, 1914, William G. Wheeler's body was discovered after a fire swept the cottage that he was sharing with Captain Davis. The fire was suspicious from the onset and Captain Davis was one of two suspects accusing each other of the act.

William G. Wheeler and Captain Davis were partners in a photography business. Starting the business in Long Beach, they

had recently moved to a location near the Soldiers Home at Sawtelle. Apparently Wheeler was not satisfied with Davis as a partner, and around Christmas, 1913, Wheeler expressed to his nephew, Edwin J. Cook, that he feared Davis and wanted to dissolve their partnership but Davis begged him to continue it for another week. There were indications that Captain Davis had planned the demise of his partner for about a year, but with a week left in the partnership, his planning had to be expedited. Calculating, Davis reportedly developed a plan he felt to be fool-proof. He approached a representative of the Fidelity Casualty and Trust Company of New York and took out a life insurance policy on his partner. He was informed they could not supply a policy naming Davis as the beneficiary but could make it payable to the deceased's estate. Davis agreed to a policy for \$3,500, and "in the case Wheeler is burned to death, the amount of the policy is doubled." The night of Wheeler's murder, Davis checked into a hotel in Los Angeles under the name D. E. Wilson, apparently thinking it would prove his whereabouts at the time of the crime. His explanation for the assumed name was that he was meeting a woman there.

Three days after Wheeler's death, another home burned down, killing Civil War veteran David A. Yarlott. Circumstances seemed similar, and Captain Davis again was implicated. Interestingly, there had been a few other house fires during the year in the Sawtelle area that could have been minimized except for unexplained failures of fire department equipment. Evidence of equipment tampering was located at the fire station nearest to Yarlott's home. A wrench belonging to Davis was found nearby, and several witnesses testified they saw Davis in the vicinity of the fire station shortly before the fire that took Yarlott's life.

The excitement drew large crowds to the preliminary trial of Captain Davis. His attorney team included the first female in California history to defend a murder suspect, Mrs. Georgia P. Bullock. Their argument was simply "that the psychology of old age is scientifically against the commission of crime." Bullock stated further, "The years of violence have passed with Mr. Davis."<sup>13</sup>

Shortly after Wheeler's death and prior to the inquiries that implicated Captain Davis as his murderer, Davis expedited the

burial of his partner. The event was so sudden that Wheeler's nephew, Edwin Cook, didn't have time to inform relatives in Missouri. He had been in communication with them, but before they could decide what to do with Wheeler's body, Davis announced, "Why, Will was buried today."<sup>14</sup> The body was exhumed prior to the preliminary trial to determine through autopsy the true cause of death. The autopsy revealed "evidence that the murdered man's skull had been battered, but the exact nature of the fracture could not be determined because the head was badly burned. The heart shows every indication of cyanide poisoning." The prosecution was set to prove that "Wheeler was poisoned, then beaten, and finally roasted to death."<sup>15</sup>

The grizzly, graphic evidence of Wheeler's death revealed that he "was slain as he slept, the heads of two hand axes being found by the side of his body, which seemed to have rolled from the bed. His burned arms were upstretched as though warding off heavy blows. His body was burned after it had been saturated with kerosene, a large quantity of which was purchased from a nearby merchant two days before the fire. The room in which he slept was a seething furnace, while other rooms in the house burned slowly, indicating an unnatural combustibility in one spot."<sup>16</sup>

Evidently, this may not have been the first insurance fraud Captain Davis had perpetrated. Fifteen years earlier he had a mining partnership with a man in Newcastle, Colorado. Similarly, Davis had an insurance policy written up on his partner. Then, while both of them were in a remote mountainous area, his partner was shot and killed. When Davis tried to cash in on the policy he was arrested, but the circumstantial evidence was too weak to convict him. He left Colorado a free man.

