

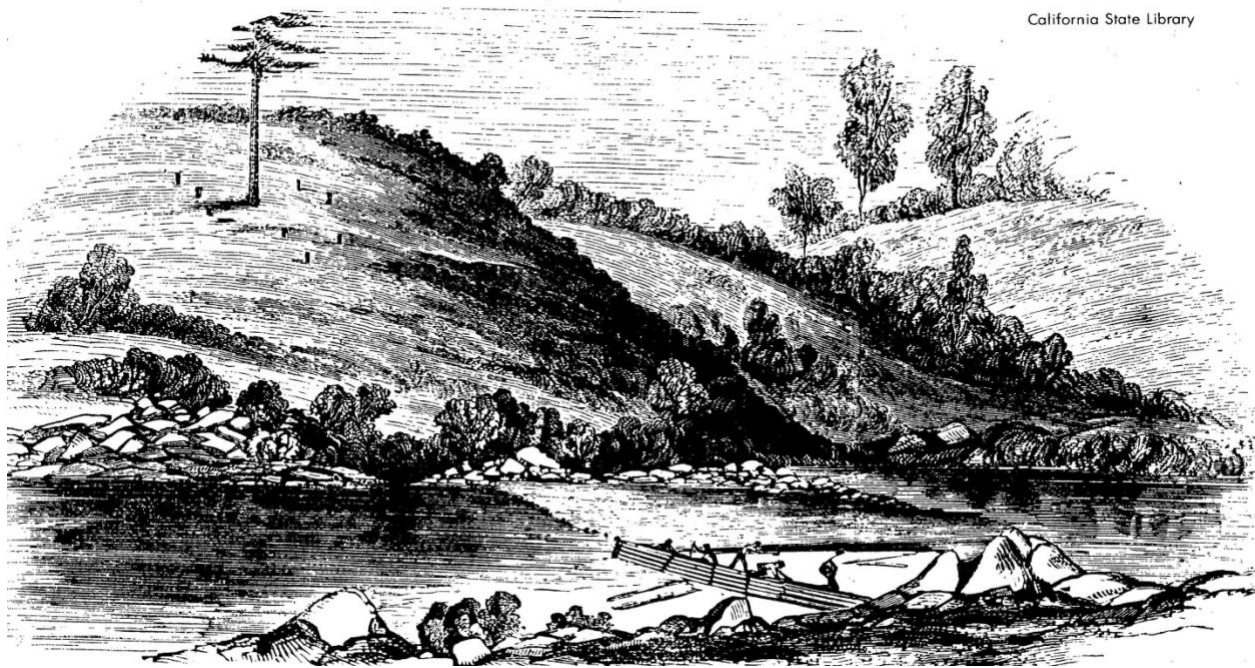
OLD WEST STORIES

Richard "Rattlesnake Dick" Barter

Not every outlaw in the Old West came to be one naturally or because of some defect in his personality or even the parents' failures in his upbringing. Rarely a man might have been driven to the wayward life because of some outside force over which he had no control. But, it could also be said that no matter what comes one's way perseverance and maintenance of an honest lifestyle against all obstacles was a possibility.

Richard "Dick" Barter was born in Quebec City, Quebec, Canada, in 1834. His father was an English colonel and his parents were held in high esteem. Unfortunately, he, his brother and his sister became orphans in 1850 when he was about 16 years old. Like many others, he was keenly aware of the tales of riches and adventures that were being mined in the west.

Dick, his brother, his sister, her husband and a cousin all joined a wagon train and headed west. They stopped in Sweet Home, Oregon, and built a home there. Talk of the gold strikes in California was just too enticing for them and the two brothers and the cousin headed south. A small mining camp known as Rattlesnake Bar was located on the American River between Auburn and Folsom and was reported to be one of the richest placer mining areas in Northern California and the easiest place to pan for gold. With all mining camps there was a nearby town where the miners could get some supplies, gamble away their diggings, find a "soiled dove" and, in this case, the little place was known as Rattlesnake



California State Library

Artist concept of Rattlesnake Bar as it would have been seen by Rattlesnake Dick. Today the little village of Rattlesnake is under the water of beautiful Lake Folsom.

