



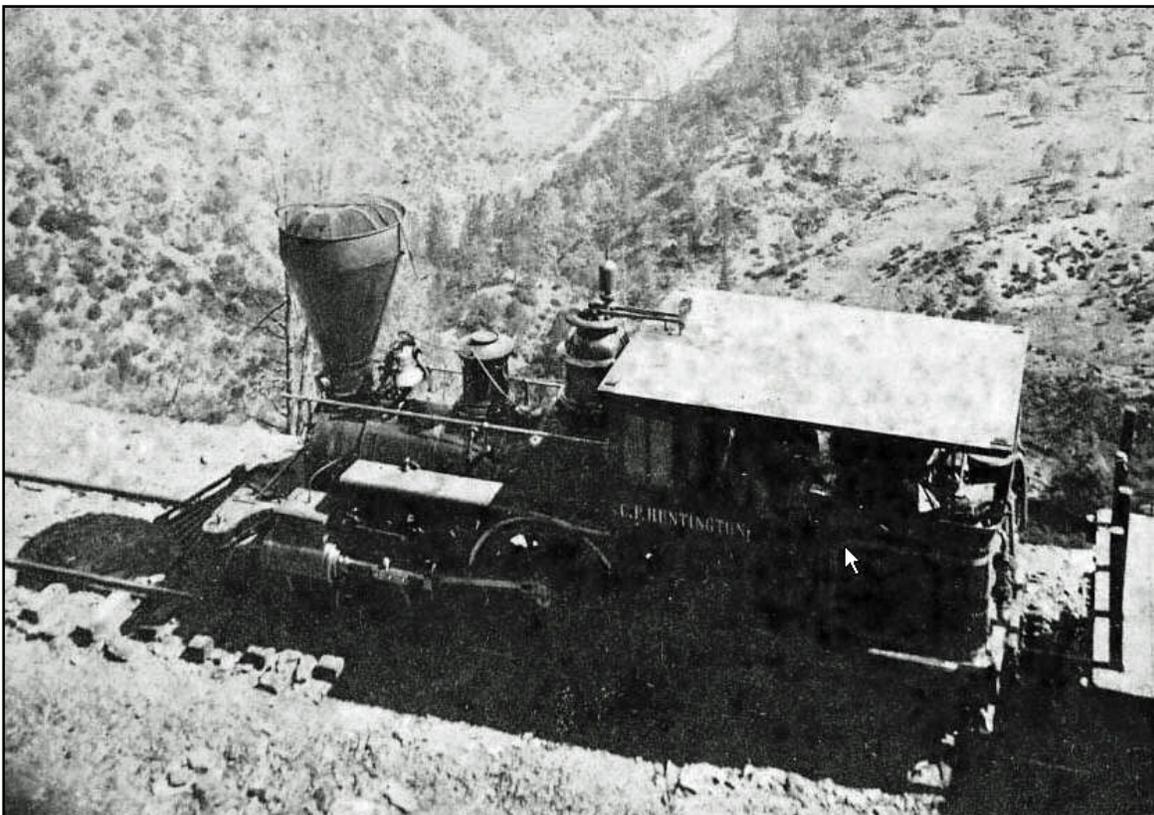
DONNER CROSSINGS



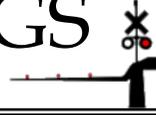
A Publication of Placer-Sierra Railroad Heritage Society
Issue No. 17, Summer 2023

Preserving Railroad History along the Donner Pass Route

The Train Wreckers August 31, 1881



Central Pacific locomotive Huntington rounds the steep slope at Cape Horn. A malicious derailment here could have caused major damage and loss of life. Alfred Hart Image 044



From the Editor:

Our readers may have heard of what is commonly referred to as the first robbery of a Central Pacific train that took place near Verdi, Nevada on November 5, 1870. But have you heard of the first attempted train robbery on California soil? News headlines on Sept. 1, 1881 told of a train derailment near Cape Horn, a story that quickly became reports of an attempted robbery of a Central Pacific train. So what was behind this derailment and attempted robbery in what became known as the first attempted train robbery in California? This issue of Donner Crossings presents the story of the train derailment and details that came out about the attempted robbery, told through the eyes and pens of news reporters of the time, law enforcement officials, and court proceedings. Join us as we hear early reports of the derailment, growing news and details of an attempted robbery, and what went wrong for the robbers as told by one of their members.

