

# COURTHOUSE BURNING

A Collection of Newspaper  
Articles and Other Sources

Concerning the Courthouse  
Fire  
Of  
Hamilton County, Ohio

March, 1884

Compiled and transcribed by  
Joan L. Asche

## Introduction

The following pages describe the riot in Cincinnati, Ohio in March of 1884 that led to the burning of the Hamilton County Courthouse and the destruction of many original records that are now lost to genealogical research.

Many of the records were revised but still the original records are gone – a grieving lost to anyone interested in the pursuit of documenting their family history.

What I have transcribed are newspaper reports concerning the day-by-day events of the riot, not all newspapers accounts agree with each other – imagine that! Nor is this project by any means completed. As I come across more articles I will add them to this collection.

These articles are transcribed verbatim, that is word for word. I have included a couple of footnotes on items I believe may need clarification to someone not familiar with Cincinnati of the 1800s or with Cincinnati in particular.

Every effort to correct typos was made but I expect that a few are still floating around. Unlike a publishing house I do not have a department devoted just too finding errors – all I have available is my two beady eyes that often overlook such things. If you think I misspelled a SURNAME please let me know and I will double check for you.

The use of question marks (?????) denotes passages that were not legible.

I would also like to extend my thanks to Ruth Adams-Battle for her contribution of the scans from *Harper's Weekly*, April 12, 1884. Ruth is a true warrior in acts of genealogical kindness.

I hope that you find these accounts as interesting as I have.

Joan L. Asche  
May, 2003

“The good old days weren’t always good and  
Tomorrow ain’t as bad as it seems.”  
“Ballad of an Angry Young Man”  
By Billy Joel

From: *Historical Collections of Ohio: An Encyclopedia of the State...*  
By Henry Howe, LL.D.  
Hamilton County, Ohio  
Pages 806 - 808  
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### **The Court-House Riot of 1884.**

With the possible exception of the first bank riot that occurred in 1820 upon the suspension of the Miami Exporting Company, and on the occasion of the second suspension on the 10<sup>th</sup> of January, 1842, of the same organization, Cincinnati has never witnessed such violations of law, defiance of authorities, and so much bloodshed as attended the great Hamilton County Court-House riot that began on the night of March 28, 1884, and continued several days, there being open conflict between the militia and police on one side, and an excitable, yet determined, lawless mob upon the other.

The circumstances that led to this most-unfortunate affair was the trial for murder of Wm. BERNER, who killed his employer, Wm. KIRK.

It was one of the most outrageous assaults upon society, and a dastardly, cold-blooded crime that unsteadied the nerves of the populace, causing excitement to run high, and incensed all law-abiding citizens when the case came to trial by the methods pursued by criminal lawyers, who sought to perjure witnesses, bribe juries, and resorted to openhanded means to have their client acquitted against all principle of law or justice.

The newspapers published the proceedings of the trial in detail. The court-house was, during the examination, crowded to its capacity. The methods resorted to by the lawyers was the subject of general conversation, and culminated in there being called at the great Music Hall on the evening of March 28, 1884, of a mass-meeting of citizens. At this meeting speeches were made by Dr. Andrew C. KEMPER, Judge A.G. W. CARTER (now deceased), and General Andrew HICKENLOOPER, who denounced in strong terms the methods pursued in acquiring a verdict. It was here asserted that the verdict was acquired by the cunning and adroitness of lawyers known for their legal talent. Five hundred and four people had been called to form a jury of twelve. It was a self-confessed murder, a murder committed deliberately for the sake of robbing a man of \$285, the proceeds from the sale of a horse; and had been planned weeks beforehand and then coolly consummated. The criminal lawyers were denounced as equally culpable of violation of law and order as the murderer. The jury had only returned a verdict of manslaughter after hearing Berner's self-confession, and it was openly alleged in the speeches at the mass-meeting that the criminal lawyers were instrumental in securing, by bribery and other nefarious methods, such a verdict.

Resolutions were adopted condemning the verdict. Excitement ran high; but while the speeches were being made by three of the most honored and respected citizens, there was death stillness. Every word uttered was weighted. Every sentiment expressed seemed to find endorsement from every person in that crowd of at least six thousand souls.

Immediately after the meeting, as the masses were surging out upon Elm street, someone in the crowd shouted, "Fall in! Let's [go] to the jail!" and a great mob from the meeting proceeded directly to the county jail in the court-house on the Sycamore street side, above Court street.

On the way the mob was increased by hundreds of others. Upon reaching the jail it was surrounded by a howling angry crowd. A piece of joist was procured, and with it the basement doors, at the foot of the stone steps, was battered down. Bricks and stones were hurled by men in the street above at the windows. Clubs, huge pieces of timber, crow-bars, and other weapons were quickly procured and passed down to the men who were at work upon the heavy outside entrance doors of the jail, and it at last yielded, the work being done speedily. The crowd then poured into the jail office, and there found other obstructions in the matter of stone walls and heavy iron grated doors.

Morton L. HAWKINS, the county sheriff, and his few deputies faced the mob upon their entrance between the outer and inside doors. They were powerless to stem the fierce human tide, and besides the sheriff had given orders to his officers not to use their weapons on the mob, believing, that such proceeding would only make bad worse. The mob completely filled the interior of the jail, yelling and searching for the murderer they had come to hang. They filled the corridors, and a force of men succeeded in so forcing the iron gated door that it at last gave way, and the mob ran up the winding stone stairway to the cell rooms, peering into each cell and demanding of other prisoners the whereabouts of the murderer whom they sought.

While this was going on within a squad of fifteen policemen arrived on the scene and began clearing the jail, meeting with but little success as they were set upon by the mob and hurled to one side as though they were not there. At 9:55 P.M. the fire bells sounded the riot alarm. This brought people to the scene from all sections of the city, and they turned in with the mob, the greater majority being in sympathy. It called the police from their posts of duty and the various stations; and through good management they were formed above and below the jail in two sections, and headed by the patrol wagons, advanced upon the crowds assembled on Sycamore street, in proximity to the jail. The crowd outside was estimated to be between nine and ten thousand. The patrol and police advancing in two solid columns caused a stampede, the rioters escaping through side streets. Ringleaders and some of those who had been active inside the jail were taken in the patrol wagons to the station houses. The patrols were permitted to leave amid much jeering and denunciatory language, and after their passage the gap was closed up and another onslaught made upon the jail; the rioters in the meantime have armed themselves with axes, stones and bricks.

Two or three attacks were made upon the jail, and about midnight a hand-to-hand conflict between the police and the rioting mob occurred inside. The police had succeeded in gaining an entrance to the jail through the court-house, going in on Main street. By the same means the militia had been admitted, and were stationed on the platform at the head of the cell-room stairs. Inside the mob had reached the gates separating the prisoners' cells from the office. They were broken down with sledge-hammers, and the mob had entered. They were in hand-to-hand conflict with the police, and overpowered them making a grand rush up the stone stairway. Just then the militia stationed on the platform fired into the crowd. Two of the militia and four officers, were shot. None of the mob were injured, but the latter retreated, giving the alarm to those on

the outside. Fires were then started in the jail-yard and around the court-house. A barrel of petroleum was rolled into a cellarway where burning firebrands had been cast. The mob again assaulted the jail, gaining admittance in reinforced numbers, and armed with every conceivable kind of weapon except firearms.

The militia again fired upon them, using blank cartridges, although this was not known to the mob, and, aided by a largely reinforced police force, again drove the mob to the street. From the Court Street armory the militia were reinforced, gaining admittance to the jail through the court-house, the mob not up to this time making any attempt to effect an entrance to the jail by way of the court-house.

Upon their being repulsed, however, a great crowd rushed over toward Main street and down town. Simultaneous attacks were made upon the entrances of several gun stores, and the places completely gutted of firearms, powder, cartridges and other ammunition. In the meantime others of the mob had fired the jail and the court-house, in a score of places, coal oil and powder being liberally used, and neighboring stores and groceries being sacked for the purpose. Affairs were assuming a serious and critical aspect. The light of the fires illuminated the whole city, causing hundreds of other citizens upon the hilltops and in the suburbs, to hasten to the scene.

Immediately after the sentence had been pronounced that afternoon the murderer Berner had been hurried to Columbus, going in a buggy to Linwood, where the train was taken. He was in custody of Dominick DEVOTS, a watchman or deputy sheriff, and through the latter's negligence the prisoner managed to escape from him while the train was at Loveland. All these things the rioters of course were ignorant of. They had been told by Sheriff HAWKINS that the prisoner was not in jail upon the first attack, but this was looked upon as a subterfuge to cause them to cease their violence. The fires around the jail and court-house had been put out, and towards early morning the mob, almost worn out with their labors, thinned out, but hundreds remained about the scene throughout the night, and as the hours approached the working hour their numbers were increased.

All day long Saturday, the militia and police were on duty, and the court-house and jail were surrounded by tired-out but determined men, and thousands of others drawn there by the excitement of the occasion.

There were no attempts at attack made during the day, but Saturday night for several blocks above and below the to the east and the west of the jail and court-house the streets were choked by rioters who had greatly increased their strength, and another attack on the jail was made.

This proved to be the most serious attack of all, and the most disastrous. Admission was gained to the court-house. The militia in the streets were held in a hollow square formed under the masterful leadership of some of their number. Once inside the court-house, the work of demolition began. The whole magnificent stone building seemed to become ignited at once. The whole place was gutted and valuable records of three-quarters of a century's accumulation were destroyed.

The building burned to the ground. The governor of the State had called out the militia of the State, and they were arriving by every train. Their appearance upon the scene seemed to more aggravate and incense the mob. And being fired upon a bloody riot began in the streets, men being mowed down like grass under the keen sweep of a scythe.

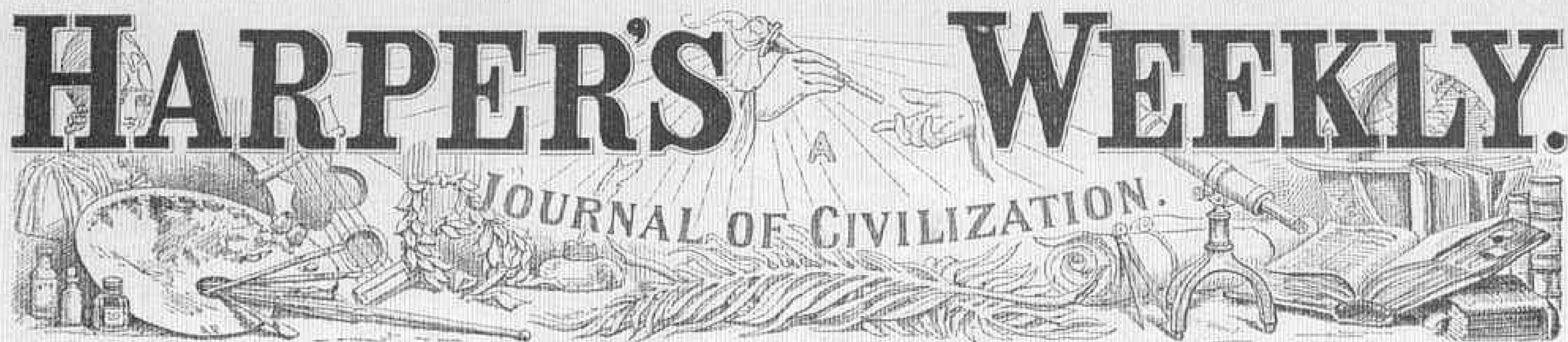
Captain John J. DESMOND, of the militia, was shot and killed inside the burning court-house while leading an attack on the mob. Many prominent citizens received wounds from stray shots of the militia. Windows, doors and even walls of houses in the vicinity of the riot to this day bear evidence of that time of terror and bloodshed.

United States Secretary of War LINCOLN ordered to the scene the United States troops, and their appearance seemed to have the desired effect, as the rioters gradually dispersed. The result was, however, that 45 persons were killed and 125 wounded.

Berner, the cause of all this terrible loss and destruction to life and property, was recaptured late on Saturday afternoon in an out-of-the-way house in the woods on a hillside near Loveland. When captured by Cincinnati detectives, aided by the marshal of Loveland, he was coolly enjoying a game of cards, and was unaware of the riot and the attack upon the jail. He was taken to Columbus and lodged in the State penitentiary under the sentence that had been passed upon him of the 26<sup>th</sup> day of March of confinement for twenty years.