The boys had arrived in the area to find all the easy gold had already been mined from the river and all the good claims had been staked. The slim pickings discouraged Dick's brother and cousin and they headed back north to Oregon. But Dick had acquired a taste for the good things in life; food, drink and beautiful women and decided to stay on.

Dick was described as six feet tall, broad shouldered, strong muscled and as being a very handsome man who could have his way with the ladies. Some have even linked him to Catherine Hayes, a well-known opera singer of the time. Hayes, as her contemporary Lola Montez, toured the mining camps and entertained the prospectors with a beautiful voice, once

OLD WEST STORIES

singing before Queen Victoria herself. Surely the affair, if it actually took place, must have been brief as the world stage beckoned to Hayes and the gold country mining camps offered meager audiences by comparison.

Dick acquired the nickname that stuck with him for the rest of his life when an old-timer heard him expounding on the benefits of Rattlesnake Bar said, "Good for you, Rattlesnake Dick."

Dick had no thought of living the life of a bandit, robber or highwayman. For three years he searched for gold around Rattlesnake Bar and every ounce he collected was "honest gold." One day in 1853, a shopkeeper found that he was missing some clothing. Someone who held a grudge maliciously told the owner that it was Dick. He was arrested, taken to court and was found to be "not guilty." But once the accusation was made the stigma associated with it would not go away.

Later in the same year he would be accused of stealing a mule. Mules were an essential part of the mining effort and stealing them was as serious an offense as horse theft in other areas. Once again, he was in court and facing a jury. The only evidence against him was that he had been seen in the area. This time the jury convicted him and he was sentenced to two years in prison. Before he could be moved from the jail to the prison the real thief confessed. Even though he was definitely innocent, the folks remembered the accusations and the convictions with no thought of his guilt or innocence.

Dick felt he could not handle the remarks, the looks and avoidance of his former friends and yet he was still determined to lead an honest life. He reluctantly decided to leave the area that he loved and head north. Shasta City in Siskiyou County was 200 miles away and sitting at the base of Mount Shasta, a 14,179 foot active volcano. Trying to avoid any association with the injustices dealt him in Rattlesnake Bar he assumed the alias of Dick Wood and pursued his efforts as an honest miner trying to make an honest living for two years. He did not strike it rich with any of his findings, but he was supporting the pleasures that he enjoyed. As fate would have it, his honest life would soon come to an end.

One day a former Rattlesnake Bar resident arrived in Shasta City and recognized Dick as he enjoyed his pleasures in a local bar. This fellow wasted no time in telling anyone who would listen about the former thief and jailbird from Rattlesnake Bar. It seemed to Dick that he could not escape the stigma that had been placed upon him. He turned to the barroom and with all eyes upon him announced, "If men are so willing to judge me as a criminal, then I might as well be one, once and for all."

Old West writers have some differences on the events of his first crime. Some claim that he robbed an individual of \$400 in the darkness of night. Others report that he held up a stage coach outside of Shasta and after relieving all hands of their money and valuable possessions he loudly proclaimed, "Now you can tell them you were robbed by Rattlesnake Dick, Pirate of the Placers." The name and the man fast became a legend around the mining camps of northern California.

Rattlesnake Dick then returned to the country that he first loved and from which he earned his nickname. On the way, he helped himself to sluice boxes belonging to others, robbed stagecoaches and stole anything that could be of any value to him.

In Rattlesnake Bar he organized his first gang consisting of brothers, George and Cyrus Skinner, Adolph Newton, Nickamore Romeo, Willis T. Carter and an unnamed Mexican. All of these men used one or more aliases. They committed every type of robbery throughout Placer and Nevada Counties.

Rattlesnake Dick was soon laying out plans for his biggest haul ever. He learned that a Wells Fargo mule train would carry \$80,000 in gold bullion from Yreka, near the Oregon border down to San Francisco. The major problem to overcome was one of transportation. The mules carrying the gold were branded with a large WF that was easy to see and would be a dead giveaway to the robbers once the gold was in their possession.

As the gold traveled south to San Francisco, the pack train would travel through the Trinity Mountains and the gang chose that as the spot to stage the robbery. Rattlesnake Dick

OLD WEST STORIES

made a decision to split his forces. George Skinner, Newton, Romero, Carter and the Mexican would attack the train and steal the gold. Dick and Cy Skinner would stay in Rattlesnake Bar and steal the mules that would be needed to transport the gold. They had agreed on a spot near Trinity where the two mule teams would meet up and the gold transfer would take place.