Roger Staab, editor

In This Issue:

The Train Wreckers - August 31, 1881



You are invited to submit feature articles and/or photos for future issues of Donner Crossings. Please contact Roger Staab, email roger.staab@psrhs.org, or by mail at PSRHS, P.O. Box 1776, Colfax, CA 95713. Assistance is available to format your information or photos into final form for publication.

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The Train Wreckers

August 31, 1881

Preface

*My initial interest in this story arose when I was perusing a book brought to my attention by Swend Miller, a fellow member of Colfax Area Historical Society. The book was titled **Badge and Buckshot, Lawlessness in Old California**, by John Boessenecker. Chapter one featured “**Outlaw’s Nemesis: John C. Boggs**” who was known for his dogged pursuit of law-breakers until he made an arrest, hence the chapter title.*

Boggs was a Placer County deputy under several sheriffs in the 1870’s, before he was elected Sheriff in 1879, serving for three years. Boessenecker noted, “Perhaps it is his fate, but John Boggs always seemed to be the right man in the right time and place. Six months after he took office, California’s first train holdup took place in his bailiwick.” That holdup was the attempted robbery of a Central Pacific train near Cape Horn in 1881.

Because of my penchant for checking for valid first-source references to verify the research behind a story, I turned to newspaper searches from the time frame around September 1881. In researching previous stories, I have found newspapers of the day to be a good indicator of timelines for events that happened, if not always a reliable source of details revealed in the reporting. In this case newspaper accounts did verify that the attempted robbery had indeed taken place as reported in the book; also, details that were reported in news accounts included reliable court-recorded testimony taken when the would-be robbers were tried for their crime.

The story will be told in this document primarily from news accounts; the initial reports of a derailment and attempted robbery of a passenger train, the ensuing search for the perpetrators, and the court proceedings that revealed details of the robbers’ plans. Finally, the results of their trials will be summarized. Roger Staab, editor

Our story starts with the newspaper headlines on Sept. 1, 1881

Stockton Evening Herald – Sept. 1, 1881. “Attempted Train Wrecking. Last night about a quarter to twelve o’clock some highwaymen removed a rail from the main track of the Central Pacific Railroad at Cape Horn (*Station or Mill - ed.*), just above Colfax, with the purpose of wrecking the train and robbing it. The engine and several cars left the track, but it does not appear that anybody was hurt, or robbed. The railroad authorities today notified the officers throughout the State that \$1,000 reward would be paid for the arrest and conviction of each of the men implicated in the dastardly attempt. The track runs close around a cliff several hundred feet in height at Cape Horn, and a train wrecked at that point, would bring certain death to all who went over the bank.”

San Francisco Examiner, Sept. 2, 1881. “Wreckers at Work on the Central Pacific – A Train Ditched by Highwaymen at Midnight – No Plunder Secured, the Robbers Being Frightened Off – Full Details of the Occurrence. Early yesterday morning this city was startled by alarming rumors to the effect that the eastern-bound overland express train, which left this city on Wednesday afternoon at 4 o’clock, had been ditched four and one-half miles east of Colfax by highwaymen, at half-past 11 o’clock at night, and a number of the passengers injured and Wells, Fargo & Co.’s express robbed. Shortly afterward the following special dispatch from Dutch Flat was received at the Examiner office: “The Atlantic express train was stopped last night about 11 o’clock by a body of five or six highwaymen for purposes of robbery. They took out a rail from the track on the steep grade just above Cape Horn, and when the train came along the forward engine ran off the track, doing but little damage. Two or three fruit cars were on in front of the express-cars, and it is believed that in the darkness the would-be robbers concluded that they had ‘mistaken the train’, as one of them was heard to say: ‘This is a freight train, boys,’





and he started to run. As soon as Wells Fargo's messenger discovered what had happened he immediately put out his light and prepared for active resistance. Either for this reason, or for the one above given, they all left the wreck without making any attack. Sledgehammers, crowbars, twenty-seven cartridges of Hercules powder, and other tools, were found this morning near the scene ... No clues to the robbers. Trains are now running."