# HARPER'S WEEKLY.

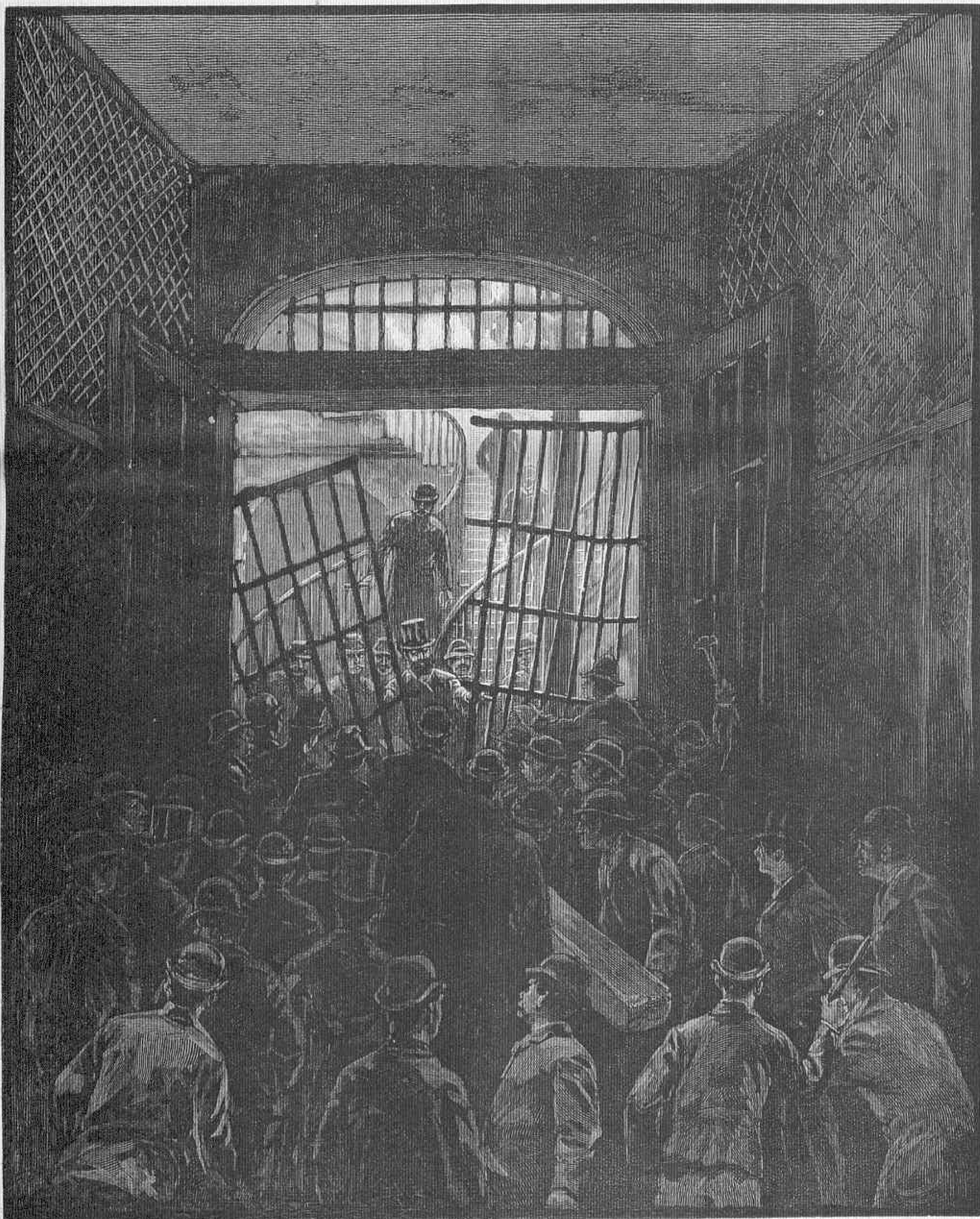
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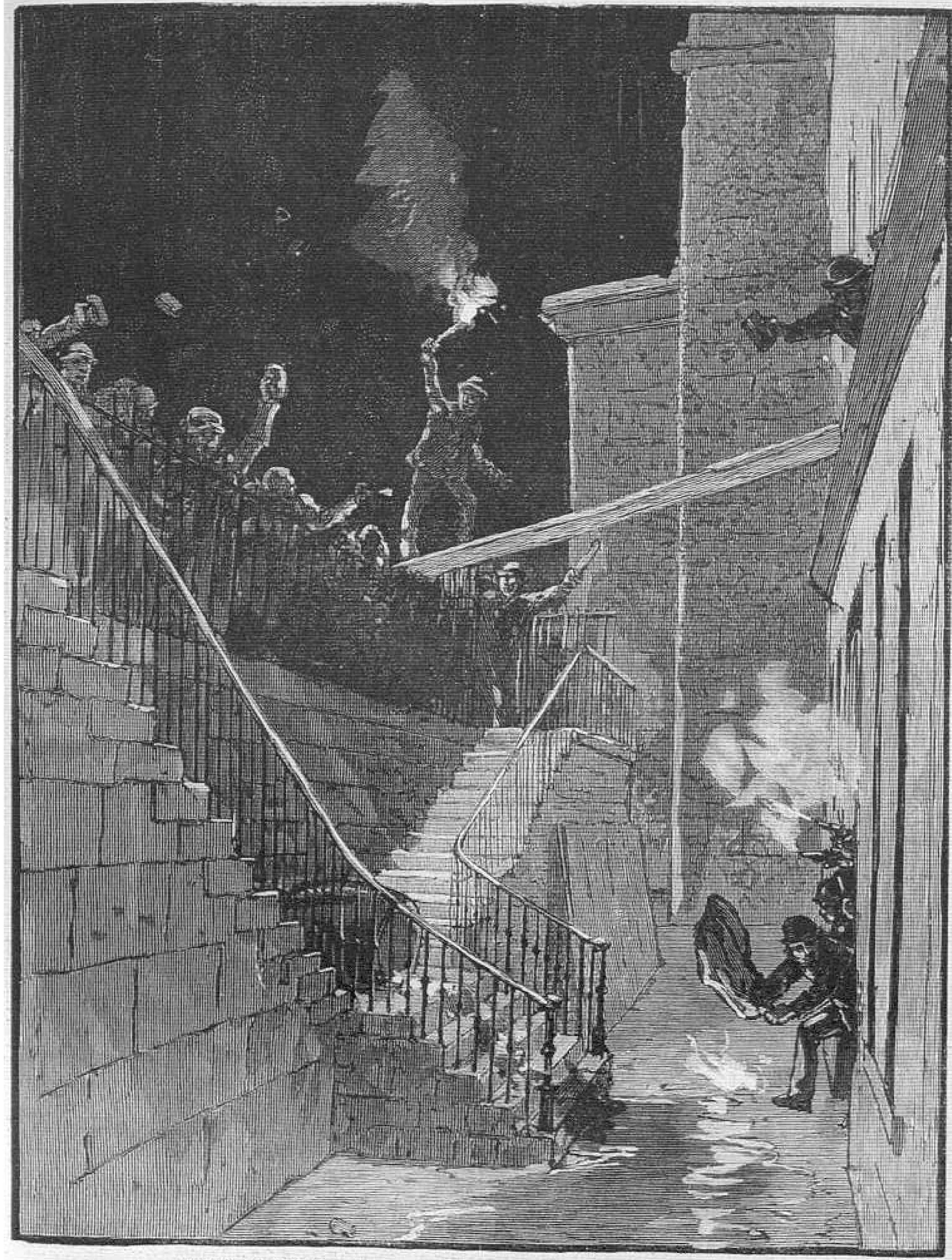
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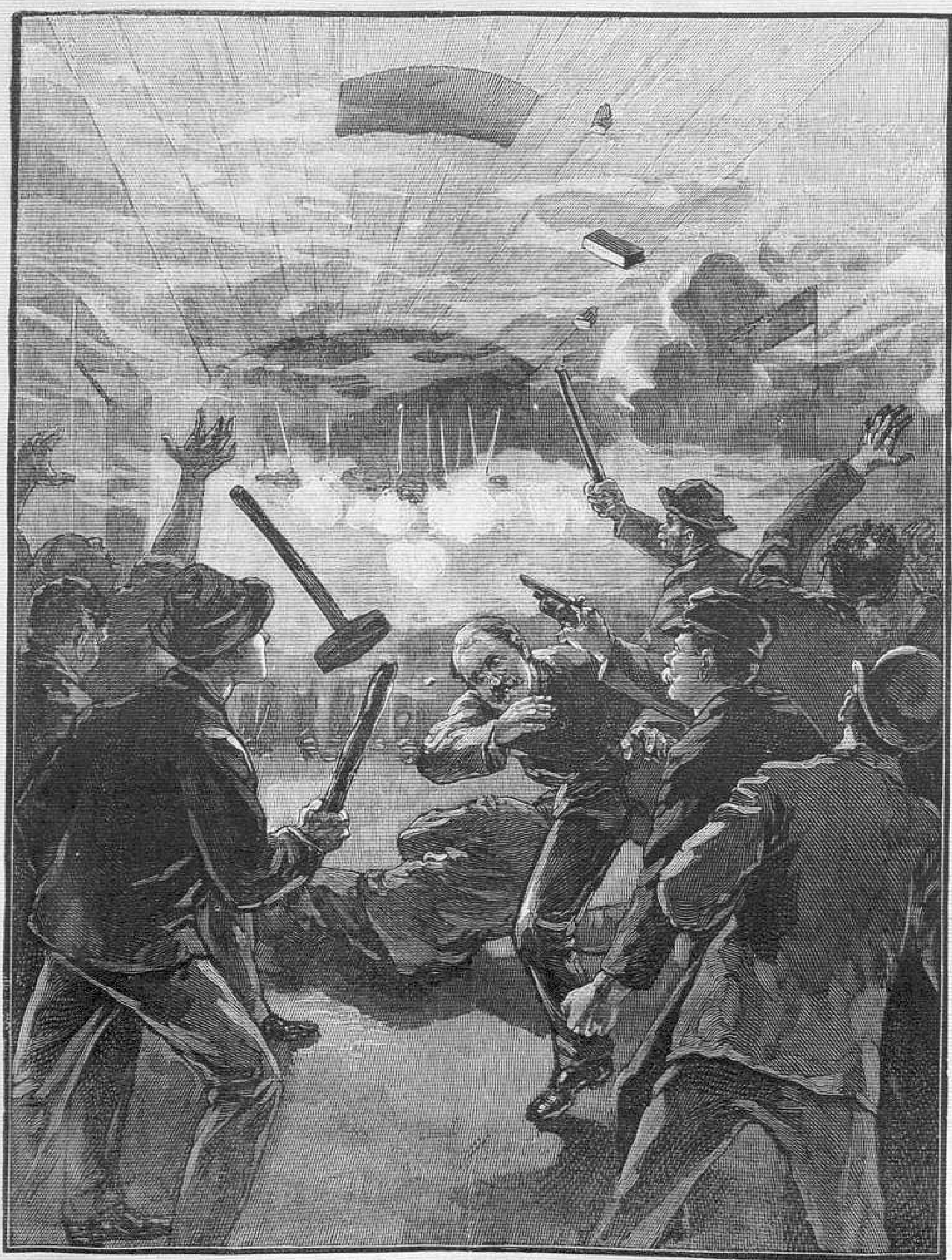
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THE CINCINNATI RIOTS—BREAKING IN THE GATES OF THE JAIL.—FROM A SKETCH BY F. H. FARNSY.—[SEE PAGE 241.]



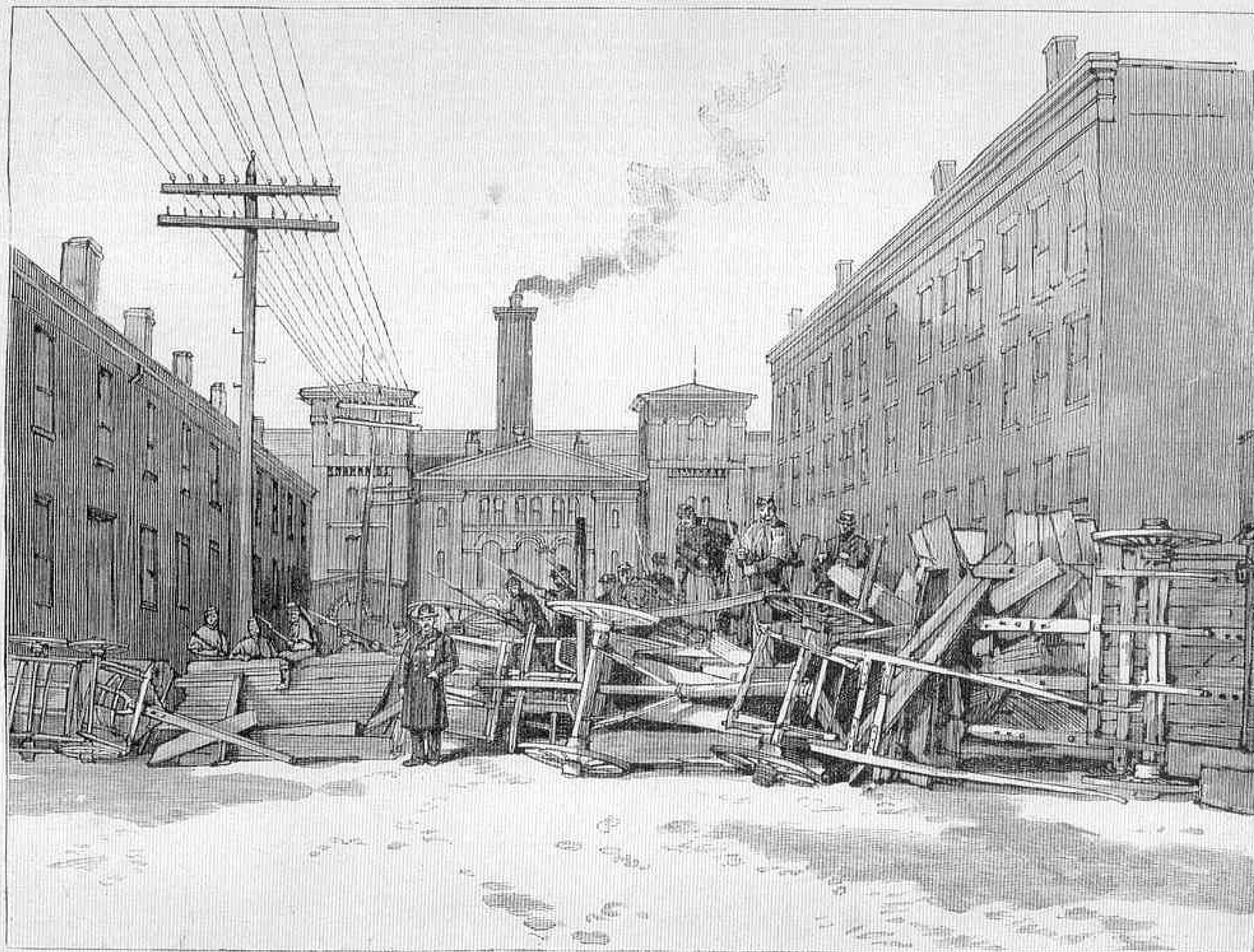
ATTEMPT TO DISLodge THE BESIEGED IN THE JAIL.—FROM A SKETCH BY F. H. FAENEY.



