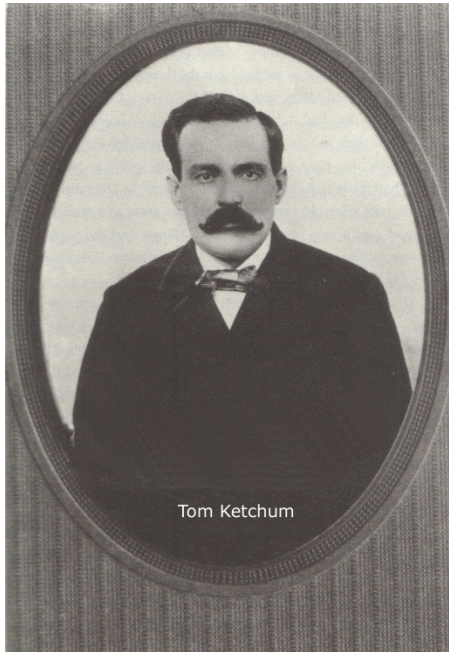


Thomas Edward "Black Jack" Ketchum

It is not always good to be the only man known for a certain accomplishment. Thankfully Black Jack is known for several things. He was the only man ever hung for the offense of "felonious assault upon a railway train." This law was declared unconstitutional, but too late for Tom. He was the only man ever hung in Union County, New Mexico. What he is most noted for is losing his head during the hanging.

Tom and his brother Sam were the sons of Green Berry and Temperance Katherine (Wydic) Ketchum and grew up in San Saba, Texas. Tom was born on October 31, 1863. Both of the boys worked as cowboys on ranches from Texas to Wyoming. In his youth Tom had an occasional skirmish with the law and had to leave Texas around 1890.



The Ketchums became friends with Will Carver and David Atkins. In 1895, one of their neighbors, Mrs. John N. "Jap" Powers, was looking to be single again. On December 12, Jap was brutally murdered. Tom, Dave Atkins and another man were indicted for the murder, but they had already fled to New Mexico. The following year the sheriff decided the three were innocent and he was pursuing other suspects, the widow and her lover, J. E. Wright.

The brothers committed their first crime together when Sam had a dispute with the foreman of the ranch where they were working. They stole supplies from the ranch storehouse. Then they robbed a post office and a store at Liberty, New Mexico. One of the store owners and a leading Mexican citizen recognized the brothers and gave chase. Unfortunately, they were both shot to death and the brothers fled into Arizona where they were joined in Graham County by Carver and Atkins.

On May 14, 1897, Tom, Carver and Atkins were in Lozier, Texas, where they held up a Galveston, Harrisburg & San Antonio train. They used explosives to blow open the safe. Despite being chased by several posses they escaped with about \$42,000. They made it to Tom Green County, Texas, where they spent most of the money getting the local citizens to hide and feed them.

Out of money, they decided to return to New Mexico and rob another train. Despite the fact that New Mexico had passed a law making train robbery a capital

offense, they were not dissuaded. This time they were joined by Sam Ketchum and a friend Carver and Atkins, Charles Collings. On September 3, 1897, they held up the Colorado Southern passenger train near Folsom. Sam brutally assaulted Charles Drew, one of the crewmembers. They had to use three charges to blow the safe and found less than \$3500 and some jewelry. They headed for Turkey Creek Canyon near Cimarron, New Mexico, where they hid for several days before going to southeast Arizona to plan for their next robbery.

Their next attempt was going to be a train robbery at Stein's Pass near the Arizona and New Mexico border. While the deputy US marshals had been unable to locate the outlaws, in late November of 1897, they heard a rumor of a planned Stein's Pass train robbery in early December. The gang had acquired a new member, Ed Cullen. On December 9, Atkins and Cullen robbed Stein's post office and netted nine dollars. Then the two joined Tom Ketchum at the train depot where they were able to find two dollars and a Winchester rifle.

Tom and Carver then rode their horses a couple of miles west of the depot and lit signal fires on both sides of the tracks. Atkins and Cullen forced the station agent to show a red warning light requiring the 9:00 westbound train to stop. Then they boarded the train and persuaded the engineer and fireman to advance the train west to the signal flares and stop again. As the bandits approached the train a passenger and two guards began firing at them. Cullen was killed outright and others were wounded.

On July 1, 1898, they were again successful. They stopped the westbound Texas Pacific Number 3 train near Mustang Creek, Texas. They uncoupled the passenger cars and moved the engine and express further down the line. They again blew the safe and extracted about \$50,000 and left behind a large number of ten dollar bills and jewelry.

