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The \$20,000 Gold Heist

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By Gilbert Gia
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Agent Will Hogan knew something was wrong as the Sunset payroll train rolled into Taft station on Monday, December 9, 1912. The expressman inside the Wells Fargo security car should have already rolled open the metal-backed door. Hogan pounded on the side. Getting no answer he called for Kern County Deputy Sheriff Jim Quinn.

The men peered cautiously through the barred windows and seeing no one inside they tried the door. It was unlocked. Under a mail sack was expressman Marvin W. Hamby. He was unconscious, his hands and feet were bound, and he was bleeding from a cut to his head. At Taft hospital, Dr. Keyes examined the 21-year-old and noted a slight concussion, but back at the station a more serious problem was found. More than \$20,000 in gold was missing from the car.

Standard Oil and the Honolulu distributed paychecks on Tuesdays to the Westside. On Mondays, Taft and Maricopa merchants expected a delivery of gold from Bakersfield, five, ten, and twenty dollar gold pieces, for cashing those checks. The Wells Fargo shipments were normally made during daylight hours, but this delivery in the evening happened to be an exception.



Image: thelibrary.org

Twenty years earlier, outlaws Evans and Sontag, and later the Dalton brothers, pulled-off a succession of violent train robberies in nearby counties that caused the State to make train robbery a capital crime. This robbery of December 9, 1912 was the first train heist in Kern County.

On Tuesday, Marvin Hamby was able to explain what happened.

"When I finished throwing stuff out and taking stuff on at Maricopa, I locked up with the latch and chain and then started back in the car toward the engine. As the train was backing up, I went to close the remaining side door. When I was not more than 10 feet from it, a masked man swung into the car and stuck a gun in my face, a revolver, a .45 Colt. He made me turn around and walk to the end of the car with my hands in the air.

Then he took down the bars on the end of the car and let his companion in. When I thought that his attention was drawn from me, I searched for the bell rope, but the robber evidently saw me and both men sprung for me, and I went down with a terrific whack on the head. He'd hit me over the head with his gun, and that's the last thing I remember until I woke up in Taft.

They got the strongbox key from me. When the money was turned over to me to be transported it was in the strongbox. I might have removed the money and put it in the safe, but I didn't. I did not know that it is customary. I don't know for certain but I feel that the two men had aid

somewhere along the track, in all probability at Pentland. They must have figured at least on staying with the train until it is slowed down to switch onto the mainline track there for the run to Taft.

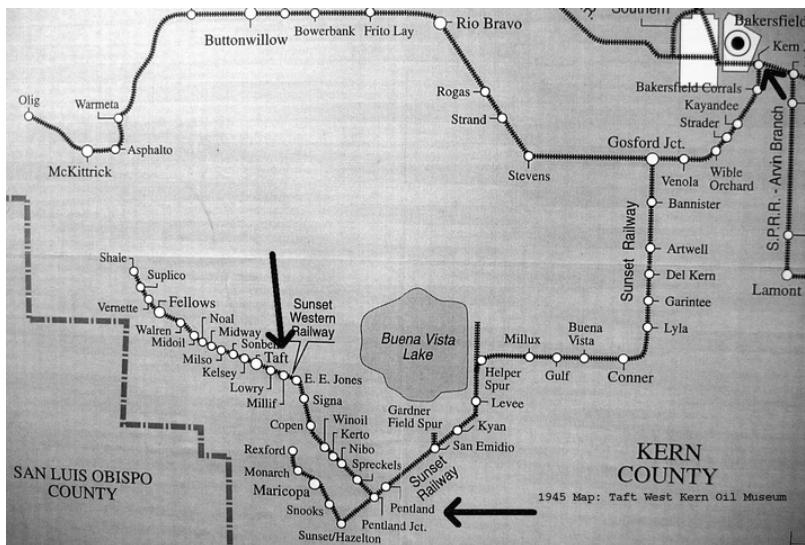
The man who covered me with a revolver is about 40 years old, six feet tall and weighs about 100 or 110 pounds, slender build, dark hair and mustache, and wore a black coat and khaki trousers. His partner was smaller in height but about the same weight, about 20 to 30 years old and wore a black coat and light cap. Both were masked with handkerchiefs.¹

That night Taft Constable Ham Ferguson, Marshall Skelton, and watchman Allen reached got to the station immediately, and by daybreak more officials arrived: Wells Fargo General Superintendent J. F. Baker, Special Agent Cornelius Cane, and Route Agent A.C. Hummers. Showing up later in the day were John F. Seymour, Special Officer of WF Pacific Department and several Pinkerton Detectives. Deputies Quinn and Jordan wired descriptions of the robbers to nearby counties, and at Los Angeles suspects were being detained as they left trains, but none were arrested.