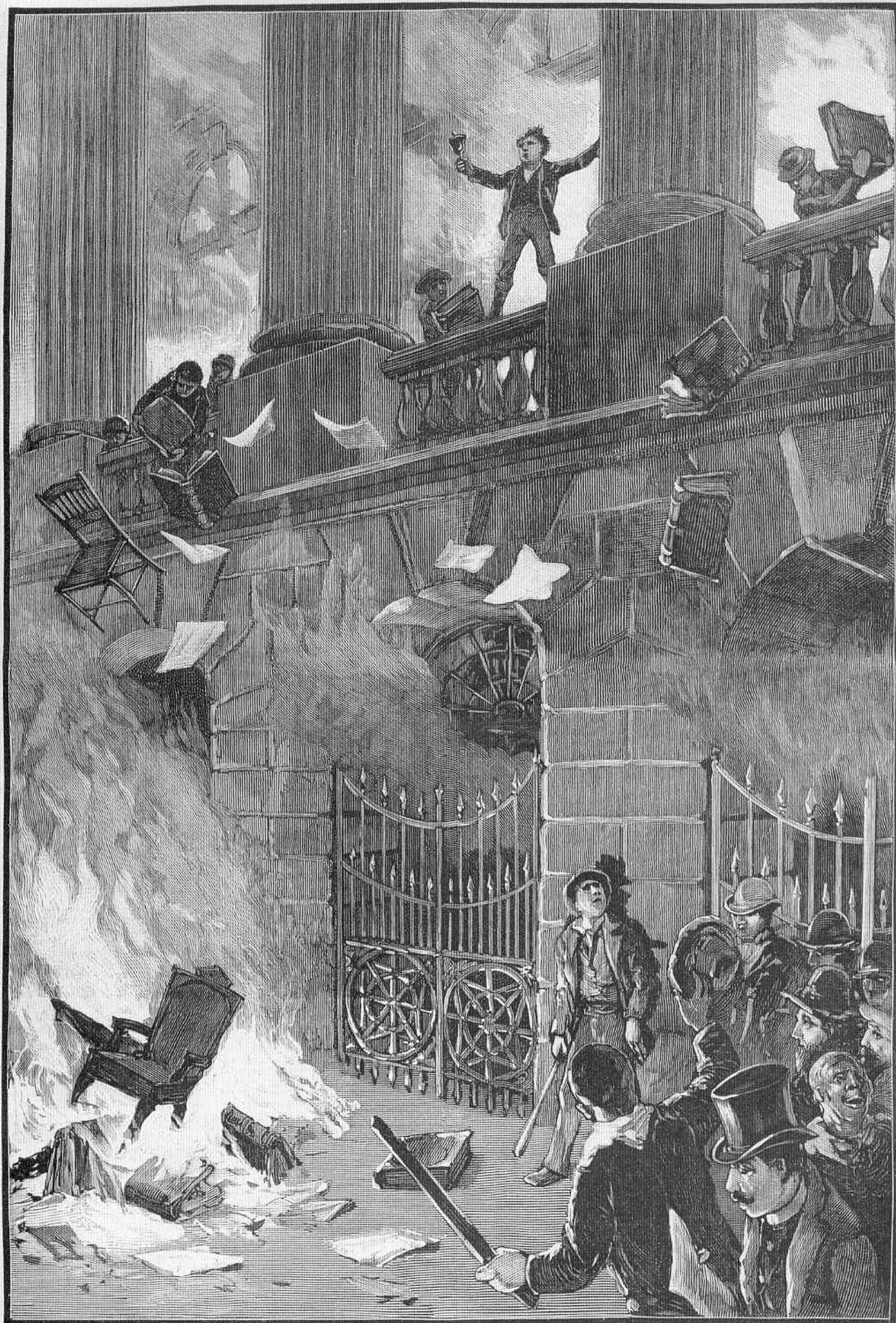
THE FIRST VOLLEY IN THE TUNNEL.—FROM A SKETCH BY F. H. FAENEY.

THE CINCINNATI RIOTS.—[SEE PAGE 241.]

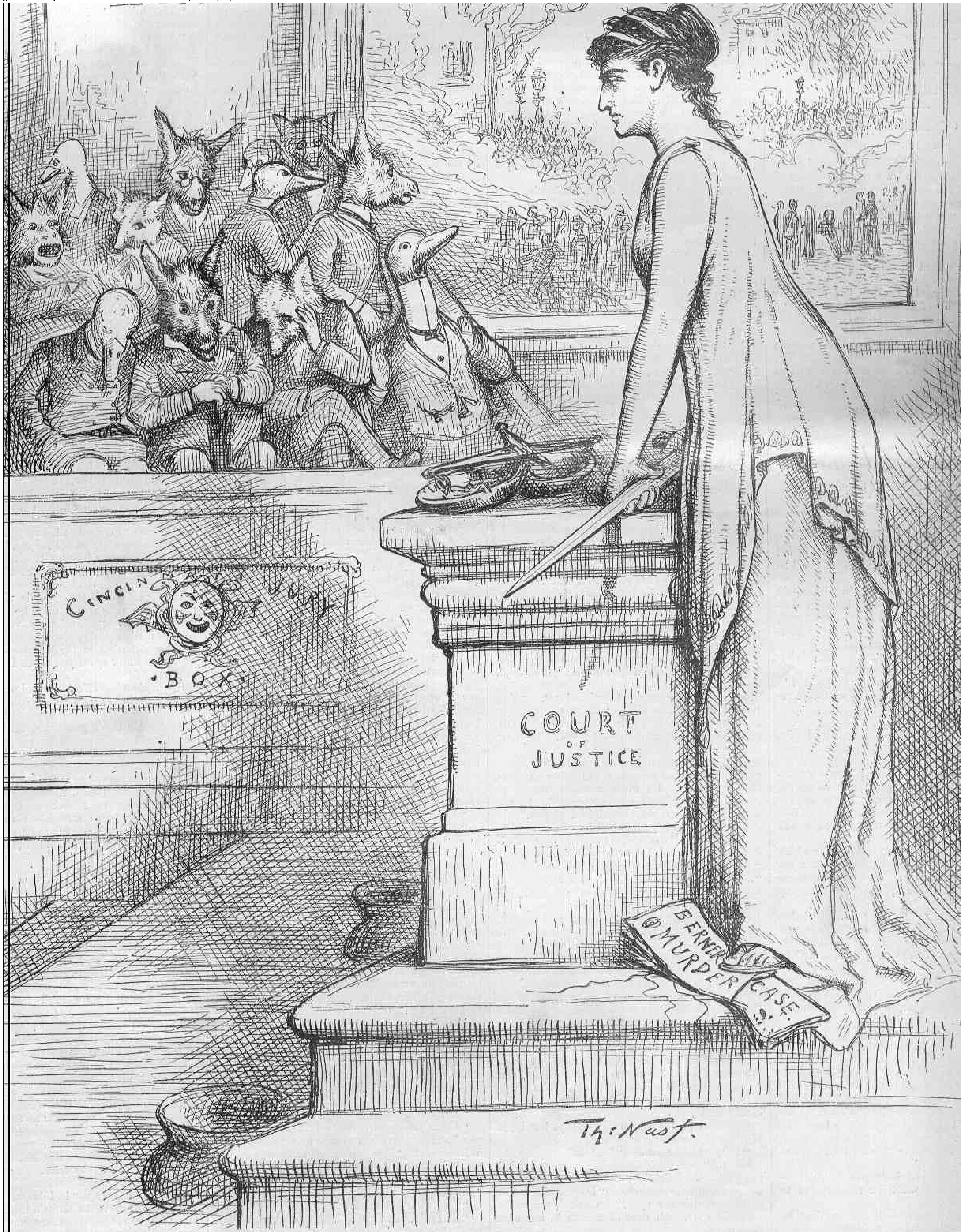




BARRICADE ON COURT AND CANAL STREETS.—PHOTOGRAPHED BY ROMBACH & GRÖNN.



THE CINCINNATI RIOTS—DESTRUCTION OF THE COURT-HOUSE—STREET ARABS BURNING THE COURT RECORDS, AND CALLING FOR BIDS ON "THE TEMPLE OF JUSTICE"—DRAWN BY F. H. FARNY.—[SEE PAGE 241.]



A MURDERER HUNG IN TIME SAVES NINE.  
WHERE REFORM IS MOST NECESSARY, ALL OVER THE UNITED STATES.

Fort Wayne Daily Gazette  
Fort Wayne, Indiana  
March 28, 1884

### **Righteous Indignation.**

Cincinnati, March 27, -- Excitement over the verdict on the case of William BERNER, who was found guilty of manslaughter after confessing to the murder of William H. KIRK is not allayed. A mass meeting is called at Turner hall to consider the matter, and another for to-morrow at music hall. Henry BOHNE, one of the jurors was severely beaten by a number of his acquaintances in the city this morning. Charles DALLAHAN, another juror, has been driven from his home in Harrison.

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Fort Wayne Daily Gazette,  
Fort Wayne, Indiana  
Saturday, March 29, 1884

### **Berner Sentenced.**

Cincinnati, March 28, -- William BERNER was quietly brought before Judge MATTHEWS at 2 o'clock this afternoon and sentenced to the penitentiary for twenty years, the full limit being for life. He will be taken to Columbus by the first train.

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Fort Wayne Daily Gazette  
Fort Wayne Indiana  
March 29, 1884

### **Monstrous Mob**

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**Citizens of Cincinnati Driven to Frenzy  
By the Outrageous Berner  
Verdict.**

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**The Jail Doors Battered Down by an  
Infuriated Mob of 10,000 People.**

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**The Necks of a number of Murders  
Saved by the Timely Arrival**

**Of Militia.**

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**Soldiers Fire on the Mob from the Jail  
Windows and Several  
Killed**

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**Berner Escapes from the Officers His  
Way to Columbus and is Still  
At Large.**

**Five Bandits Swung Off at One Time in Arizona—Other Hanging  
Bees.<sup>1</sup>  
Criminal**

**A Mob Takes Possession of the Cincinnati  
Jail – Other Criminalities.**

Cincinnati, March 28 -- Ten thousand people gathered at Music hall to-night in response to the call by reputable citizens to take action on the BERNER verdict. Many could not get in. Strong resolutions were adopted condemning the verdict, and a committee on legislation was appointed.

Upon adjournment the vast crowd moved directly to the jail, where they began an attack on the front door. At 9:40 the riot alarm was sounded, summoning the entire police force to the jail and vast crowds of people gathering in that vicinity. BERNER was removed after his sentence this afternoon, and is now on his way to Columbus, but if the mob gets in the other murderers will be lynched.

The police, upon arriving in the vicinity of the jail, commanded the crowd to move on. The order not being obeyed they fired, but as no one was hurt it is presumed the police fired in the air. It is said that it is the intention of the police, they being deeply in sympathy with the movement to condemn the outrageous BERNER verdict. A shot or two was fired from the jail, but the crowd refused to move. They have a good leader and are still (10 p.m.) at work at the jail door.

The meeting in Music hall was presided over by Dr. A.C. KEMPER, who made a conservative speech, taking for his topic the prevalence of crime throughout the whole country. He then spoke of the special prevalence of crime and murder in this country and the necessity for more certainty in the punishment for crime. His remarks were not intended to awaken mob spirit but when the meeting adjourned the people by common impulses, moved to Twelfth street, where shouts began to be uttered "to the jail!" and the crowd then moved in that direction.

At 11 p.m. the report from the jail is that the crowd has got inside. They had previously broken into the blacksmith shop and had taken all the tools they could find. There is difficulty in getting information of their movements because the streets all around the court-house and jail are jammed. A reporter of the Associated Press says that at 11 o'clock, from the stone wall of the jail-yard he saw a large crowd of men inside the jail, but they had not reached the cell room. They were supplied with tools and were at

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<sup>1</sup> These articles are not transcribed here.

work at the doors. It was possible they would have to go through a stone wall, which would be easy. There is apparently no resistance to the mob, and on the other hand no violence has been offered to persons by the mob, except that Adam MAIGLEY, one of the policemen in a patrol wagon, was struck with a brick and slightly hurt. The act is condemned by the mob, and now the patrol wagons are standing in front of the jail surrounded by people.

The militia have been called out, but large number failed to appear, and there is a general disposition, so far as can be seen, not to interfere with the mob. Nothing has yet been heard from Sheriff HAWKINS, who is inside the court house and cannot be reached. Mayor STEPHENS is confined to his house by sickness, leaving the sheriff wholly responsible for the preservation of order, except the assistance of the chief of police.