The Ketchums had a dispute in early 1899 and split up. Sam formed a new gang and he was joined by Carver, red Weaver and Elzy Lay. They made a successful repeat train robbery of the Colorado and Southern Railway at Twin Mountains, New Mexico, but were caught by a posse and in the ensuing battle Sam was wounded and died of an infection on July 24, 1899. He is buried in the Fairview Cemetery in Santa Fe.



Tom wandered over to Prescott, Arizona, where he may have killed two men on July 2, 1899. The rest of the month he was on horseback headed for New Mexico again and knew nothing of his brother's fate. He wanted to reconcile with Sam and finalize plans for their second robbery at Twin Mountains. Of course he was unable to

find his brother or any of the gang members and decided to make the attempt alone. He changed his mind when he saw an armed guard in the express car.

Tom decided on another solo attempt on August 16 and climbed on the baggage car of the Colorado and Southern Railway Number 1 southbound train when it stopped at Folsom, New Mexico. He captured the engineer and forced him to stop the train a few miles south of the station and two miles from where he had left his horse for a getaway. Charles Drew, who had been severely beaten by Sam two years earlier, was the messenger. Tom ordered him out of the car. The fireman was supposed to uncouple the car but cut the air hoses instead and that locked the brakes on all the cars. The mail clerk stuck his head out of a window to see what was going on and Tom shot him in the jaw. Painful, but not fatal.

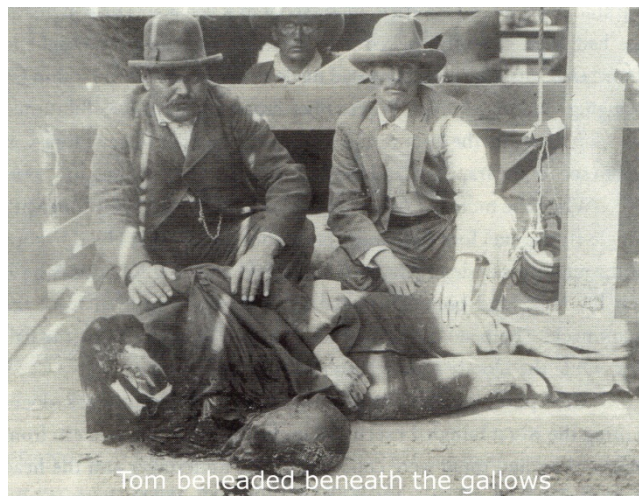
Conductor Frank Harrington entered the first passenger car behind the express car, grabbed a shot gun and severely damaged Tom's right arm. Tom escaped into the darkness and managed to get to his horse, but was unable to muster the strength to mount. The posse found him the next day still alive.

He was tried on Federal charges for shooting the US Mail agent and sentenced to ten years. While in jail his wounded arm became infected and was amputated. A year later he was tried by the New Mexico Territory for the capital offense of assault on a railroad with intent to commit a felony. He was convicted and became the first person sentence to hang for assaulting a train.

He was transferred to the jail in Clayton, Union County, New Mexico Territory. From his cell he could watch the carpenters as they built his gallows and the required wall around it. His last request was to have a "lady of the evening" visit. But his request was denied for lack of funds.

On April 26, 1901, the 37-year-old Tom ate a hearty breakfast, put on his new suit supplied by the sheriff and requested music as he ate his last dinner. At 12:30 he promised death for all those who took part in his prosecution. At 1:15 he began his walk with the priest, sheriff and witnesses. He declined to make a last statement but during a delay he said from underneath his hood, "Let 'er go, boys."

The drop had been calculated for five feet and nine inches, but was lengthened by the governor's appointed witness and then again by the sheriff until it was finally set at seven feet. Sure enough, he fell through the trap door, the rope severed his head completely from his body. Blood spurted from his neck, the head rolled around on the ground inside the hood and the rope rebounded high into the air.



The undertaker collected the head and the body, sewed them back together and Tom was buried the next day in the Clayton Cemetery. He is buried in the median strip between two roads and away from the other folks.



We will learn more of some of the Ketchum Gang in other stories, but Will Carver and Elzy Lay went on to join Butch Cassidy and the Wild Bunch. Atkins was arrested in Texas, jumped bail and went to England. He returned to Texas, was captured, sentenced to five years in jail and lived until 1964, but spent about 30 years in an insane asylum

Source: Frontier Justice in the Wild West: Bungled, Bizarre and Fascinating Executions by R. Michael Wilson