That Monday a cashier at a Taft meat market telephoned Deputy Marshal Fred Boden that a "Spaniard" had entered the store with "a good deal of money in his grip." Boden spotted the man as he crossed over to Shield's dry good store, and the marshal stopped him as he was about to leave by the back door. Boden was probably already planning what he would do with the reward money, but once he got to the jail he realized that the man "whose name the officers don't recollect" turned out to be a respectable Westside rancher who'd been waiting around for the bank to open. The *Daily Midway Driller* remarked dryly that Boden might have proved himself worthy to fill the vacancy left by "Lightfoot Dick the Gumshoe Detective," but he'd unfortunately nabbed the wrong man.²

¹ Bakersfield Californian, Dec 10, 1912

² a bag or suitcase



At 1:00 PM the day after the robbery, Kern County Sheriff Thomas A. Baker and Deputies Dave Wright and Sam Lewis got their first lead. Early Monday evening a Southern Pacific engineer saw an automobile parked near Pentland Junction on the Sunset Line southwest of Buena Vista Lake. Baker investigated and found tire tracks and the footprints of three persons. Heel marks near the tracks indicated that one or two people had jumped from a moving train.

If these were the robbers, Baker worried they'd hide the gold and blend into the background by getting jobs in oilfield camps. When things died down they'd then slip away. Baker was stymied, but on Wednesday a prospector named Ramon Valdez saw two men matching the description of the robbers. They were riding horses in the direction of Glennville. Baker sent out a posse.

Thursday brought no news, and on Friday Hamby's condition worsened. Word was that he'd been struck twice on the head, and worse, he now couldn't remember details of the robbery.³

Wells Faro upped the reward to \$1,000, and reporters overheard deputies saying this one was one of the most difficult cases ever. Sheriff Baker agreed. "The situation has resolved itself into one where long drawn-out detective work will in all probability win the men wanted."

Rumors flew, but Sheriff Baker was keeping his thoughts to himself. On Saturday the *Los Angeles Times* wrote that Tom Baker had been given "the horse laugh." Sheriff Baker, it said, had received a letter postmarked San Francisco that said, "The detective's chasing us couldn't catch a blind horse. Need not waste your time." Reportedly, it was signed "The Highway Men. Three of us."

By Sunday morning Marvin Hamby had been in the hospital for six days. He was interviewed every day, but when officers compared notes, his story was never quite the same. In addition, Hamby didn't show symptoms of a man with a concussion. Special Agent C. Selby suspected Hamby was "shamming," and he and his partners decided to "give him a sweating."⁴

At noon Hamby was discharged from Taft hospital and agents shadowed him. His first stop was to buy a bandage for the bruise over his right eye, and later that afternoon he casually wandered into the WF Express Office where Superintendent J. F. Baker, Special Agent Cornelius Cain, and Agent Selby spotted him. After passing pleasantries they told Hamby that Sheriff Baker would like to ask him a few more questions. They assured Hamby that he was not under arrest, the young man agreed, and the group boarded the evening train for Bakersfield. At 7:00 PM Baker was waiting at the Santa Fe depot, and officers drove Hamby to the Moronet Hotel. They climbed the stairs to a second-floor room.

Already inside were Santa Fe Special Agent F.F. Phillips of Bakersfield and Division Officer William A. Shay of Needles. The six lawmen took turns questioning Hamby, casually pointing out discrepancies in his story, and asking him what parts of it really happened.

As Hamby talked, they learned that he had a younger brother living nearby and that Hamby once allowed his brother to ride inside the express car with him.

³ Bakersfield Californian, Dec 10, 1912

⁴ Taft Midway Driller, Dec 16, 1912

At this point Baker was even more convinced that Marvin Hamby had been involved in the robbery.

Questioning became more direct. Hamby was informed that while he was at the hospital his pupils remained normal as did his temperature. The lawmen told Hamby they knew all along he wasn't injured, and the reason they'd kept him at the hospital was to hold him. An officer asked pointedly, "Young man, what will a jury say when the physicians take the stand and say, 'Hamby is not sick. He had not been struck a blow on the skull hard enough to stun him, or even give him a headache.' The few marks on your face looked bad, but they would not hurt anyone." With that, an officer jerked the patch off Hamby's face.