11:30 p.m. – The first regiment O. N. G.<sup>2</sup> has just entered the jail, having been marched through the front entrance of the court-house and thence through the tunnel into the jail. The mob is still at work, and it now remains to be seen whether anything will be done to frustrate the purpose of the mob who entered the jail, but it soon became impracticable and the police refrained from using their pistols.

It now appears that BERNER, after being sentenced, was disguised and placed in a buggy with Deputy Sheriff Dominick DE VOTO and driven to Linwood, where they got aboard the Morrow accommodation and went to Loveland to await the arrival of Criminal Deputy Joe MOSES with the necessary papers for his committal to the penitentiary. It became known that BERNER was at Loveland, and a crowd gathered. When the train with MOSES aboard came in and DE VOTO and BERNER went to board it, the crowd made a rush for BERNER. He ran through the car and escaped and is still at large.

Midnight—about thirty shots with muskets were fired by the militia for the purpose of scaring the mob. The result was a glancing ball struck at four persons, inflicting wounds which may be fatal in the case of one or two. Sergeant MASON and Private COOK are the worst hurt, the latter being shot in the breast. The volley seems to have checked the movement of the mob, though the crowds have not yet dispersed from about the jail. There does not seem to be any uneasiness in regard to those wounded by the shots fired by the militia. The mob has made no effort to shoot so far as known.

1:30 a.m. – The militia fired on the mob and instantly killed a laborer named Lew KENT. The jailor's residence, which is in the jail building, was entered by a portion of the mob and was rudely handled, windows being broken and furniture smashed. From this a number of men made their way into the kitchen and thence to the lower corridor.

After the relinquishment of the main effort to get at the prisoners, the mob lingered outside, throwing stones and brickbats at the windows. About thirty of the mob have been arrested.

1:45 a.m. – News just comes from the jail that the mob are not defeated yet. They have broken into the armory of the veteran regiment and taken their guns. More firing has been done at the jail. The mob is now looking for ammunition with prospect of success. The 1<sup>st</sup> regiment's armory has been guarded for three nights in anticipation of this affair, but the veteran regiment, of which the sheriff is colonel, did not take the same

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<sup>2</sup> Ohio National Guard

precaution. For the purpose of getting more arms and ammunition the mob is now in the extensive gun store of B. KETTRIDGE & Co., the largest in the city. In a few minutes a mob greatly superior in force to the militia will be about the jail, and serious results must follow. Some are talking about getting the cannon at Music hall.

2:15 a.m. Newton COBB, of Manchester, O was shot in the shoulder through a jail window; COBB was a by-stander on the sidewalk. The crowd claims the soldiers are firing unnecessarily upon outsiders who are merely lookers-on. On the other hand the soldiers declare that efforts have been made to burn the place or blow it up by rolling coal oil barrels into the basement, and justify themselves in clearing the sidewalks on that account. It is said a number of women spectators have been hit with random shots. Firing is still heard at intervals.

2:30 a.m. – The firing by soldiers from windows has been terribly destructive. The following wounded have been gathered into the drug store on Court and Walnut and at the hotel near: James GREEN; dying, Walter FAY, dying; James TURK; mortally wounded; F. LOHEHER, bad wound in thigh; Ed DULLEY shot in legs. There are all bystanders and there is a growing bitter feeling against the soldiers. The mob has taken all the arms they want from KETTRIDGE'S store, including small cannon.

3:00 a.m. – Loud reports from the vicinity of the jail indicate either that the mob are firing cannon or that barrels of coal oil are being exploded. These were rolled into the lower part of the jail some time ago. The mob has organized and marched up Main street just now with fife and drum. Firing still continues with the prospect of a bloody battle.

3:15 a.m. – The firing by cannon was by a mob of about fifty, the leader of which said they were thirsting for revenge. It does not appear they have produced any effect. The police have full control of the jail. And the greater portion of the mob have dispersed. It is thought now that work for the night is over.

James STERN, a member of the patrol wagon, who was shot, is dead.

3:10 a.m. – The following wounded are reported: Jackson TOD, badly wounded; Dr. Charles MUSCROFT, police surgeon, slight wound; Chris. VON SEGGERN, special policeman, slight wound. It is probable many of the slightly wounded went away and no report was obtained.

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Fort Wayne, Indiana  
The Fort Wayne Sunday Gazette  
Sunday Morning, March 30, 1884

## **Riot and Ruin**

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**Friday Nights Scenes at Cincinnati  
Repeated with Increased Fury  
By the Mob**

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**An All Night Battle Between  
The Militia and the People  
In the Streets  
Of the City.**

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**The Court House Fired and all of  
It that Would Burn is a Smoldering  
Mass of Ruins**

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**Many Killed and Wounded  
But the Number it is  
Impossible to  
Learn.**

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**Grave Fears Entertained that  
The Troops and Police  
Will be Overpowered  
By the Mob.**

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**Attempt of Citizen of Loveland  
And Morrow to Capture and Hang  
Berner.**

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**The Murderer Retaken and is  
Safely Landed in the  
Penitentiary at  
Columbus**

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**Several Regiments of Troops  
Ordered to the Scene  
From Columbus and  
Dayton**



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**Cincinnati Riot.**  
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Bloody Work at the Jail – The Bastille  
Attacked Again.

Cincinnati, March 29.—There is still quite a large crowd around the jail, but they are collected there out of curiosity. The military are still on guard, and no further attack is anticipated. The following is an additional list of the killed and wounded last night: Private Edward MATHERL, slight; private Herman ROSE, slight; private Harry ROLLINS; serious; private Charles GIBBONS, slight; policeman Phil NUNN, serious; Dr. Arthur BOUTILLE, arm shattered; Henry YAGER, slight; John GRIFFITH, fatal; Martin RAFFERTY, fatal; C.S. BARTLING, serious, -- LAWTON, slight; -- DONALDSON, slight, Mire HOLIE, slight, Adolph BUSSE, slight; Cyrus JOHNSON, slight, --REID; slight; J. A. LOENARD, slight; Jack BERRYMAN, slight, W. F. MCNINNER, slight; Mary SMITH, fatal; George MILLER, serious. A man from Virginia who was seriously wounded refused to give his name.

When the meeting at the Music Hall adjourned last night, the attention of the people was attracted by the shouts of a young man who cried out “to the jail! Come on and follow me and have BERNER!” Although there might have been an intention to organize a mob, this was the first time it found vent in a decided expression. The cry was soon taken up and spread rapidly.

Officer NUNN died at 4 o’clock from the effect of wounds.

The crowd soon reached 10,000 people. There seemed to be about 200 men in the lead, and who took the initiative in all steps, but said little. As soon as it was learned that there was a mob on the outside. Sheriff HAWKINS called up Fire Marshal BUNKER by telephone and the fire alarm was sounded, and the sheriff and a posse made all preparation to repel an attack. On the way to the jail the mob secured a long heavy scantling and used it as a battering-ram. They began operations on the north outside door and knocked a hole large enough to permit a man’s body, through which the mob crowded thick and fast, and about fifty mounted the stairs. Here they were met by a detail of police and the sheriff and forced back into the jail office. By this time the mob outside had procured a long heavy board, and placing it the iron railing in front of the jail pushed it through a window into the second story. With this they broke out the entire sash and inside shutters and scrambled into the apartments of Jailor BRADY. This successful move encouraged the crowd, who made a rush for the south door leading to the street from the second story, which is here level with the pavement. This soon gave way and the mob went through in great numbers. The sheriff’s force consisted of thirteen men. When the mob entered these withdrew hastily into the jail proper, leaving between them and the mob the heavy grated iron door which separates the reception room from the cell rooms. This is at the foot of the stairway leading up the cell room. The reception

room was jammed and the mob kept calling out "give us BERNER," "give us JOHNSON," and so on through the list of murderers confined in jail. There seemed to be no leader. Finally a tall muscular negro began to give orders and the mob quickly obeyed. The space was cleared and the plank used as a battering-ram was brought to bear against the iron door. Behind the door stood Sheriff HAWKINS and his men with drawn revolvers. The sheriff said calmly that it meant "death to enter that door." The crowd wavered a moment and hesitated. Then the colored leader gave the word to swing the plank. He was instantly obeyed and the gate trembled with the shock. A mighty shout went up. The second stroke from the battering-ram made the gates weaken perceptibly, the third loosened its bolts and it flew open. Sheriff HAWKINS, had instructed his men not to fire, as he did not wish to spill blood. He attempted to address the mob, but they flew by him and up the winding iron stairway to the cell room, where they sought BERNER, but soon discovered he was gone. Then they went to JOHNSON'S cell, one of the murderers of the TAYLOR family in Avondale. The horrified prisoner suffered more than death as he looked on the determined men outside. A powerful plank was brought up to batter down the door of the cell, but the small space prevented its use with effect. Besides, the deputy sheriffs caught hold of the plank and prevented it being used. Meantime the chief of police hearing that twenty men were in the jail entered through the court-house and through the tunnel from it to the interior of the jail. With the combined force the men were put out of the corridors about the cells and the mob seemed to be repulsed. No shots had been fired up to this time by the forces within the jail. The stairway was again in possession of the sheriff's forces and a struggle began for the iron gate. The colored ringleader was seized by Lieutenant DUNN and struck on the head and dragged inside. Then the gate was closed, several others being arrested about the same time. The battering ram was broken in two, and served as a brace for the gate. The mob seemed, repulsed, and the story went out, spreading through the outside crowd on to inflame them to a more serious effort. The efforts of the mob were redoubled at all entrances, and the southern gate to the jail yard was broken down. Meantime Sheriff HAWKINS sent an order to Colonel HUNT, commanding the 1<sup>st</sup> regiment of militia, to report to him in the jail with all the men possible. Only about forty men were on duty, and there went to the jail passing through the court-house and the tunnel already mentioned. Here occurred the first bloodshed. The further end of the tunnel was guarded by NUNN and VON SEGGERN. As the soldiers approached by threes, with the guns pointed ahead, Officer VON SEGGERN threw up his hand and shout, "For God's Sake don't shoot here; you'll kill your friends." Without heeding the warning the command to fire was given, and a volley went rattling through the tunnel Officer NUNN fell pierced by balls and VON SEGGERN was shot in the side of the head and several of the militia were shot by their own guns. This volley had the effect to clear the jail; but for two hours thereafter efforts were ????? on the outside to destroy the whole building. A barrel of coal oil was poured down into the lower part of the jail and set on fire, but the officers within managed to extinguish it. The carpenter's office furnished some wood, and that also was fired, but as the jail is mostly stone and iron the effort was futile. The crowd threw boulders and fired pistols promiscuously at the militia, who in the mean time, fired from the windows at the crowd. Sheriff HAWKINS tried to control this firing by ordering that not more than one man should fire at a time and then only to frighten, and not to kill; but the men were uncontrollable and fired at the crowd, doing deadly work.

Later the crowd broke into the Veteran armory and KITTERGE'S gun store and got arms, but by the time this was done the crowd had so thinned out that no further serious attempt was made, and at half past three this morning quiet was restored.

BERNER'S crime was assisting Joe PALMER (colored) in the cold-blooded murder of his employer, William H. KIRK, on Christmas eve, for the purpose of robbery, and both he and PALMER confessed to the murder, but the jury found him guilty of manslaughter. This with the fact that about twenty other untried murderers are in jail, is what inflames the public mind. The feeling is by no means allayed by last night's tragedy, and is growing not only against the murderers but against the military, upon whom the whole responsibility of the loss of life is placed. Sheriff HAWKINS had repulsed the mob without bloodshed, and was holding them at bay when the military entered, and the fire by the soldiers was in direct opposition to the protest of officer VON SEGGERN. The people do not rest easy under the fact that Officer NUNN lost his life in trying to protect the lives of worthless murderers.

Colonel HUNT, commander of the militia, gives this version of the firing on the mob: When we endeavored to pass through the tunnel we found it occupied by the mob, who just as soon as the two leading files made their appearance, began firing on us, and three or four of the leading men fell badly wounded. A deputy sheriff who was with us ordered the men to return the fire, which they did, and cleared the tunnel. In every instance the men fired under orders. Most of the gun shot wounds came from the indiscriminate firing of the mob.

This account of firing is directly contradicted by Officer VON SEGGERN, whose story has been told already. He begged the soldiers not to shoot.

The crowds in the vicinity of the court-house and jail continue large, through the police and soldiers prohibit all access to the front or side of the jail or to the streets for a square in every direction. Apprehension of trouble to-night grows strong. It is rumored Campbell county, Kentucky will send 800 men to rescue the rioters who were arrested last night and are still in jail.

### **BERNER RECAPTURED**

BERNER was captured at Foster's Crossing about 2:30 this afternoon, and is in charge of officers, who will take him to Columbus.

BERNER was brought by train No. 23 from Foster's Crossing to Miamisville in the direction of the city, where he was transferred to the Columbus accommodation and locked in the express car. He passed Loveland and Morrow all right and should by this time (7 p.m.) be in Columbus.

