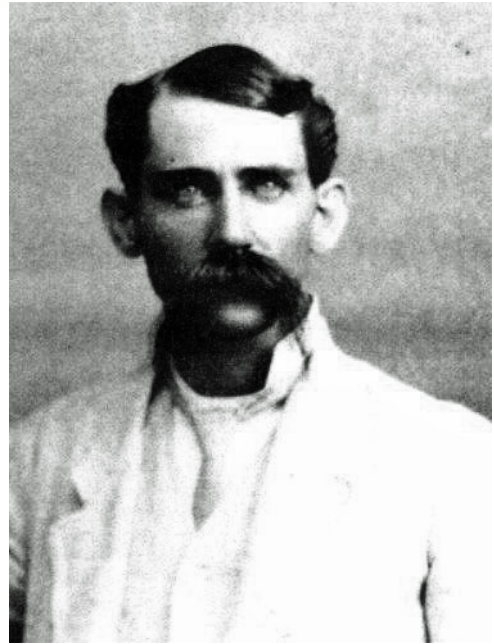


## Tombstone by Tombstone

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### Claron Augustus Windus and Adam Paine

Claron Windus (**photo at right**) was one of those boys who was too young to join the army and get into the Civil War no matter how much fun he thought the war would be. He was born to George and Mary in Janesville, Wisconsin on January 10, 1850, and attended the new school there. In 1864 he just couldn't stand it any longer and he ran away from home, lied about his age and joined the Fifth Wisconsin Infantry as a drummer. He scratched his itch for battle in the siege of Petersburg, Virginia, and he found combat to his liking. But the war was just about over by then and when it did end he was still much too young to be a soldier. He was mustered out in July of 1865. So he lied about his age once again and joined the United States Army in October, 1866. Now seventeen years old, he was sent to Texas as the bugler of Company L of the Sixth United States Cavalry. The hard and monotonous life out on the frontier was not as enjoyable to him as the combat he had experienced.



After two years he went AWOL and stole four army horses. He was soon caught and returned to camp. A court martial found him guilty of desertion and theft and sentenced him to 12 months of hard labor. The punishment really served as an attitude adjustment for Windus. He rejoined his group, and the following is the official report of what occurred in July of 1870: *Under the command of Capt. Curwen B. McLellan, a mixed troop from Companies A, H, K, and L was dispatched to recover the mail from Indians who had attacked a mail coach near Fort Richardson on July 6, 1870. The force of fifty-eight men followed the trail of a small group of Indians until July 11, when nightfall found them on the south bank of the North Fork of the Little Wichita River, some forty miles northwest of Fort Richardson. On July 12, after they were unable to cross the river because of heavy rains on July 10 and 11, they were attacked by a band of Kiowa Indians (100 braves under Chief Kicking Bird). The ensuing battle came to be known as the Battle of the Little Wichita River. Windus was both bugler and orderly and assisted the wounded army surgeon, George W. Hatch, in caring for the soldiers. He also assisted in successfully clearing of enemy snipers from prominent elevations. On the morning of July 13, Windus, Doshier, and Sgt. George Eldridge volunteered to go to Fort Richardson for help. They eluded several Indian search parties and brought relief to the beleaguered command. Windus and twelve others were recommended for the Medal of Honor by McLellan for "conspicuous acts of bravery."*

The twelve men received the Medal of Honor at Fort Richardson in October of the same year. A year later, Windus received his honorable discharge from the Army.

Just two years later, Private Adam Paine would enlist as a private at Fort Duncan, Texas, and become an Indian Scout. Paine would also go on to become a Medal of Honor recipient and for a brief period the lives of the two men would become entwined. Paine was born in the Florida swamps in 1843. His parents were free black slaves who joined the Seminole Indians. Undoubtedly he was a member of one of the groups of Seminoles who relocated from Florida to the west. (For more, see the story on Billy Bowlegs in this volume.)