San Francisco Examiner, Sept. 2, 1881. "A dispatch from Grass Valley says: Train No. 1, the regular eastern-bound passenger and express, which left San Francisco at 4 P.M. on Wednesday, narrowly escaped a serious accident. Arriving at Cape Horn Mills, five miles east of Colfax, a rail had been removed from the main track. The two engines and fruit-car were ditched. The object was robbery. Had it been the intention to injure both property and life, they could have thrown the whole train over the Cape Horn curve into eternity. The place picked out, and the manner in which they knew the engine would go, is conclusive that robbery was their motive. Cape Horn is a sort of a level spot. The fireman of the head engine, when he noticed that his engine was off, jumped, and was instantly covered by a man with a double-barrel shotgun, who ordered him to keep quiet or he would 'blow his head off.' Wells Fargo's messenger says a man knocked at the door of the express-car and demanded him to open the car-door, when the messenger instantly secured the door firmer and extinguished the lights, armed himself and awaited further proceedings. It is generally believed that they had not all got fixed when the train arrived, and owing to this fact is attributed their failure. Conductor Allen and the Roadmaster walked back to Colfax and gave the alarm ... It being dark it was impossible to see anything. About all the lights of the train were instantly extinguished by the shock. All trains were delayed several hours. Officers are in pursuit, and it is generally thought the robbers will be captured."



Cape Horn Mills, the approximate location of the forced train derailment in 1881. Had the derailment been staged on the steep terrain at Cape Horn proper a short distance to the west, there would have been major damage as well as loss of life
. Alfred Hart image 045



The report in the SF Examiner went on to say that authorities initially suspected an organized gang since there was rumored to be significant treasure on-board the Wells Fargo car. The Examiner article then reported a possible clue: “The Sacramento Bee of yesterday says: As daylight approached and while the workmen were engaged in constructing a temporary track around the place, a more minute examination of the spot was made, which resulted in the finding of a note ... dated at Sacramento, and read as follows: ‘Meet me in Nevada City, at Stump’s Crossroads’.”

San Francisco Examiner, Sept. 11, 1881. “**Arrested on Suspicion.** Auburn, September 10. – Since the 6th, Sheriff Boggs and a deputy have been engaged in a search in the neighborhood of Gold Run and Iowa Hill for the train-wreckers, and last night Boggs returned, having under arrest two young men, E. Stenegan (*sic*) and John Mason. Boggs says he is satisfied from the evidence that he has the right men, and feels confident of capturing others of the gang. Stenegan has been engaged in mining, and Mason in driving a team, at one time hauling wood to the locality of the attempted robbery, and is perfectly familiar with the countryside thereabouts. The men are unable to explain where they were the night of the attack, and the last seen of them was about noon the day previous. There are many other circumstances which give rise to grave suspicions pointing to them.”

Placer Times, Sept. 15, 1881. “**Train Robbers Caught.** Four men have been arrested charged with participating in the recent attempted train robbery on the C.P.R.R. at Cape Horn Mills, in this county. They are R.A. Rogers, Ed. Stanigal, Johnny Mason, and Henry Frazer. In speaking of the arrest of Rogers in Nevada City, the Transcript says: Early Saturday evening Reuben A. Rogers of Gold Run, Placer county, was arrested at his room in the Union Hotel in this city by Marshall Baldrige on suspicion of being one of the parties who wrecked the Atlantic express at Cape Horn Mills. He evinced no surprise when the officer made the decent (*sic*) upon him, and did not ask the nature of the charge. Detective Hume and Sheriff Boggs, who had telegraphed from Colfax to have the arrest made, arrived on the nine o’clock train, and as soon as they could obtain a warrant from Justice Robinson’s court took the prisoner by private conveyance to Colfax. Rogers was married here to Miss Mary Sullivan, a young and rather prepossessing lady whose widowed mother resides at Iowa Hill. She had eloped with him, and they were going to leave here on Saturday afternoon but missed the train. The poor girl did not know what was in the wind when her new-made husband was taken from her. A short time after when she learned that he had been lodged in jail she hastened after him and piteously pleaded with the Sheriff to be admitted to his cell. Of course her petition could not be granted, and with a broken heart and dazed mind she staggered back to her room to be alone with her great sorrow. She left on the midnight train, to go to her husband’s relatives in Placer county. When she reached Colfax an unthinking officer told her she could find her husband in the express office. She rushed to him, and when she came into his presence and saw him wearing a felon’s manacles there was a heart-rending scene that will never be forgotten by the spectators.”