All day changing crowds have filled the streets as near to the jail as they were permitted to come. The jail and court-house occupy a square bounded west by Main, east by Sycamore, and north and south by narrow streets called North and South Court. The court-house fronts west on Main and reaches from North Court to South Court. The jail is a circular building with two wings extending north and south. It faces east on Sycamore street, and the yard is enclosed with a high stone wall surmounted by an iron fence. The eastern front has doors leading into the residence of the jailor, which open on the sidewalk. The entrance proper to the jail is reached by a stone winding stairway leading to an area twelve feet below the sidewalk. Here was the beginning of the attack

last night. The crowd could surge up to the very doors of the jailor's residence and could fill the area in front of the lower door which they battered open with a heavy awed beam obtained from a new building near by. The same beam and held a dozen more had been carried into the jail to-day and used as props to secure all on the outer doors. They are long enough to reach back to the solid wall or pillar, and the work of battering down the doors will be exceedingly hard now. The jail office and jailer's residence have scarcely an unbroken article about them. Even a large heating stove was wrecked. Turnkey MC HUGH and wife and children passed the night in terror, MC HUGH was compelled to serve with Sheriff HAWKINS, until the mob was expelled, while his mother and children in the rooms above heard the shots of the soldiers and the shouts of the mob and witnessed to destruction of the furniture, To add to the horror the mob yelled, "Take out the women and children—we're going to set fire to the building and blow it up." MC HUGH at last at 2 a.m. took his children and wife down the inner stairway and out through the tunnel to a place of safety.

Sheriff HAWKINS has acted all day as though he expected a renewal of the attack at night with increased violence. He has called for troops, as elsewhere stated, and called out his command, the veteran regiment. Colonel HUNT has also mustered as many of his 1<sup>st</sup> regiment as could be brought out, and the jail has all the appearance of a fortress except heavy guns. That most fearful street engine of destruction, the Gattling gun belonging to the police force, is also on duty.

Late this evening the police and soldiers were busy under Sheriff HAWKIN'S direction barricading the street in every direction at a distance of a hundred yards from the jail. Heavy transfer wagons were captured in the street and building material of wood, stone, and iron from neighboring buildings were appropriated to construct strong defenses for the purpose of preventing a rush of people to the vicinity of the jail. The mob to-night would have to first storm these barricades before getting within reach of the jail. The most thorough preparations, added to the fact that more troops are coming, may hold the mob in check. The fact is, no organized mob is known to exist. That of last night was not premeditated, it was spontaneous growing not out of incendiary speeches and resolution at the meeting, for these were all conservative; but out of the fact that the great body of men together in the street, with a common feeling of intense indignation at the criminal farce played by the BERNER jury and at the general slackness of the administration of justice to the murderer, the mob spirit grew by degrees and was not the result of a settled plan. To-day a circular has been distributed calling for the organization of a vigilance committee of 300 in each ward. It is anonymous, and seems to have no respectable backing.

#### **At It Again.**

9 p.m. – While Sheriff HAWKINS had carefully protected the front and flanks by the barricades as already described, he neglected to protect his rear, which was the court-house front looking towards Main Street. An immense crowd is gathered there now and the large plate-glass windows are being crushed in by boulders. This will give entrance to the jail-yard and to the jail through the tunnel, but only to a small number at a time. The troops from Columbus have not yet arrived here.

9:45 p.m. – The fire alarm has just sounded from Court and Vine, two squares from the court-house. There is also an immense bonfire in front of the Second National bank, corner of Main and Court streets. All the large windows in the front of the court-

house have been broken to pieces. The mob are firing revolvers, throwing boulders and yelling. The militia fired into the mob, from the court-house, but as no harm was done it is supposed they used blank cartridges. The mob is greater than last night and there are more drunken men in it. Wild rumors are ????? that the mob has a lot of dynamite, and another that 8,000 are coming from Kentucky to reinforce the mob. The sheriff has sent deputies to depots to hurry up the troops.

When the inflammable substance was thrown in the treasurer's office the troops fired ball and drove the mob back to Vine street. Many are wounded and possibly many killed. The treasurer's office is doomed and court-house seems likely to burn down Armory hall, on Court street, near the court-house is on fire. Captain DESMOND, of the 1<sup>st</sup> regiment, is killed, and Sergeant MALONE, seriously wounded; also Private Mc BRAYER.

The crowd threatens to destroy Hunt's hotel, on Vine street, near Fourth, which is owned by Colonel HUNT, commanding the 1<sup>st</sup> regiment. The guests are removing now from the place. Troops from Columbus are momentarily expected, when the trouble must be worse. Travel on the streets is becoming dangerous.

The following hand-bill was given wide circulation through the city to-day:

“Public safety demands immediate action! Organize a vigilance committee in each ward Heal the sores by purifying the body! Serve notice to criminals, criminal lawyers, gamblers and prostitutes to leave Hamilton county within three days and remain away forever or suffer the penalty! As long as the present clique of criminal lawyers that infest the city are permitted to remain and corrupt juries, outrage justice and shield criminals, just that long will our citizens be murdered, our property destroyed and protection by the law be denied. Make one clean sweep while we are at it! A vigilance committee of 300 in ward, composed of the best citizens, can by earnest work cleanse the moral atmosphere in three days. Organize at once, and serve notice to all disreputable characters in the ward to leave and never return. The reputation of this city demands a change, or wickedness will reign supreme.”

11 p.m. – It is rumored the mob has captured the Gattling gun from the police. POWELL'S gun store has been broken in and the mob are getting all the available arms and ammunition. It is reported eight persons have been killed. The fire is still raging at the court-house, and it seems impossible to save the structure.

12 Midnight.—Such a night of blood as this has not before darkened the history of Cincinnati. It is impossible to ascertain the true situation. Men have been killed several squares from the scene of the riot. One man has just been shot at Fountain square, six squares from the court-house.

The fire was started by rolling in barrels of coal oil and setting it on fire and keeping everybody out. Lieutenant DESMOND entered to subdue the flames and was instantly killed. The flames went their own way because the mob would not let the firemen use the engines. The flames went unchecked, though slow, The structure was strongly built at the cost of probably \$250,000, and was made to withstand fire as far as possible the loss, that means the irreparable records, some of which are of great historical interest and value and of the second best law library in the United States. The carriage factory near is also reported on fire and it the present chaotic condition of affairs there is nothing to prevent untold loss from fire except the lack of material to give it a start.

When the mob robbed POWELL'S gun store it was fired. A patrol wagon responded to the alarm and the mob fired, killing one of the men and wounding others. This fire was, however, extinguished. The mob has lost all control and seems bound on destruction pure and simple. The burning of the court-house gives no aid in the original purpose of lynching the murderers, and its destruction only adds loss to disgrace.

The firing upon the mob has been merciless, whether by Gattling gun or by soldiers can not be told, as nothing has been heard from inside the jail for the past hour. No one can yet estimate the loss of life or injury by wounds. At HABIGS'S found dead men, unknown, are lying. At the Cincinnati hospital there are many more, while twenty or more wounded are there, and the wagons are still coming with more.

While the beleaguered troops and police in the jail and court-house were keeping the mob at bay, they were seriously waiting for the promised troops from Columbus and Dayton. Their delay of an hour seemed an age while the flames were raging, and the wild mob, now wholly beyond and control or reason, filed the streets ready to kill any one or all. It was nearly midnight when the 14<sup>th</sup> regiment reached the scene. They, with determined pluck and skill, formed for the fearful work of clearing the streets. Their work was accomplished, and they are now in the jail with the besieged guards and police. The 4<sup>th</sup> regiment arrived at the other side of the city, and after marching part way to the scene of the mob, turned and went back to the depot. Colonel John W. HARPER, aid-de-camp of the governor who is here, telegraphed Governor HOADLY, and has received a reply ordering the 4<sup>th</sup> regiment to report to the jail forthwith and join the others. Colonel HARPER sent the order to the 4<sup>th</sup> to join Colonel HAWKINS at the jail by a direct route. The order was given at 12:45, but upon being informed that the mob was still there in force, and blockading the streets in the vicinity of the court house, though not apparently accomplishing anything, he modified the order with the view of averting further bloodshed.

1 a.m. – By some unaccountable motive the mob stands in the streets in range of the soldiers' guns, apparently courting death. There is no method and no purpose apparent. It is a typical mob of mad men. Just now a man who ventured near the scene saw a volley fired and a man named Ed GALLAGHER, whom the maid happened to know fell dead. Several others were wounded. At this hour there is no cessation of firing. Indeed, it has grown heavier, and this is accounted for by the statement that the men have procured a canon.

Colonel HARPER'S order to the 4<sup>th</sup> regiment has just been given. It directs the colonel to march his men quietly up Fourth street to Sycamore, thence up Sycamore to the jail to dispose of whatever mob may be in the way; but at all events to join the other troops now in the jail. It tells him the troops there will be looking for him. It will be nearly an hour before the order can be carried out. Meantime the firing continues. There is a possibility that the 4<sup>th</sup> regiment may reach the scene without encountering much resistance. The mob at this time seems to be gathering principally at the corner of Main and Ninth streets undercover. The scene during this memorable night have been indescribable. No mob could have been less equipped by organization or leadership than this one; nor does it seem the military and police have had any good plan or leadership. The preparations for defense made during the day were all against attack from Sycamore street. Main street was left exposed, and witnesses say almost no opposition was made to firing the treasurer's office. The troops were all gathered in the jail. The firemen for

once refused to respond to the alarm unless an escort was sent. When the fire engine appeared the mob with drawn revolvers warned them to go no farther. They obeyed, while a hand-to-hand fight was in progress. The police now and then made a dash for the crowd and arrested a number of rioters, taking them into the jail. They refused to give their names in every case. Many of them are well dressed and good looking men. It is still impossible to tell how many dead and wounded there are. Nine dead bodies are in the morgue at HOBIG'S and one at DUGAN'S furniture manufactory. At the hospital at 1 o'clock are the following killed:

Captain Jack DESMOND, shot through the head.

Henry J. PEISER, shot through the head.

John HUTTENSHERE, shot through the heart.

Fatally wounded – Alfred HOPKINS, Charles BLOOM, J. CAMPER, Will BATZE, a 16 year old boy, dying; Philip RAABE, breast.

Severely wounded – Daniel CHRISTMAN, twice in the leg; Lew KOIT, leg; Henry BUDDE, thigh, Joel KOANS, right leg, Ed. W. REMY, leg below the knee; Fred EIKENHORST, right leg above the knee, William SULLIVAN, thigh; John BARTH, a boy of 14, left shoulder, George WISE, left side, serious; John HECKERMAN, through both legs. It is said this ball, after passing through both legs, killed a small boy now at HABIG'S.

Seven dead men are in the Anzeiger office, on Vine and Canal. Three dead men at Court and Vine could not be reached. Rumors are abundant among them that Colonel HUNT and Lieutenant Tom O'MEARS, of the police force, were killed in the jail. This cannot be verified at this time as communication with the jail is difficult.

2 a.m. – The good news comes that the crowd has all gone from the vicinity of the court-house and that the fire engines are playing on the fire. The carriage factory fire seems to have been extinguished by the mob. The 14<sup>th</sup> regiment has not yet reached the court-house, but will now have no difficulty in getting there.

2:20 a.m. – The startling fact is just discovered that the mob have three cannon stationed on Fourth and Walnut. They are said to have obtained them from Music Hall. They are evidently now posted here to await the coming of the 4<sup>th</sup> regiment, which is expected momentarily. Instead of the fight being over, it now looks as if both the soldiers and police will be overpowered by the mob. The 14<sup>th</sup> regiment has been placed in front of the court house with unloaded guns. They are keeping the crowd back, but are pelting with brickbats, and occasionally a pistol ball is fired. Lieutenant LEGGET has been wounded in the leg. The police are worn out, and besides they have no arms fit to cope with the mob. The troops are insufficiently supplied with ammunition. There is no sign yet of the 4<sup>th</sup> regiment. Reports from the depot say the men scattered, and when Colonel HARPER'S order was received the colonel commanding was unable to get the troops together. It is evident the mob must be permitted to enter the jail, or the power of the state must be put forth with much greater vigor before the end of this trouble is reached.

3 a. m. – The mob in possession of the cannon at Fourth and Walnut seemed to have had no powder but were trying to secure some. They had obtained several kegs of iron to be used instead of canister and were moving up Fourth street when a squad of thirty policeman, under commands of Lieutenant BURKE, merged from the Hammond street station-house, only half a squad south of Fourth street, and by a gallant charge, without firing a pistol, captured all the guns and dispersed the mob. There were no

causalities except from the use of clubs. The police through have shown remarkable bravery and coolness under all circumstances. This capture has weakened the spirit of the mob to such an extent that they will not likely rally again during the night.

During the attack on POWELL'S gun store. Mr. POWELL defended his property and killed at least three men. One account says he killed seven.

3:45 a.m. – Comparative quiet is restored and the mob has dispersed. The dead are still lying in the streets in the vicinity of the conflict. A safe estimate of the killed is [around] fifty to seventy-five. Only a small portion of them have been identified or their names procured. The rumor about the killing of Colonel HUNT and Lieutenant O'MEARS is found to be false. There were three or four slight causalities in the jail. The colonel of the 4<sup>th</sup> regiment has not yet been about to collect his men, but Colonel CHURCH, of the governor's staff, is endeavoring to get him to join the rest of the command.