Captain Davis was not so lucky with the Wheeler murder. The police found in Davis's possession notes with Wheeler's forged signature turning over his estate to Captain Davis if he were to die, as well as forged debt notices of debt to Davis. Perhaps the most damning evidence was the claim Davis made against an insurance company for fire damages valued at \$500. Not only did the items he listed as being destroyed turn up in his possession not destroyed, but his claim for them was taken to imply that they would have been in the cottage had the fire been

an accident.

A highlight of the trial was the opening of what was described as a green "ungainly receptacle" belonging to Davis. The green box contained items that seemed worthless to most onlookers: "old blankets, half-worn clothing, a piece of canvas, several shot guns, a fishing rod, two cameras, a number of badly smoked dishes, a pillow, a large piece of buckskin and two hand saws were removed from the box and labeled as evidence."<sup>17</sup> One other item was removed: "the iron hobbles, a grim memento of border days."<sup>18</sup>

On May 16, 1914, Captain Wilson Ellis Davis was convicted of first-degree murder for the killing of William G. Wheeler. He was sentenced to life imprisonment.

Charles H. Hallett and James H. Smith

Even before Captain Davis's conviction for killing Charles Brock and his gang, another shooting had occurred at the small railroad town of Westwater and an old man from the area was crying for Davis to return and avenge the death of his son.

On the morning of February 25, 1894, George D. Grant was overwhelmed with grief and frustration, having held his son Royal for the last time and uncertain how to avenge his death. What began as a family project of building a home for old man Grant's youngest son, Frank, had ended in another son's death. Traveling from his ranch near Bitter Creek, George and his two sons Frank and Royal took their wagon along the Salt Lake Wagon Road toward town, then headed south, past Westwater Ranch toward some timber that was on the piece of land Frank claimed. As the wagon neared the timber, Charles H. Hallett stepped out into the road, stopped them, and announced that they were trespassing on his land. Then an unexpected shot rang out, and Royal Grant staggered briefly, acknowledged he was hit, and fell to the ground. The aging father jumped from the wagon seat to his son lying lifeless on the ground. With his head on his father's lap, Royal spoke his last words, "Yes, I am a dead man."

Tragedy seemed to follow George Grant's family. Just a few years earlier, during the summer of 1890, another son, Harvey Grant, died while working as a brakeman for the Denver and Rio Grande Western Railroad. While the train was in transit and pass-



52. Greta Galyean, letter to author, 26 November 1991.
53. "Notice to Sheepmen," *Moab Times-Independent*, 24 March 1932.
54. "John C. Hardison Dies At Home In Westwater," *Moab Times-Independent*, 8 July 1943.
55. "Westwater Items," *Moab Times-Independent*, 29 June 1922.
56. "Westwater Items," *Moab Times-Independent*, 4 August 1927.
57. "Westwater News," *Moab Times-Independent*, 21 October 1920.
58. "Westwater News," *Moab Times-Independent*, 23 November 1922.
59. "Newsy Notes From Town of Cisco," *Moab Grand Valley Times*, 28 February 1913.
60. "Westwater Items," *Moab Times-Independent*, 28 September 1922.
61. "Railroad Man Retires," *Moab Times-Independent*, 1 January 1925.
62. "New Westwater Route Will Shorten Midland Trail," *Moab Times-Independent*, 31 March 1921.
63. "Favor Road By Way of Westwater Town," *Moab Times-Independent*, 24 March 1923.
64. "Westwater Events," *Moab Times-Independent*, 28 March 1929.
65. "Westwater Events," *Moab Times-Independent*, 30 May 1929.
66. "Road Westwater to State Line is Closed," *Moab Times-Independent*, 17 July 1930.
67. Brian Q. Cannon, "Struggle against Great Odds: Challenges in Utah's Marginal Agricultural Areas, 1925–1939," *Utah Historical Quarterly* 54 (fall 1986): 308–27.
68. Ibid.
69. U.S. Department of the Interior, Geological Survey, Utah District, *Colorado River near Cisco Utah. Discharge, in cubic feet per second, water years 1931 and 1934*.
70. Leonard J. Arrington, "Utah's Great Drought of 1934," *Utah Historical Quarterly* 54 (summer 1986): 245–65.
71. Thode, letter to author, 2 October 1987.
72. "Post Office to Close at Westwater," *Moab Times-Independent*, 28 January 1954.