“The other men arrested with the gang are Ed. Stanigal, a miner, and Johnny Mason, a teamster, both of Damascus, who were locked up at Auburn Friday night; also Henry Frazer, who resides at the undercurrents on Bear river and was taken in charge Sunday by Detective Hume and Sheriff Boggs.”

“The Sheriff and a deputy had a warrant for a fifth party, Geo. H. Shinn, who was raised in Nevada City, but has latterly resided in Iowa Hill, and went to his house after him. While the officers were talking outside with another party George slipped out of the rear door and made his escape. No effort was made to recapture him at that time, and he has not been caught at present writing.” (*The article went on to provide a detailed description of Shinn, including his addiction to gambling and fondness of women.*)

Sacramento Bee, Sept. 15, 1881. “**About the Train Wreckers.** J.B. Hume, the well known detective of Wells, Fargo & Co., desires a statement which has been frequently made in the press of late be corrected. It is in reference to the recent capture of the train-wreckers. He says: ‘Two of Sheriff Boggs’ deputies – Messrs. Conkey and Pursley – went out from Iowa Hill to arrest Stanigal, and Sheriff Boggs and myself started to capture Mason. Conkey and Pursley found the two former together and arrested them, and shortly afterward fell in with Boggs and myself, and we all came into Iowa Hill together.’”





Pacific Bee, Sept. 17, 1881 (quoting the Grass Valley Union, Sept. 11, 1881). “**Are the Train Robbers Caught?** Two men, one named John Mason, the other, name unknown, were arrested at Iowa Hill on Friday by detectives Hume and Boggs, on suspicion of being connected with the late attempt to rob the passenger train near Cape Horn, on the Central Pacific Railroad. It is rumored that it is known that these men bought the powder, fuse, etc., and also that it is known where they made the purchase. It is also stated that the pieces which were cut from the sack masks, and which are of the same material, were found near their place of abode. Iowa Hill is but a short distance, by trail, from the scene of the affair, and it is now thought the job was “put up” at that town. It is certainly to be hoped that the detectives are now on the right track and that they have in reality secured two of the guilty parties, for in that event the whole business will be brought to light, and when it is brought to light some of the newspapers which have advocated the theory that the intentions of the wreckers was not robbery will see that they were wrong.”

“It has turned out that the name of the man arrested with Mason is John Stenegan (*sic*) a resident of Iowa Hill. Mason was a wood-hauler, employed near the scene of the outrage, and Stenegan a miner. Two other men under arrest are supposed to be of the gang – Rueben (*sic*) A. Rogers, of Gold Run, and Henry Frazier. The former is from Nevada City, and the latter lived near the American river. There is said to be one more of the gang at large, a man named George H. Shin (*sic*), and officers are on his track.”

Pacific Bee, Sept. 17, 1881. “**The Train Wreckers.** James B. Hume, special detective of Wells, Fargo & Co., came down from Auburn yesterday, at which place he had safely lodged in jail Ed Stanigal, John Mason, Henry Frazer and Reuben A. Rogers, four of the parties recently arrested by him and Sheriff Boggs for wrecking the Atlantic express train near Gold Run. His theory is that the job failed of consummation on account of the inexperience of the parties concerned in such business, and also owing to the sudden closing of the door of the express car, when the messenger was requested to “fall out”. The officer had not the slightest doubt but that the right men are in custody and apprehends no difficulty in securing their conviction.”

The Pacific Bee repeated the report on the arrest of Rogers, quoting the Nevada City Transcript. This included the emotional scene when the new bride saw her husband in the Colfax express office: “She rushed to him, and when she came into his presence and saw him wearing a felon’s manacles there was a heart-rending scene that will never be forgotten by the spectators.” However, the Pacific Bee reporter went on to note that “reliable information is to the effect that the wife of Rogers did not see him since his arrest, consequently the ‘heart-rending scene’ above alluded to, must be credited to the Transcript reporter’s imagination.”