Baker followed up. Staring at Hamby, he said evenly, "We know you are shielding someone near and dear to you, and it's your life or his, perhaps both if you don't tell. Train robbery in the State is a capital offense."⁵ Hamby winced perceptively. Baker then told him that if two are mixed up in a train robbery, one is usually hanged.

Agent Cain reassured Hamby that Wells Fargo wanted the money more than it wanted a conviction. Added Cain, "If the money is restored to us through your efforts you can rest assured that you will not be the loser, and I'm seldom outdone in generosity."⁶ When Hamby asked Cain to explain what he meant by "generosity," officers sensed the case was turning a corner. But at that moment there was a knock at the door and a message for Sheriff Baker. He read it and left the hotel.⁷

At 3:00 AM, after nearly seven hours of "sweating," Hamby confessed. "All right, I'll tell you all about it. My brother and I stole the money. Come with

⁵ Bakersfield Californian, Dec 16, 1912

⁶ ibid.

⁷ About an hour earlier the Sheriff's son Edwin had been assaulted on 22nd Street. One man put the teenager in a chokehold, and an accomplice muttered in his ear, "You no make noise." They stole \$96 from him. Some of the money belonged to Edwin's Kern County Union High School fraternity and some belonged to *The Oracle*, the high school's literary magazine. (Bakersfield Californian, Dec 16, 1912)

me and I'll get it for you."⁸ They piled into the three-seater parked in front of the Moronet and drove out to a chicken ranch south of Bakersfield to locate Marvin's 16-year-old brother, Melvin Hamby.

By lantern they made their way to Melvin's tent. Marvin shook his brother awake and said, "We're going to get the money." The teenager pulled on his overalls, picked up a shovel, and the men followed the two out of the tent and into the night. About a half-mile away Melvin paced off several steps from a large sagebrush and started digging in sand. Three feet down he uncovered two canvass sacks. When they were opened there was a huge sigh of relief. Back at the tent Melvin tore open the mattress and retrieved more \$20 gold pieces.



The younger Hamby said he'd waited several nights by the tracks at Kern Junction where the Sunset line branches off from the Southern Pacific.⁹ He'd flashed his lantern each night as the train approached, but never saw his brother's answer until Monday evening. The gold had been locked in the strongbox as required, but as the car left Kern City, Melvin removed the sacks, and at Kern Junction when the brothers exchanged signals, Marvin threw off the gold.¹⁰

⁸ Bakersfield Californian, Dec 16, 1912; Taft Midway Driller, Dec 16, 1912

⁹ Description of rail lines varies from 1945 map in this story.

¹⁰ Kern Junction was near arrow in top right of map.

Marvin still hadn't decided what he would do when the express car got to Taft. He recalled, "Just as we backed out of Maricopa, the idea came. It went through my head like a flash, and I thought that I would do." Hamby cut his face above the eyebrow and tied his feet and hands behind his back. But near Taft, Hamby received a real injury when the express car pitched and he struck his head against a drum. He decided to incorporate that injury into his story, too. He then wiggled under a mail sack and waited.

Sheriff Baker arrested the Hambys at 4:00 AM Tuesday, just one week to the day after the robbery. By 10:00 AM, Deputy District Attorney Tom Scott, Jr. was in court to file charges, and at 3:00 PM, Tom Baker delivered Marvin W. Hamby before Judge George Flournoy for arraignment. Hamby's coat was carefully brushed, and his soft felt hat was set at a cocky angle. He was not represented, and he appeared to be at ease when the judge filed preliminary charges of embezzlement against him. Both Hambys were jailed, and that evening they were in good spirits and "chipper as can be," wrote a paper.¹¹ Officers had probably told them what to expect.

Prosecutors wanted the 16-year-old sent to State reform school, preferably the one at Ione. Five years at the Preston school, said an attorney, would do Melvin as much good as anything else. As for the older Hamby, he would probably be granted probation, as he was promised at the hotel.

When Melvin appeared before Judge Mahon on Tuesday morning he was again with District Attorney Tom Scott, Jr. Testifying for the prosecution were Sheriff Tom Baker, Agent Cornelius Cain, and Wells Fargo clerks William R. Ayers and Charles Ordway. This time Marvin Hamby was strained and nervous. He was bound over to Superior Court, and bond set at \$10,000. The *Californian* believed Hamby would plead guilty Saturday morning.