## 3

## Gunslingers and Bad Guys

1. *Grand Junction News*, 24 August 1889.
2. *Salt Lake Herald*, 13 September 1892.
3. *Provo Daily Enquirer*, 22 December 1892.
4. Stiles, "Down the Colorado," 235.
5. Jean Westwood, "Richard Dallin Westwood: Sheriff and Ferryman of Early Grand County," *Utah Historical Quarterly* 55 (winter 1987): 66–86.
6. Several spellings of Mueller's name occurred during the trials, including Miller and Muler.
7. Several spellings of Dussel's name occurred during the trials, including Ducel, Dusell, Dousell, and Dusel.

8. "The Davis Trial at Provo," *Salt Lake City Daily Tribune*, 20 December 1892.
9. "The Westwater Tragedy: Captain Davis on Trial for Killing Three Men," *Salt Lake Herald*, 20 December 1892.
10. "Horrible Slaughter: One Man Meets Three and Kills Them All," *Grand Junction News*, 27 August 1892.
11. "Sheriff of Grand Cited to Appear for Contempt," *Provo Daily Enquirer*, 21 January 1895.
12. *Ibid.*
13. "Novel Defense to Be Made for Davis," *Salt Lake City Daily Tribune*, 3 February 1914.
14. "Forged Paper Stained Red?" *Los Angeles Daily Times*, 3 February 1914.
15. "Heart Is Poisoned and Skull Broken," *Los Angeles Daily Times*, 22 January 1914.
16. "Forged Paper Stained Red?" *Los Angeles Daily Times*, 3 February 1914.
17. "Spill Contents before Jurors," *Los Angeles Daily Times*, 14 May 1914.
18. "Davis Confesses He's Killed Three Men," *Los Angeles Daily Times*, 24 January 1914.
19. "Is Nearly Ended: Defendants Are on the Stand," *Provo Daily Enquirer*, 5 April 1894. "Westwater Tragedy: Frank Grant's Vivid Recital of His Brother's Death," *Salt Lake Herald*, 5 April 1894.
20. Prior to August 17, 1892, a C. H. Hallett reportedly arrived at Grand Junction with an unusual piece of gold that he found among Indian ruins in the Henry Mountains. The dates between his testimony at the Captain Davis trial and the report from Grand Junction either indicate a contradiction or would indicate he was jockeying between Westwater and Grand Junction, possibly checking out land ownership in the Westwater vicinity. "The Henry Mountains: A Rich Mineral Country. Gold, Silver, Copper Etc.," *Grand Junction News*, 17 August 1892.
21. "Shot Him From Ambush: Cowardly Assassination of Royal Grant at West Water," *Salt Lake Herald*, 27 February 1894.
22. Newspapers alternately refer to him as James W., John W., and Jack during the trial. Court records listed him as James H. Smith.
23. "From the Garden City," *Salt Lake Herald*, 28 February 1894.
24. "Another Shooting at Westwater," *Provo Daily Enquirer*, 12 March 1894.
25. "Latest Rumor of Homicide: It Was Said to Be at Westwater, but Is a Fake," *Salt Lake City Daily Tribune*, 13 March 1894, "Nobody Hurt," *Grand Junction News*, 17 March 1894.
26. "A Murder Trial: Will Be Commenced at Provo Today," *Salt Lake Herald*, 3 April 1894.
27. "To Save His Own Life, Davis Tells Why He Killed Three Men," *Salt Lake City Daily Tribune*, 26 September 1894.
28. "A Mixed Verdict at Provo," *Salt Lake City Daily Tribune*, 7 April 1894.
29. John L. Malin, letters to author, 29 March 1987 and 3 December 1987, and telephone conversation with author, 3 June 1991.
30. Lena M. Urquhart, *Roll Call: The Violent and Lawless* (Denver: Golden Bell Press): 52–55.