The Record-Union, Sept. 29, 1881. “**The Train Wreckers – Preliminary Examination of the Arrested Parties – Confession of One of Them – Full Particulars as to How the Job was Accomplished.** Special by Telegraph to the Record-Union. Auburn, Sept. 28th. – The preliminary examination of the four men charged with wrecking and attempting to rob the Atlantic express train at Cape Horn Mills on the night of August 31st was commenced here yesterday.

The Confession of John Mason.

The following condensed report of the testimony or confession of John Mason, one of the party, contains about all that has been brought out, the testimony of the other witnesses merely substantiating his statements. He stated that their intention was, when the express messenger opened his door, to pull him out by the leg, or failing that, they would break a window and throw in a lighted fuse, and if that did not scare him out, they would explode a cartridge of giant powder in the car; but, as Mason’s testimony shows, they became frightened and fled. Three weeks previous to the attack was the first information Mason had of this business. His statement is as follows: Stenegal was the first one that broached the subject. He stated that he had a job in view where they could make plenty of money, and wanted to know if I would go in with him. I told him yes, providing I knew what it was. He told me he would not tell me at that time, but would the next time he saw me. The Sunday following he told me that me and himself and Frazier, Shinn and Rogers were to take the train at Gold Run, get on top of the



baggage and express cars, detach that portion of the train after it had gone a little ways, and rob it. He told me that they intended to go down to the river at a cabin on Pickering Bar. We were to go down on some mining ground that Rogers claimed. After I got there I found that

The Job Had Been Changed.

That was the Sunday night before the wrecking of the train. From there we were to go and do the business. On Tuesday I came down from Damascus about 10 o'clock. I came down to the cabin about 2 P.M., and when I got there met Stenegal. He had a gun on his shoulder and one in a sack. He told me that he and Shinn had tools hid in the bushes. We had provisions brought to the cabin, enough to last three or four days. The tools which we had were taken from the Aurora blacksmith shop, about a mile and a quarter from Iowa Hill. There were two picks, two shovels, axes, a wrench, hatchet, sledge, two pair of gum boots, about seven or eight pounds of nails; had also giant powder and caps; did not see Rogers till the night of the wreck; took no picks or shovels up to the railroad; took an ax, sledge, wrench, and some giant powder and caps. On the night of August 31st we started up for the railroad track. When we got up to where the spring near the cut is we sat down and waited, I think about five minutes, for Rogers to come. He came. There was an understanding that we should meet him there. He came about 8 or 9 o'clock. Rogers looked at his watch, and said it was a few minutes after 8 or 9; don't remember which. He had a gun, and a sack which he said contained giant-powder and two bottles of whisky, a lantern and a six-shooter; think he had twenty-four cartridges of giant-powder. He said the powder was to blow up the express safe. He had also a monkey-wrench. When we came to the spring we took a drink of water and whisky. Rogers forgot his monkey-wrench there. From there Rogers, Stenegal, Shinn and myself – there were four of us – went down to the railroad. While going down the road we passed Frazier, sitting on the left hand side coming down, and he said "halloo!" and wanted to know if that was us. We said "Yes," and asked him if he had the bar made. It had been understood that he was to make a bar, and if he had not made it we were to postpone the attack. He said it was ready. We went into the bushes and loaded up two guns. We went down to the place where the rail was taken out, and

Took a Rail Up.

We had considerable trouble in getting the rail up, and broke one prong of the bar in doing it. Myself and Shinn started to pull some spikes, and Stenegal went down and Rogers up the track to act as guards, to prevent anyone coming to interfere. The right-hand rail going up was displaced, with the lower end pressed in. Then we went to a little island of sand near the telegraph poles and put on our masks. Then we took three or four drinks of whisky and broke the bottles, and then waited for the train to come. When the train came in sight I got down the embankment. When the train arrived we had it arranged who was to go to different places. Stenegal was to go to the first engine, Rogers to the second, and Frazier, Shinn and myself were to go the express car and keep the passengers from coming out. As soon as we got to the car we found it was a fruit car instead of the express or baggage car. I turned to where Frazier and Shinn were standing, about opposite the mail car. They were standing there both together doing nothing. I asked them what they were doing, and if they were going to do anything why didn't they do it? Just at that time I heard Stenegal speak to the fireman. I turned around and saw the mail messenger leaning out of his window. I told him to get in, and he did so. Just then Stenegal came down, and I asked him where Rogers was. He said he hadn't seen him. Frazier then made the remark that it was

"Too big; Let's Go."