Bakersfield's population was then about 20,000, and many of those personally knew Sheriff Tom Baker, whose father had founded Bakersfield, or at

least they knew somebody who did know the Sheriff. Although it appeared likely that Marvin Hamby would get the leniency promised him, the State seemed less forgiving of crime. On January 17, 1913 a bill was introduced in the State legislature authorizing public whippings for wife-beaters. The specified tool was a cat-of-six-tails: six pieces of rawhide 1/8-in x 1/2-in each, not less than 30 inches long and attached to a 12-in handle. If the county sheriff chose not to administer a flogging, his deputy could, but the sheriff had to certify the strokes were "well laid on." On January 20 the editor and owner of the *Californian*, Alfred Harrell, proposed that the whip have seven rawhide pieces instead of six: "You can't have too much of a good thing. That six lashes is certainly too few, but it might be remedied by having a very strong deputy manning the handle."

Attorney Thomas Scott, Sr. was assigned to defend Marvin Hamby, and when Hamby appeared in court on the 25th he pleaded not guilty. After adjournment, District Attorney Roland Erwin probably met with attorney Scott because on the 28th Hamby switched his plea to guilty.

In spite of Harrell's enthusiastic support for public whippings, he believed that probation was best for Hamby. Reasons? The gold was recovered before Hamby was charged; he confessed because he was promised a square deal; he had an exemplary, two-year work history with Wells Fargo, and he'd been a capable and upright employee for W. H. Coons at Maricopa and A. L. Gibson at Bakersfield. Finally, the paperwork for his probation had already been started. Judge Mahon favored probation, too. "He is not a criminal at heart. It was for some cause not known to you, or to me, or even to himself that he embezzled the money the night of December 9."¹²

On the day of sentencing, Judge Mahon looked steadily at Marvin Hamby and said,

¹¹ Bakersfield Californian, Dec 16, 1912

¹² Bakersfield Californian, Feb 1, 1913. Marvin Hamby was well-liked at Taft.

"Go out from here and try to lead an upright, straightforward life. You'll find many difficulties in your path. People will throw the fact in your face that you have committed a felony. Some of them will be vicious enough to hound you and try to have your employers discharge you. If the testimony that has been given here is accurate, that should encourage you to work all the harder. You must keep busy at some legitimate line of work and refrain from carousing and gambling. Through your efforts, you must try to regain the confidence and esteem of the people that you have lost through your overt act. So that you may have a splendid goal to strive for, I will say that if at any time it appears to the court that you have completely regained the standing you had before the commission of the misdeed, your plea may be withdrawn and the entire matter wiped off the court records." ¹³

Marvin W. Hamby got three years probation. Wrote the *Californian*, "He walked out of the courtroom free with one of the greatest incentives ever given a confessed man before."

Sixteen year-old Melvin also had a good reputation, although some time back he was placed on probation for fishing with dynamite.¹⁴ The *Californian* expected Juvenile Court to commit Melvin to Preston School of Industry at Ione, but today the disposition of the young man's case is not known. In reply to a letter from this author to Preston Youth Correctional Faculty, Senior Librarian John Lafferty consulted Preston archives and found nothing to suggest Melvin was committed.¹⁵

Little is known about their later lives. The US Census of 1920 shows that Marvin Hamby was unmarried and working in northern California as a miner. Social

¹³ Ibid.

¹⁴ Bakersfield Californian, Dec 16, 1912

¹⁵ John Lafferty is author of *Preston School of Industry: A Centennial History*, Ione, CA : Preston School of Industry, Print Shop, 1994

Security records suggest that Marvin lived into his early sixties and Melvin into his eighties.



above: Sheriff Tom Baker

While the Hambys were locked up in County jail, Marvin told a reporter, "I would have never confessed. I would have hung first. But I knew he [Sheriff Baker] would give me a square deal." Others also acknowledged Baker's valuable role in solving the case, especially Wells Fargo. On February 14 the company presented Baker with a \$1,000 check. Said Officer Seymour, "It belongs to you. You worked out the details. Your theory proved to be correct, and it was your personality that assured the confession."¹⁶

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¹⁶ Baker's son Edwin probably got some of the \$1,000. A good part of the rest might have gone to Benjamin L. Brundage, Ford dealer on Eye Street. On the 10th, Baker had ordered a fully-equipped touring car. The model then sold for \$675.