### **Berner's Escape and Recapture.**

Columbus, March 29. – Train men and passengers who arrived here after midnight give the following account of the mobs at Loveland and Morrow and the efforts to get on the track of the murder while being taken to Columbus. The two deputies with Berner drove from Cincinnati over to Linwood and there took the accommodation for Loveland. This part of the journey was made without accident. Joe MOSES was then to go to the Little Miami depot and quietly board the train for Columbus and ??? the two deputies and BERNER at Loveland. When the Little Miami train pulled into Loveland BERNER was placed on the car next to the sleeper before the train had come to a full stop. The two deputies sat near him but did not have him fastened to them. Joe MOSES sat in the next car in advance. As the train came to a stop a howling mob of nearly 300 men made a dash for the cars, yelling, "There he is! Catch him!" Some of the men were masked while part of them was not. They climbed in all the cars, but most all of them broke for the one in which BERNER sat. One of the deputies who had been detailed to watch BERNER sprang from his seat and started for the front end of the car. The crowd thought it was BERNER trying to escape and pounced on him and bore him to the ground. He was choked, beaten and almost killed before the mistake was discovered. In the meantime BERNER had sprung from his seat, but in attempting to jump from the platform fell headlong to the ground. It was doubtless this accident that prevented the crowd from recognizing him. A train-boy who was standing on the platform at the time says BERNER walked around the car and entered again from the rear. In the meantime the wild mob had discovered their mistake, and were more infuriated than ever. BERNER walked about two-thirds of the way through the car, where one of the deputies who had seen him jump from the train cried; "There he goes now, catch him." Immediately BERNER now started on the run and jumped from the train, which by this time had started to pull out from the station. One of the deputies ran after him while the one who had been mistaken for BERNER was still held by the crowd. Joe MOSES and a third deputy remained on the train. The train men do not think that BERNER was captured, and believe that after jumping from the train the second time he ran between the Little Miami train and a second train which was standing on the track, and after thus



eluding the mob escaped to the fields. The train boy, brakeman, and the conductor verify these statements.

When the first section of the train that had been attached at Loveland pulled into Morrow another mob was waiting to capture the prisoner. The mob was composed of 150 or 200 men only part of who wore masks. Before the train stopped they climbed on the engine into the cars and on the steps eager to get possession of the murder. Some of the men attempted to force the engineer to stop the train before he got into town in order that they could swing BERNER from a bridge near by. They hunted through passenger, baggage and sleeping cars, completing there search just as the train pulled away from the town. Morrow is fourteen miles northeast of Loveland. MOSES and his deputy get off here and were so excited that they could hardly speak. The second station of the Little Miami train, which starts from Cincinnati about fifteen minutes after the first, witnessed almost the same scene that had been enacted before at Loveland. The wild mob were still yelling and screeching for BERNER. Many men rushed upon the train, thinking perhaps an attempt would be made to smuggle him through. As the train pulled out cries were heard saying the search would be discontinued till daylight, when the fugitive could readily be recognized. At Morrow the mob was at the depot waiting for the second section, and when it arrived the same frenzied effort was made to discover the object of their search. In spite of the excitement and the attempt to delay and search the trains they both came in on time. The passengers and trainmen on the second section gave the same thrilling accounts that were given before, and stated the excitement was increasing.

Colonel HUNT has telegraphed the governor to be in readiness, and his Excellency will remain here over Sunday so to move more troops if necessary. Colonel HUNT made a requisition on the adjunct-general for 5,000 rounds of ball cartridges and they were sent to Cincinnati on the first train.

Passengers on the morning and noon trains from Cincinnati states that the most intense excitement exists all along the line, large crowds being gathered at the stations and threats made against the deputy sheriffs that they would suffer if they did not succeed in their scouting about the contrary to capture BERNER or show that he had been put out of the way.

BERNER was landed in the prison at 8 p.m. to-night being accompanied by a strong guard of special deputies and Deputy Sheriff Joe MOSES. After leaping from the train BERNER last night wandered over the country, keeping in sight of the railroad, and finally rested in a box car on the siding until day, when he broke for the woods, and was unveiled at 10 this morning by deputies MOSES and DEVOTO, who kept up the chase with buggies. They had difficulty in keeping him concealed during the day but drove to Foster's Crossing, the next station beyond Loveland, where he had previously arranged to meet some newspaper men. They had changed BERNER'S clothes, put a Derby instead of a soft hat on him and had him so changed that no one would have recognized him for the description. They turned him over to two correspondents and claimed they had failed to find their man. There was quite a crowd at the place, however, before the train arrived there at 4 p.m. and the people suspected them and called for BERNER, but they got off safely. BERNER was at once taken into a closed express car by the journalists, and the officers were in the coach pretending to be rerouting to the capital for advices and aid. They kept the governor advised by the conductor sending dispatches from every station, and the governor got the officials to have the train stopped half a mile from the depot

here and close to the penitentiary, where BERNER was taken in on the run. There were crowds at all the stations making inquirers, and a multitude at the union depot awaiting the arrival of the train, but they were given the slip. A detachment of fifteen police and a large number of prison guards had been quietly located at the suburban crossing where the party alighted, and they succeeded in getting there one by one without arousing suspicion. They made a large crowd, however. On the double-quick to the prison gates. BERNER was scared near to death. He was the first one the warden, THOMAS, ever saw who was glad to get behind the walls. He rejoiced when he was inside and wanted something to eat and a change of clothes. After he ate supper he told the story of the trip. He said all the people he met was cussing and boiling for his blood. He is eighteen years old, was sentenced to twenty years and hopes to outlive it. He retired early and will attend the chapel to-morrow, resting the first day. Governor HOADLY has three regiments and two batteries ordered to Cincinnati, with orders not to leave the Cincinnati depots unless it is absolutely necessary.

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Fort Wayne Daily Gazette,  
Monday, March 31, 1884

### **Riot Rampant**

**The Struggle for Supremacy Between  
The Mob and Militia Still  
Undecided.**

**Several Skirmishes Yesterday and Last  
In Which Several  
Are Killed.**

**Music Hall Invaded and the Cannon  
Therein Captured and Retaken  
By the Police.**

**Rioters on the Buildings Firing on  
Militia in Line in  
Streets Below.**

**Meeting of Leading Citizens to Take  
Measures for the Protection  
Of the City.**

**List of the Killed and Wounded – General  
Belief that the Worst is Over.**

### **Still At It.**

#### **A Mob which has Every Element of "Staying" Qualities.**

Cincinnati, March 30, 1:30 p.m.—There has been no change in the situation apparent since the mob dispersed early this morning. Although the weather is delightful to-day the streets are comparatively clear of people. The streets are barricaded now in all directions, keeping the crowd a square away from the court-house and jail. Adjutant-General FINELY is here and has ordered all the available militia in the state to report at Cincinnati at the quickest possible time. Everybody looks for a repetition to-night of last night's bloody and aimless work.

### **Firing Begins.**

8:10 p.m. -- Firing has begun at the court-house heavier than at anytime last night.

### **Briggs Swift Shot.**

8:45 p.m. – Briggs Swift, one of the leading citizens of Cincinnati, living at 57 West Eight street, has just been shot on Ninth and Main streets. He is one of the wealthiest men in the city.

To-day was delightfully pleasant, though travel on the streets in the vicinity of the court-house was not as heavy as is usual on an ordinary Sunday. Colonel HAWKINS has extended his lines by barricading all the streets leading to the court-house for a distance of a square and the opportunity for seeing is not good. Still there seemed to be a lack of desire by the crowd about the place. The deep feeling against the Militia was manifested at the time. Every now and then during the forenoon stones were thrown at them whenever an opportunity was offered. This became so annoying that so far as practicable the police were placed near the people. Epithets were shouted and threats were not wanting, whether in earnest or for the sake of terrifying the boys in blue could not told. "Wait till to-night! Wait till to-night! Wait till we get good and drunk and we'll hoist you blue coated men behind your barrels!" were among the things said.

### **A Citizen Killed.**

At 3 o'clock Fred SMALZE, bar-tender at the Queen City hotel, who had been among the crowd annoying the militia at the bridge over the canal on Main street, began to advance beyond the limit. A soldier warned him to stop. He refused and the soldier fired and the man fell dead. A patrol wagon quickly came, and amid great excitement bore him off to HABIG'S.

Plans for Protection of life and property have been maturing. There has been a great lack of head. Mayor STEPHENS has been dangerously ill with pneumonia, and yesterday left his bed and risked his life to give directions. He spent the whole night in his office and at points where he could do the most good. To-day he was in great danger of a relapse, but his plans have taken shape, and virtual control of both civil and military affairs are in the hand of eminent citizens, with General J. D. COX as leading advisor.

This morning the mayor issued a formal call for a meeting of citizens to devise means for the protection of the city from the ravages of the mob. A list of one hundred names were selected, and a majority of them notified at once, the greater number of whom responded to the call immediately at the mayor's office. It was agreed to issue the following call:

“Mayor's Office,  
“Cincinnati, March 30, 1884,

“Dear Sir – You are requested to meet other citizens who have been appointed an advisory committee, at the City Hall building, this (Sunday) evening at 7 o'clock.

[Signed] “Thos. J. STEPHENS”

Soon after the following proclamation was also issued:

“Cincinnati, March 31, -- “Misguided men, alleging indignation that the criminal laws are not properly executed, have themselves been led into the crime of assaulting public officers of the peace and destroying private property. I therefore, as mayor of Cincinnati, do hereby command all such persons to desist in their lawlessness and obey the constituted authorities. I call upon all good citizens to rally for the preservation of the public peace. Such as are willing to enroll their names as special police during the emergency will please report themselves at the police station nearest their homes, where the officer in charge is hereby directed to enroll them and provide means of assembling them as members of the police force. The Grand Army of the Republic are requested to assemble with their officers at their posts and report themselves by messenger to me for similar duty. Citizens are warned to keep boys and youths of their families at home, and to remain quietly in their houses, except those organized and enrolled as above directed. All persons found on the street after 7 p.m. will be required to show good cause for being abroad. The authorities of the city and of the state are determined that order shall be at once and permanently restored, and the consequences of disobedience to this proclamation will be upon those who fail to regard it.

“(Signed.) Thos. J. Stephens,  
“Mayor.”

The following was issued this afternoon:

“To Adjutant-General Finley:

“I hereby request that the governor concentrate in the city at once all the available force of Ohio militia believing the presence of a strong body of troops will save the necessity for their actual use.

(Signed) “Thos. J. Stephens,  
“Mayor.”

Accordingly, Adjutant-General Finley ordered Colonel ENTREKIN of the 6<sup>th</sup> regiment, with headquarters at Chillicothe, to muster his troops at once and come to the city by special train. This was done, and they arrived at 4 o'clock.

So much error and uncertainty has crept into all efforts to give a complete list of the dead and wounded that the following is perfect as given:

#### **The Killed.**

James CONDON, 72 Hunt street, carriage blacksmith; leaves a wife and three children.

John HAVERCAMP, Central avenue, coal cart driver.

Fritz HAVEMEYER, 25 Woodward, aged 41, hod carrier, wife and five children.

Frank HETHUSHEIMER, No. 515 Central avenue, employed in Tenbroeck's furniture factory; support of his mother and step-father.  
 Ben FINK, 41 Walnut street, shoemaker; supporting his mother and father.  
 John SAGGER, 99 East Front street, married.  
 Joseph BISSELD, Vine street, cigar maker, employed at Rauch's  
 Mike O'DAY, Sloo street, between Car and Freeman, driver for Joseph SHARRID, leaves a wife and mother.  
 Anton FOHLER, 375 Clark street, near Harris.  
 John DICKEY, Conrad street, support of mother.  
 Frank BERGMAN, driver, residence Budd and Harris.  
 Thos. A. GREEN (colored) son of Rev. E. GREEN, of Paris, Ky., coachman for Mr. DECAMP in Avondale.  
 Anton SINGER, 84 Cutter street, shoemaker.  
 John GOEBEL, 177 Spring street, cartender for Russell on Race between Fourth and Fifth.  
 Sam HENAN, 372 North Third street employed at Sullivan's on Vine street, between Fourth and Fifth.  
 Jacob METZER, 39 Buckeye, stone cutter.  
 Fred STEVENSON, Logan, Ohio, employed as bartender.  
 Four bodies yet unidentified are at HABIG'S

#### **At the Hospital.**

Lying dead are John J. HENNESSEY 138 Smith street, widower with no family, shot in the abdomen.

Henry J. PLESEN residence unknown, shot in the right breast.  
 An unknown man shot in the head.  
 Walter FAY, carriage maker, 296 East Sixth street shot through both thighs and scrotum.  
 Peter ROELL, a brewer, Freeman avenue and Liberty, shot in the left foot and right leg.  
 Conrad BRESTON, Sycamore and Abigail, shot through the body.  
 Captain John DESMOND was shot through the head. He was the sole support of a widowed mother, a promising young attorney and member of the law firm of HEALY, BRANNON & DESMOND.

#### **Wounded of Friday Night.**

Frank ROLK, tinner, age 34, shot in the calf leg.  
 Mike RAFFLER, laborer, 62 Carr street, shot in the abdomen. Very serious.  
 Mike SHAY, horse-shoer, Kilgour street, between Third and Fourth shot right thigh.  
 Edward ZEBUDER, employed in the surveying instrument manufactory, left thigh.  
 Jas. LEONARD, salesman, left thigh.  
 Jesse BRIGHT, waiter, right hand and right thigh.