George Skinner and his crew pulled off the robbery exactly as planned. The mule train was totally taken by surprise and the robbery was pulled off without a shot being fired. The twenty guards were so surprised and shocked that they were easily captured, taken to nearby trees and tied up. They would soon free themselves and make it to civilization to report the affair.

The robbers took the stolen gold to the agreed upon hideout/meeting place to await the arrival of Dick, Cy and the mules. After several days there was no sign of the men or the mules. The Mexican became nervous as the time dragged on, and rightfully so. He began to ask for his share and wanted to move on. His share was finally given to him, a bullet for his efforts. Eventually the other four robbers grew restless and determined to take some action. Knowing that they could not carry out all the gold on what little unmarked transportation they had available, they designated George to bury half the gold. He did so and did not reveal the location to the others. They loaded the remaining \$40,000 onto the mules they had ridden to the robbery site and set off to Rattlesnake Bar to find out what happened to Dick and Cy.

When they reached the area around Rattlesnake Bar, they once again hid their ill-gotten gains and headed to town. Upon inquiring of Dick and Cy, they learned the pair had been arrested for stealing mules and were in jail. They also learned that the Wells Fargo guards had freed themselves and were in town to assist in the capture of the outlaws. When the boys were identified as the road agents a gun battle broke out. George was killed, Carter injured and Romero tried to swim the American River even after he too was injured and he was captured. With George's death, the location of the \$40,000 in buried gold back in Trinity was forever lost. A trial was held for Newton, Romero and Carter and they were found guilty of the robbery and sentenced to ten years. Newton and Romero served their sentences while Carter was given a pardon after he revealed where they had hidden the remaining gold which was valued at \$40,600. Carter remained in the area and lived out his life in Placer County as a poor, honest man.

"Meanwhile, back at the ranch," Rattlesnake Dick had escaped from the Auburn jail where it had been determined that he was the leader and mastermind behind the robbery. Dick had learned that he no longer had a single member of his band and that every sheriff in mining country was searching for him. He fled to San Francisco and formed a second gang. After being arrested several times for various suspicious acts, the vigilantes ran him out of town.

He moved his new gang back to his old haunts in the foothills around Rattlesnake Bar. By this time, the law in the area was so busy trying to keep up with the ever increasing bands of robbers plundering the goldfields that Dick almost operated with immunity. Again, he was arrested a few times and managed to escape each time. It was said that none of the jails in Placer and Nevada Counties could hold the slippery outlaw. He even boasted that he "would never rot in prison as long as a revolver could keep him out."

In the summer of 1859, someone informed George Martin, deputy sheriff of Placer County that Dick and a friend were seen riding through Auburn. Later that evening, Monday, July 11, 1859, Sheriff Martin with two more deputies, George Johnson and William Crutcher made contact with Dick and his companion, Samuel de Costell, a.k.a. Rattlesnake Jim," about a mile outside of Auburn and demanded that they surrender. The stories of what happened from that point on are varied and several. But the undeniable reality is that instead of surrendering, a gun battle ensued. Some say that Dick fired a shot that shattered Johnson's hand and then cut his reins so that he had no control over his horse. de Costell supposedly fired a shot that went through the body of Crutcher and then killed George Martin. Deputy Johnson managed to brace himself in the saddle and fire two shots at Dick that he swore were effective, though Dick did manage to ride away.

OLD WEST STORIES

A search through the night failed to turn up either of the bandits or their bodies. The next morning, a posse led by Deputy John Boggs located the murderer's body on the side of the road near the Junction House; a stagecoach stop in Auburn (the present day intersection of Lincoln Way and Foresthill Road.) The outlaw had committed suicide after being wounded in the shootout. A note found with his body indicated that he mistakenly believed he had killed his nemesis, Deputy John C. Boggs. It read, "If J. Boggs is dead, I am satisfied." Since Johnson had only fired two shots it was assumed that the third shot to the brain had come from Dick's own gun to prevent a long prison term. It is reported that inside one of Dick's gloves they found a letter from his sister begging to hear from him. It would not be.