We then started and ran into the bushes. We both fell down. After we got into the bushes we stopped, and Frazier wanted to know what we would do now. He made the remark that we had done enough now, and we had better go home. I halloped for Rogers, I called him Dick – that was the name he was to go by – and got no answer. Stenegal, Shinn and myself then started up an old road there was there, and went around and came to the railroad above this cut. We were all masked when the train arrived. Frazier and Rogers had their faces blackened. After we got upon the railroad track we met Rogers. When we met there was some little dispute as to who got scared first, and as to who ran and who didn't. The piece of paper that was found on the ground was written by Stenegal,





and dictated by myself. It was left there to mislead the officers. We all went back to the cabin on the river, except Rogers. I didn't see him again until Thursday morning, about 8 or 9 o'clock. Rogers stayed there that day, and went away after sundown. The figures 349 that were put on the piece of paper have no significance at all. We cut the handles off two shovels and two picks we had at the cabin, and burned the handles and threw the rest into the river. The fuse we threw back of the house into the brush. We sold the remaining grub to the Chinamen. Rogers came down to see us again on Saturday morning. He said he had his gun between the floor and ceiling in his cabin."

"On cross-examination, Mason stated that he had made this confession freely and voluntarily. He thought that the others might get in before him, and he had been offered no reward, but had been told that by turning State's evidence he would get clear."

"The picks, shovels, pieces of whisky bottles, etc., have all been found in the condition and situations he describes."

"The examination, which may be closed tomorrow, will undoubtedly result in the holding of all four of the prisoners to answer before the Grand Jury."

The Trials and After-Effects (summarized from Boessenecker's book account)

Sheriff Boggs continued to search for the fifth suspect, George Shinn. At one point they were both in the same building but Shinn escaped. Finally on October 27 Shinn was captured in Colusa County, but not by Boggs.

Boessenecker's book notes that the trials of the holdup men were among the most controversial in Placer County's history, taking more than a year to complete. It became a battle of lawyers including some of the best in the area acting for the defendants. It didn't help that the district attorney was assisted by two special prosecutors hired by Wells Fargo and the Central Pacific. Local sentiment saw this as the two big corporations throwing their weight behind persecuting the defendants. There was already negative sentiment in Placer County toward Central Pacific who had refused to pay its taxes for several years, owing some \$90,000 to the county.

Ed Steinegal's trial began on Nov. 11, 1881, with John Mason testifying against him after being granted immunity. But after three weeks the jury was unable to reach a verdict. He was convicted in a second trial the following February and sentenced to 13 years in San Quentin. The verdict surprised many in the community who believed he would be acquitted.

George Shinn was put on trial in June 1882. The press expressed a strong sentiment that the trials were too expensive and being prosecuted solely for the railroad's benefit. But in July he was also convicted and sentenced to twelve years and 18 months at San Quentin.

Rogers and Frazier were tried together, starting September 11, 1882, over a year after the attempted robbery. Evidence against them included confessions by both Steinegal and Shinn while in San Quentin, including their admission that Rogers & Frazier had been in on the job. Steinegal agreed to testify against the two, and Sheriff Boggs brought Steinegal to Auburn by train. Unfortunately for Sheriff Boggs, the handcuffed prisoner made a sudden break on the crowded street and managed to escape. Although there was still Mason's testimony and the confessions of Steinegal and Shinn, the case against Rogers and Frazier began to unravel when family members testified that Rogers was elsewhere on the night of the robbery. The result was a hung jury. In a December retrial they were both acquitted.

The combination of the escape of Steinegal and the acquittal and public sympathy toward the accused holdup men cemented John Boggs' decision to not run again for sheriff. When his term was completed, he left public office for good, other than accepting an appointment as postmaster at Newcastle, a post he held for the last 10 years of his life..





Approximate present-day view of Cape Horn Mills, the location of the 1881 derailment and attempted robbery of a Central Pacific passenger train, the first attempted train robbery on California soil. Roger Staab photo