Adolph BUSER, bartender, right leg below the knee.  
 Charles BREADWELL, carriage washer, right arm.  
 Henry DULL, farmer; in the right knee joint.  
 Sam FOX (color'd), laborer, through the right shoulder.  
 James FAY, carpenter, through the left hand.  
 Charles BARKER, carriage trimmer, in lip, and twice in chest.  
 The following have been brought in since Saturday noon:  
     Dan CHRISTMAN, through left ankle.  
 Felty BREITENBACH, history unknown, badly through the right shoulder.  
 William BUCK, iron worker, left leg broken and flesh wound in right leg.  
 Charles BLOOM, brewer, through the head.  
 Henry BARDEY, carriage painter, through the right thigh.  
 William KELLY, laborer, Pleasant street, left thigh and hand.  
 John BEILEY, Columbus, O., private of 14<sup>th</sup> regiment, slight shot in leg.  
 Joel KNASUE, rolling mill worker, shot in left leg.  
 Theodore XX, rockler, right foot.  
 Michael MACK, right arm  
 Henry MILLER, tailor, through the right shoulder.  
 Harry POWERS, blacksmith, right leg broken and shot through the left leg.  
 John BROTH or BATH, through the shoulder.  
 Phil RUBE, molder, breast  
 Ed REHM, baker, right leg.  
 George RANSOM, salesman, through the left lung.  
 William SULLIVAN, printer, right thigh  
 John SHAP, laborer, left thigh.  
 Lee SIMMONS, painter, shot very seriously through the breast.  
 Herman SHEMPF, upholsterer, shot in the neck.  
 Edward FLIVER, pressman, right shoulder.  
 Henry NOTBUSH, laborer, skull fractured.  
 William WESTENHOFF, carpenter, left hand and thigh.  
 Joseph WISE, varnisher, left side.  
 Leo VOGELGESANG, private in company F. Columbus, shot in the head, slight  
 wound.  
 Charles MILLER, cigar packer, very seriously.  
 J. F. SPECKERMAN, glazier, in both legs.  
 Charles EBERHORT, teamster, through the right knee.  
 Conrad HUGO, baker, right cheek.  
 Alfred HOPKINS, steamboatman, through the left arm.  
 Philip HEZMAN, carpenter, in the left knee.  
 George KEMPER, blacksmith, very seriously hurt in chest.  
 Louis KOLP, varnisher, right knee joint shot through.  
 Louis KRIVER, janitor, in both legs and left hand.  
 Andrew NICKOLS, colored, laborer, seriously shot in left side and through the  
 stomach.  
 At the Good Samaritan hospital are George DIGSE, right knee.  
 William MC HUGH, boiler maker, right hip.

Ed GALLAGHER, in right chest, was taken home.

Dr. Arthur LEBAUTILLIER, who was so badly wounded in the breast and arms while attending to other unfortunates early Saturday morning, is progressing finely in a private ward at the hospital.

### **A Public Meeting.**

Over 200 of the most prominent men of the city met at 7 p.m. in the council chamber in the city building. Mayor STEPHENS presided. He briefly stated what had been done to protect the city, and asked if it met with approval. Ex-Governor J. D. COX and General Andrew HICKENLOOPER were among the speakers. The general sentiment was in favor of upholding the mayor and adjutant-general in their action. After expressing confidence in the management of affairs, the committee adjourned to meet at 10 a.m. Monday morning.

### **Troops Arrived.**

The 13<sup>th</sup> regiment, under command of Colonel PICARD, with the unattached second troop of cavalry, and the Scott dragoons; of Hillsboro, under command of Captain Ed. EMENLLELNIX, arrived by special train, and in the evening the 17<sup>th</sup> regiment, from Coshocton, arrived by way of the Pan-Handle and were marched to the City park to be held as a reinforcement to soldiers on duty at the jail. Besides there are in route and to arrive on section of the 5<sup>th</sup> battery from Dayton, and 11<sup>th</sup> battery from Cleveland, and 3<sup>rd</sup> regiment from Covington, O<sup>3</sup>. This means in all six regiments, two batteries and one troop of cavalry to be here during the night.

### **Troops Fired On.**

About 8 o'clock to-night the regiment from Columbus guarding the Court street approach was fired on by one of the mob from an alley between Main and Walnut. The troops answered the challenge by a few shots followed by a volley and several shots by the Gattling gun. The number of the injured at this hour can't be ascertained.

Firing is now continuing at intervals in all directions. It is the purpose of the militia to clear the streets One volley fired down Main Street wounded among others Mr. Briggs SWIFT, and prominent porkpacker. He was struck and most seriously hurt and was taken to his home in a cab.

### **Mob In Music Hall.**

At 9:25 p.m. word was received at general headquarters that a large mob had broken into Music hall breaking down the door and was trying to man a cannon on exhibition in power hall. Companies D and E. of the 6<sup>th</sup> regiment were sent to drive them away, and succeeded without bloodshed. in capturing the cannon and taking possession of the hall.

### **Strange Scenes.**

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<sup>3</sup> This is most likely Covington, Kentucky

The streets of Cincinnati present this (Sunday) night a strange appearance indeed. Concert halls, saloons, restaurants, and other places of resort are closed, and knots of men are standing around discussing the situation, instead of promenading the streets or seeking the different places of amusement, as is usual on Sun-nights. The 15<sup>th</sup> Regiment arrived at 10:30 p.m.

### **A Mistake.**

It is a common expression among citizens that the reception of the gang of determined men who composed the mob Friday night was a great mistake. The people say openly it would have been better to have given up the criminals who are being so carefully guarded and let them receive the well-merited punishment which it appears cannot be accorded the proper legal process in this county. The presence of the military and the constantly arriving reinforcements seem to add to the mob's determination to hold their ground, rather than to exercise an intimidating effect.

### **Desmond's Death**

It is now said that the killing of Captain DESMOND was due to the awkwardness of the boys who compose the militia. He was shot by one of his own men in the charge upon the mob. But mobs are fickle, and their feelings cannot be gauged. While expressions have been as just now intimated, their action has been different.

#### **Situation Encouraging.**

11:30 p.m. – The situation is most encouraging. The brief attack on Music hall for the purpose of getting the cannon was the only thing in the shape of an organized effort to any magnitude. It may be the vicious volleys fired into Court street and down Main street at 8 p.m. were merciful after all, as it seems to have prevented a gathering of any large crowd at any point.

### **Pawn Shop Plucked.**

About 10:30 p.m. a crowd was breaking into a pawn shop on Central avenue and stealing pistols. A detachment of police soon settled this party and arrested a number of the thieves without bloodshed.

### **Origin Of The Mob.**

In judging of the possibilities of the action of this mob its origin must be borne in mind. It was not organized to destroy property, but to deal out justice to a criminal when the court failed. The burning of the court-house was not in the line of its purpose and was not approved by hundreds who willingly would have broken the jail to pieces in order to get at the murderers. Now that the military guard all the jail approaches and are in power, the mob has no further cause to exist. Disorderly groups are on the streets here and there firing revolvers in the air, but there does not appear to be any purpose to wreak vengeance on an individual. There has been much feeling against the jury that tried BERNER, and in some quarters against his attorneys. One juror, living in the city, has left his home. The attorneys have been quiet, and it is possible they might be roughly



handled if a good occasion is offered. At the opening fire, at 8 p.m. four or five were killed and as many wounded, including as reported, two women on Court street. The names of the injured have not been learned. But one man is reported shot at the Main street firing, Mr. Briggs SWIFT, who was shot while standing in conversation with a friend some squares away from the court-house. Since that time occasional shots have been fired by the militia in order to keep the streets clear.

### **Wild Rumors.**

Among the rumors is one that the Turner society<sup>4</sup> had met at their hall on Walnut street and pledged themselves to join the mob. The report is not verified. The Germans have been most intensely indignant at the BERNER verdict. Should this organization go with the mob the most serious trouble would result.

### **On the Roofs.**

12:15 p.m. -- The mob have taken possession of the roofs of houses in the vicinity of Court and Walnut and are firing down upon the militia in line in front of the court-house. The crowd has almost entirely fallen back from Court street, leaving the streets clear to Vine. Two men were carried into the drug store at Court and Walnut badly hurt. It is evident that backbone of the mob is broken.

The militia seem to be getting entirely demoralized in their firing. The Gatling gun on Court street in charge of companies A and B of 14<sup>th</sup> regiment from Columbus, is being used. The druggist above mentioned by telephone that they are yet firing on the corner, and the mob is entirely dispersed. He says half the bottles on the shelves of his are broken. There are as many as 2,500 or 3,000 soldiers now in the city. Undoubtedly the presence of this large force has brought the fearful riot to an end. The wildest communist sees it would be folly to attempt cope with this great power of the state. Worn as they have been, the police are quickly resuming control of the streets and breaking up whenever found the little bands of marauding thieves.

### **The City Quiet.**

At 2 a.m. the police report every body going home and the city perfectly quiet. Among those in jail for participating in the riot is "Peggy" WARREN, a member of the last legislature of Ohio. He is said to have been among the most active in counseling robbing the gun store.

### **Troops Relieved.**

2:15 a.m., -- One-half the militia on guard at the jail have been relieved. Since the firing at 8 p.m., no one has been shot. The volleys since that time have been merely blinds to keep the streets clear.

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<sup>4</sup> Turner Hall – German Social Organization  
<http://www.undata.com/turnerhall/thhist.htm>

It has been ascertained that at the 8 p.m. firing no one was killed but three persons were wounded. The two men PFEIFER and COOPER, men mentioned previously, and one man whose name is not reported.

By order of the secretary of war, a detachment of United States regulars are in readiness to protect United States property here if necessary.

Dr. RANAOHOFF reports the chances of recovery of Briggs SWIFT as very remote.

### **The Mob Quiet.**

At 10:30 Colonel S. H. CURTIS sent the following dispatch to James MC CREA, manager of the Panhandle railroad:

“There is a much quieter spirit prevailing among the people. We think the demonstrations for the restoration of order has broken the back of the mob. The crowds are small in number, and while they are bitter in opposition they are afraid of an open conflict. There are many wild rumors as to their intentions, but a sober study of the situation impresses me with the view I have expressed. Among the rumors referred to were that a large force is organizing Covington and Newport<sup>5</sup> to come here and render assistance; that the Western Union Telegraph office was to be destroyed in order to interrupt the call for troops; that Hunt’s hotel was to be burned; that a quite organization was taking place that would astonish everyone. The only one of these that seemed to be seriously considered was the one with reference to Hunt’s hotel. The owner of this is the colonel of the 1<sup>st</sup> regiment of militia. His establishment was closed early to-night and has not been reopened, but there has been no sign of a disturbance.”

### **At Columbus.**

Columbus, March 30: -- Governor HOADLY’S official advices from the members of his staff in Cincinnati to-night are such that he has ordered every military company in the state to report to Cincinnati at once, seventeen regiments in all and five batteries. The governor’s advices when he retired at 5 o’clock this morning were such that they would be needed, and he ordered all to be ready for marching orders. Most of them were ordered to Cincinnati during the day and the rest to-night. Railway officials have been called on to run special trains for transportation of troops that have been run into the city during the day on orders to rendezvous here and this evening they were dispatched to Cincinnati. The governor’s office has been crowded all day with counselors and those helping to issue orders. It is the first general appearance of war since 1861. The governor has also ordered all state ammunition to the seat of riot and borrowed a lot of supplies and equipments from the United States barracks, having exhausted all his military force in the field. He has his headquarters in the office of General Manager MCCREA’S office of the Pittsburg, Cincinnati and St. Louis railway.

### **At Toledo**

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<sup>5</sup> Kentucky

The 16<sup>th</sup> regiment O.N.G. and the Toledo Cadets, 400 in all, left for Cincinnati by special train at 10 p.m.

The New York Times  
New York City, NY  
March 27, 1884

### **A Good Place for Criminals.**

Cincinnati, March 26. – Petitions were circulated on “Change to-day calling for a mass-meeting to be held in Music hall to consider means for making the criminal courts more efficient. The indignation over the result of the BERNER murder trial continues, and it is that verdict that has led to the present movement. It is proposed to institute an investigation as to the process by which the jury arrived at a verdict so contrary to the law and the evidence. There is a belief that undue influences were brought to bear upon the jury. A murderer named TRUMPETER, who had pleaded guilty to-day, withdrew his appeal in the belief that he can also practically escape punishment by having his case given to a jury. Other murders awaiting trial have also been made confident of getting off lightly. Naturally these facts are increasing the alarm of the people; last the Criminal Courts will continue to degenerate, until they no longer afford any protection for human life. The city has not been so thoroughly aroused upon any subject for years. Influential men are taking the lead in the present movement, and there is a promise that the career of certain unscrupulous lawyers will be cut short.

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The New York Times  
March 28, 1884

Cincinnati, March 27<sup>th</sup> – James BOHNE, one of the jurors who so excited the Judge by their verdict in the BERNER murder case, was threatened by a mob last night and would have met with violence had not policemen taken him for his house by a back way. He spent the night at the Bremen-street Police Station. Upon his return home this morning a crowd again gathered to hang him. The crowd was dispersed by the police. Soon afterward BOHNE received word that a couple of friends wanted to see him at a neighborhood saloon. Emerging from his house, a crowd who had been in concealment jumped upon him tore his clothes and beat him in a serious manner. BOHNE has since been taken to the jail for safety. Charles DOLLAHAN, another member of the jury, who lives in Harrison, does not dare to return home. He got as far as Cleaves, when a crowd pelted him with rotten eggs. He spent the night in a corn-field, and the next day went to Brookville, Ind. There was recognized and told that he better leave the place which he did. The foreman of the jury, A. F. SHAW is in hiding through fear of a mob.