Rattlesnake Jim was later caught in Marysville, California, and sent to Auburn to stand trial. That outcome is unknown to the author.

Dick died broke and was buried at the county's expense in an unmarked grave in an old Auburn Cemetery. In 1893 his remains were removed to the Old Auburn Cemetery where they remain today and at some time a monument was added to his grave.

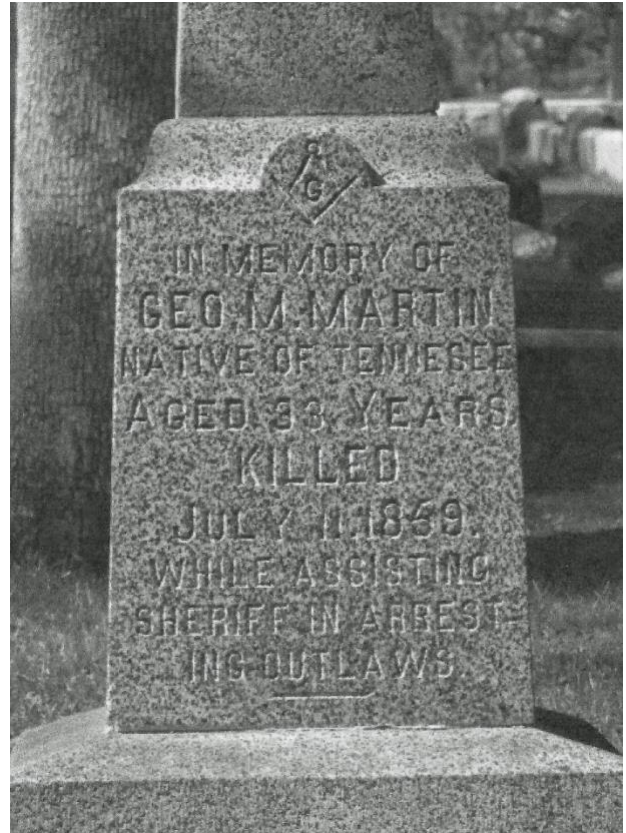


**Inscription:
RATTLESNAKE DICK
1833--1859
RICHARD H. BARTER, EARLY DAY
RESIDENT OF RATTLESNAKE BAR,
FAMED AS THE OUTLAW RATTLESNAKE
DICK. FATALLY WOUNDED IN A GUN
DUEL WITH THE LAW JULY 11, 1859
NEAR MARTIN PARK FIRE STATION IN
AUBURN. ORIGINALLY BURIED IN THE
OLD AUBURN CEMETERY ON EAST
STREET, MOVED TO THIS SPOT IN 1893.**

**NO FURTHER SEEK HIS MERITS TO
DISCLOSE NOR DRAW HIS FRAILTIES
FROM THEIR DREAD ABODE. THERE
THEY ALIKE IN TREMBLING HOPE
REPOSE, THE BOSOM OF HIS FATHER
AND HIS GOD**

Many thanks to my friend Glenda Ragan of Auburn, California, for providing a photograph greatly superior to the one I took.

Just a few yards up the road from Dick, in the same cemetery, is the grave of Deputy George W. Martin. Deputy Martin, a native of Tennessee is recognized on the "Officer Down Memorial Page at <http://www.odmp.org/officer/8610-deputy-sheriff-george-w-martin>. Officer Martin went to his grave at age 33 years leaving his parents and other relatives still in Tennessee.



**In Memory of
Geo. M. Martin Native of Tennessee
Aged 33 Years
Killed
July 11, 1859
While assisting sheriff in arrest-
ing outlaws**

Again, many thanks to Glenda for the improved photos

If you noticed the differences in George's middle initials, I strongly suspect that the M is correct as that is what is on his gravestone. The gravestone was erected 37 years after his death and Messrs. W. M. Crutcher and J. C. Boggs were entrusted with the work of erecting a monument, and they made a contract with a Penryn granite cutter. These were the fellows with him at the shootout and would have known his middle name. Contemporary newspapers did use W.

**Source: Barter, Dick "Rattlesnake Dick" Delmar, Josephine. "Rattlesnake Dick Barter." Old West, Spring 1987, p. 40.
Contemporary news articles.**