Paine distinguished himself in several actions, but it was during a battle at Quitaque Peak that he showed exceptional courage in defending himself and four other scouts against several small bands of Comanche. The group awoke on the morning of September 26, 1874, to see some ten Comanche driving a herd of 40 horses over a rise. They then noticed several smaller groups of Comanche and realized they were outnumbered. While the scouts fled

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from a group of seven attacking Comanche, Paine's horse was shot from under him. Though he jumped clear, he was standing alone before the charging attackers. Using his saddle for cover, He shot the rider of the lead horse, which continued its gallop towards him without its rider. He then mounted the riderless horse and made his escape. Thanks to his efforts during the engagement, all of the scouts survived and the Cavalry was able to track many of the attacking Comanche. The famous Colonel (later General) Ranald S. Mackenzie praised Paine for, "having more daring cool than any scout I have ever known." Paine was awarded the Medal of Honor for the above actions on October 13, 1875, though it is unclear whether he received a medal as he was discharged in early 1875 at Fort Duncan near Brackettville, Texas, the county seat of Kinney County.

That same year Windus was appointed deputy sheriff in Brackettville and the two Medal of Honor recipients were in the same area and a show down between the two was imminent. Paine after his discharge decided that he would pursue the other side of the law. On Christmas Eve of that year, Paine and a white cavalryman got into a heated argument near Brownsville, Texas, and the soldier was stabbed in the heart. He was now a wanted man for the murder and he took up with a cattle thief by the name of Frank Enoch along the Mexican border. Paine would occasionally leave the safety of Mexico and drift back to the Brackettville area to visit with some folks in the black Seminole community. On New Year's Eve of 1876, he attended a party along with Enoch and several of his old Army buddies from the Black Seminole Scouts. One of the attendees was yet another Medal of Honor recipient, Isaac Payne. Isaac was also a black Seminole and although Paine sometimes spelled his name with a 'Y' there was no known relationship. Sheriff L. C. Cromwell had heard that there would be some fugitives attending the party and he showed up with Deputy Windus. Now there were three MOH awardees in attendance at the party, but not for talking over their heroics.

No one knows for sure just how the violence started, but as the New Year rang in history was made when Windus became the only MOH holder to ever kill another MOH holder. Perhaps Paine resisted arrest. Some lawmen were known to shoot first and then yell "hands up." But the double barrel shotgun blast in Paine's stomach was instant death. One person claims the shot was to the back. Another said that the blast set Paine's shirt on fire. Windus also mortally wounded Enoch, but the weapon of choice in that case has been lost to history. The other Payne and an ex-scout named Dallas Griner fled to Mexico in the confusion on horses that probably did not belong to them. Payne returned, re-enlisted and retired in 1901 and died in Mexico in 1904. Both Paine and Payne are buried near each other in the Seminole Scout Indian Cemetery near Brackettville.



**Adam Paine**



**Isaac Payne**

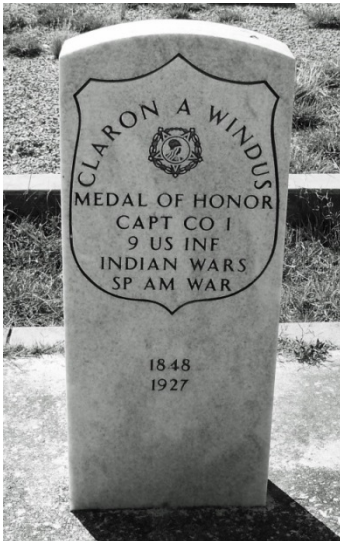
Windus received no charges for his role in the shooting. A month after the shooting he resigned from his position as deputy sheriff and became the Kinney County tax assessor.

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Another month and he married Agnes Ballantyne. He used his position as tax assessor and advanced knowledge of foreclosures on property to become one of the largest land owners in Kinney County.

In 1898 he went back into the Army again, served as a captain and followed Teddy Roosevelt to Cuba. After a year of battle and suffering with malaria he returned to Brackettville in 1899. His comfortable life was interrupted on September 20, 1927, when he became sick, possibly a recurring malaria problem. He lived only until that October 18<sup>th</sup> when he died in the Fort Sam Houston Hospital in San Antonio. He is buried in the Masonic Cemetery in Brackettville within three miles of the cemetery where four black MOH Seminole scouts are buried, including Paine and Payne. I suspect there is not another town in America as small as Brackettville with five MOH soldiers buried in the cemeteries.



**Claron Windus has two markers in the Masonic Cemetery in Brackettville**

**Source: *Wild West Magazine*, June 2011, *When the Medal of Honor Recipient Shot the Medal of Honor recipient*, by Don Blevins**