Louis HAVEMEYER, another of the jurors, returned to the printing-house of Russell & Morgan to-day intending to go to work, but was told that the services of such men were not wanted there. During the noon hour the employes hanged him in effigy. A crowd gathered before the house of L. Phillips on Liberty street supposing that L. A. PHILLIPS one of the jurors lived there. They tore off the blinds and threw dead cats and rotten eggs through the windows before the mistake was discovered.

To-morrow night indignation meetings over the verdict will be held at which address will be made in both English and German. The feeling of indignation over the verdict, instead of passing away, is growing deeper, and was intensified by the discovery to-day of corruption in the jury-box in a civil suite in progress before Judge JOHNSON.

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The New York Times  
New York, NY  
April 1, 1884

**The Rioting At An End  
Public Buildings Still Guarded  
By the Troops.**

**The Disorder Apparently Over and  
Measures Being Taken For The  
Resumption of Business**

Cincinnati, Ohio, March 31. – The city has been quiet all day. Up to this hour (10:30) no Disturbance has been reported and none is now expected to-night. It is the belief in some quarters that there will be no further trouble until after the militia are withdrawn, when the mob, have become better organized, will renew the attacks on the jail and destroy the property of those who have been prominent in putting them down. Others are of the belief that there is nothing to be now learned except from the gangs of thieves who have flocked here since the trouble began. The ?sts which have been gathered to-day of the killed and wounded differ somewhat from the climate of last night. The killed number 45. There are 123 wounded at the hospital. Numbers are known to have been carried to the homes, and as they belonged to the mob their names will not be reported by their families unless it is found they are dangerously hurt. The total number of casualties was probably not far from 200 not including those who were clubbed by the police or hurt by brickbats.

There are more militia here than the authorities know what to do with. They are not efficient for police duty, and there is now not much else required. The feeling against the militia is increasing. They are held responsible for the slaughter, which it is the general belief was entirely unnecessary. The mob was excited by the calling out of the militia in the beginning and was rendered furious by the reckless shooting. The buildings for the distance of a square in every direction from the court-house are full of marks of musket balls. It is unaccountable there were not more killed. Every few steps blood-stains can be seen on the pavements and sidewalks. In some places there are large batches of a dark color that tell where men fell and died.

The courts and county officials will be quartered temporarily in the public library building. As soon as the arrangements can be made, one of the public school buildings will be converted into a Court-house.

The preliminary steps were taken to-day for building a court-house. It will be a larger structure than the one that was burned and will be fire-proof. The Bar Association will meet to-morrow to decide as to what legislation will be necessary to make the fragmentary records which escaped destruction serve the purpose of complete records.

A lot of dynamite cartridges intended for use in blasting have been stolen from a contractor in Walnut Hills. There are fears that they will be used in blowing up buildings. The employes of Hunt's Hotel returned to their places to-day, but there are no guests. Subscriptions have been taken for supplying the Mayor with the means to employ 2,000 extra policemen until such times as the city shall be considered safe from the ravages of bands of thieves.

At a meeting of citizens the courts were urged by resolution to arrange for the disposal of the criminal docket as rapidly as possible; in other words, to avoid the delay and technicalities which have made criminal trials almost a farce, and were indirectly the cause of the uprising. The Judges held a private meeting, and it is understood that the subject was under consideration.

Business, except trading, in the necessities, has been almost, entirely suspended. The talk on Change to-day was all at it the slaughter and measures for protecting property from destruction.

The trouble is likely to materially effect the spring elections. A citizens' ticket, composed entirely of men of character and standing, is talked of, and there is no doubt it can be elected if the present feelings continue.

No one was killed by the firing at 8 o'clock last night, but three persons were wounded—two men named PFEISER and COOPER and another man whose name has not been ascertained. By order of the Secretary of War a detachment of United States regulars are held in readiness to protect United States property if necessary.

The fact which gave rise to the rumor about the Turners joining the mob were that the rioters broke into Turner Hall, took about 40 guns, went back to the jail, and attempted to club the militia. The latter turned upon them and cleared the streets by firing in the air. No one was hurt so far as is known.

It has been learned with great satisfaction that nearly the entire set of records of the Recorder's office, continuing records of deeds, mortgages & c. are saved. A person familiar with the office says that not more than 50 volumes of records are gone, covering transactions of about three years, of about 30 years ago. It is supposed that the money in the Treasury vaults and the records in the Probate Judges' vaults are safe, but the safes cannot be yet opened.

The physician attending Briggs SWIFT says his condition is much improved, though his advanced age (73 years) makes the chance of his recovery very much less. Mr. SWIFT and Henry HANNA were walking up Main-street toward the court-house, when, at the south-east corner of Ninth and Main streets, a soldier ordered them to halt. They obeyed, and immediately afterward the gun was discharged in front of them and both fell. Mr. SWIFT was shot through the thigh of the left leg, and in his fall drew Mr. HANNA with him, who fainted from the excitement.

At a meeting of the citizens, committee appointed by the Mayor, resolutions were adopted thanking the Governor and the Ohio National Guard for the efficient aid rendered to the civil authorities, and pledging support to the Mayor in the course he has adopted, and promising to further additional means if, in the opinion of the Mayor,

additional force is necessary. Resolutions were also adopted appointing a sub-committee to provide rooms for the use of the courts and recommending that the Court of Common Pleas proceed at once to dispose of the criminal cases. The Mayor was requested to select and an Executive Committee of Fifteen from the members at the meeting for advice and counsel, to whom all matters should be referred. The following gentlemen were chosen: Ex Lieut.-Gov. Andrew HICKENLOOPER, ex-Gov. J.D. COX, W.W. SCARBOROUGH, H.C. URMER, Thomas G. SMITH, Charles W. WIST, Judge Nicholas LONGWORTH, L.C. WEIR, M.D. INGALES, the Hon. John E. BELL, the Hon. Charles JACOBS, Jr., James LOWMAN, Henry LACKMAN, the Hon. E. O. ESKELBY, and J. M. DOHERTY. This committee met at the Chamber of Commerce today and resolved to advise the withdrawal of the troops and the appointment of a sufficient special police force, it being the sense of the meeting that the presence of the militia appeared to act as a menace to the now quieted mob, and that the person who composed the latter are in reality more fearful of the number c\_resolute, well-organized police than of untrained militia. A recommendation embracing the view has been forwarded to Gov. HEADLY, and it is most certain, should no further outburst occur, that many of the State troops will be homeward bound by Tuesday evening.

At the jail and the city building everything is in the most complete state of defense. Across all the streets and alleys approaching the formersense of strife the barricades have been strengthened and reinforced. The commanding officers are sanguine in their expression as to no further fear of an outbreak, and the present appearance of things seem to confirm this view. The mob spirit seems entire gone. And those formerly imbued with it to stand with in such wholesome fear of the reckless attempt the soldiers as to have had an entire cessation of rushing into the jails of death. The Tenth and Fourteenth Regiments under the command respectively of Cols. PICARD AND WOOD, from Hillsboro and Columbus, seem to be the most trustworthy, and are still guarding the barricades, the main point of previous attacks. The entire military must endure the unaccustomed hardship and privation in a manner befitting even old soldiers. About 1 o'clock this morning the Thirteenth Regiment was ordered to march of five miles to guard the powder magazine in at the vicinity of Avondale. It has been ordered to the jail. Other detachments are on duty at the magazine. This afternoon the Seventeenth Regiment was ordered to take relief for a portion of the night by the Tenth and Fourteenth regiments, which have been on duty there.

With few exceptions are doing well. Henry NIEMEYER age, 40, was shot through the right shoulder. Phillip E. NBE, age 47, a molder and was shot through the chest. He was a peculiarly of Wounded as he was thought hardly breathe, and at each breath the would enter the increased agony to be respiration and in (colored.) coach- Of Marysville, Ky, also died this morning. He was shot near POWELL'S gun store, on Main-street, during the attack of the mob upon the place, while passing on his way to take a car for home. He is spoken of by his former employers as having been a most exemplary young man. He was an Odd-fellow in good standing. The hospital physician expresses himself that the wounded, with a few exceptions, are magnificent specimens of physical manhood. Most of them are mechanics and laborers. The following are the most serious cases not in hospital, and the death of any of them may occur at any moment.

Lee SIMMONS, shot through the right lung.

Leo VOGELGESANGER. This is a peculiar case. The man had the entire top of his skull blown off by a shot from a Gatling gun, and the brain was laid bare. Yet he is apparently conscious of his surroundings and seems to have some, though feeble, control of his muscles.

Charles MILLER, an aged German, whose wife and daughter are with him, is also in critical condition from a wound in the left temple from which the brain protrudes.

About 6 o'clock this evening a fatal accident occurred in front of the jail. A number of soldieries of the Governor's Guard (of Columbus) were lying against the stone wall on the sidewalk asleep, when one of the guns leaning against the wall was knocked over and discharged. The bayonet in falling slightly wounded Private H. L.

STOCKWELL. A ball struck the wall and knocked off a piece of stone, which wounded O'Key ARMISTEAD, Drum Corps Sergeant, and the ball, glancing, then struck Israel S. GATZ in the eye and lodged in his brain. He was removed to the hospital, where at 9 P.M. he was in a dying condition. GATZ was a clerk in the railroad office at Columbus.

The scenes about the jail and court-house were striking like these witnessed in wartimes. The barricades were constantly lined with soldiers with guns lying ever ready for service. Within the lines a still more martial aspect prevailed. On Sycamore-street stood five pieces of artillery, with artillerymen on guard. On the sidewalks were soldiers off duty, sitting down or stretched on blanket asleep, with their knapsacks for pillows. There was none of the rollicking humor usually seen in militia camps, but the tone was that of soldiers after a hard-fought battle. Conversations was carried on in low tones. A number of citizens mingled with the soldiers talking quietly or looking at the signs of mob violence of the jail and court-house.. The jail office is still in confused condition in which the mob left it. The great beams used as props to the broken doors are still in place. Sightseers occasionally wandered through the ruins of the Court-house, but the toppling inner walls and the uncertain folly made that too venturesome for most of the visitors. Photographers and artists were taking views and sketches of the scene. The people outside did not gather in crowds near the barricades. Something in the suggestive readiness of those protruding guns and an uncomfortable uncertainty as to whether they might not be discharged upon insufficient provocation, took away all interest to mere sightseers. People did not like to see a squad collected anywhere in sight of the soldiers, and a policeman's request to "move on" was always promptly obeyed.

"It is quiet as a graveyard," was the significant answer from Court and Walnut streets to the telephone inquiry as to the condition of affairs at 11 o'clock to-night.

### **A FEAR THAT WAS NOT REALIZED.**

Columbus, Ohio, March 31. – The following very concise telegram was received by Gov. HOADLY yesterday, but was not made public by the Governor until to-day. It is in such strong contrast with the dispatches the Governor had been receiving from his Quartermaster-General, RYAN, who reported all quiet at 10'o'clock Saturday night that it is given entire:

Cincinnati, March 30—3:50 P.M.



Gov. HOADLY: Our apprehensions are more serious than heretofore. The streets are filling up with drunken people, and the great danger is that matters will develop tonight into general plunder and arson. The Mayor is sick, and the Sheriff is exhausting himself to-day taking care of the murderers. Heavier treatment is demanded. Experiences soldiers should be placed in chief command, and the Governor should declare martial law, and this ought to be done to-day. So far the Court-house has been destroyed and a large number of people killed, and all there is to show is the safety of 41 murderers. Meantime the city is passing under the control of thieves and desperados.

Richard SMITH  
B. EGGLESTON

To this dispatch the Governor sent the following reply:

Columbus, March 30.

To Richard SMITH, and Benjamin EGGLESTON, Cincinnati, Ohio:

I am putting the entire militia force of Ohio into Cincinnati as fast as they can be moved. Cannot law and order citizens organize themselves in aid of the military and for the protection of life and property? Gen. FINLEY in chief military command seems to be acting judiciously. Will reinforce him with men and munitions rapidly.

George E. HOADLY, Governor.

It is now generally conceded that there was very poor management, and that two of the Governor's staff, RYAN and HARPER, were unfit for the responsibility imposed upon them.

### **TROOPS ORDERED HOME.**

Columbus, Ohio, March 31—At noon Gov. HOADLY ordered the troops en route to Cincinnati to return, the Fourth and Fourteenth Regiments to be relieved, and the rest of the troops to be held in Cincinnati till further orders. The city will be guarded till Wednesday at least.

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The New York Times  
New York, NY  
April 2, 1884

### **Cincinnati Again Quiet TROOPS STILL ON DUTY, BUT BUSINESS RESUMING**

**Counting the Cost of the Outbreak  
An Editorial Which has Elicited**

### **Much Comment.**

Cincinnati, Ohio, April 1—Last night was absolutely quiet. Where the smallest number of a crowd appeared anywhere within sight of the barricades the soldiers ordered the people to move on, and in every instance the order was promptly obeyed. The city was patrolled last night by members of the Grand Army of the Republic, in addition to the police force. There were several arrests of drunken men. The police closed the saloons at midnight. A smoldering fire broke out in the Recorder's office during the night but it was soon extinguished.

The Municipal Reform Association, composed of citizens of all parties, have issued a manifesto to the voters of the city stating that they believe the occurrences of the past few days more than even demand the severance of party politics and municipal government, and also stating that they will place in nomination for the various offices to be filled at the approaching municipal election men of irreproachable integrity and undoubted qualification for the position, who have consented to accept the nominations merely from consideration of public duty. They are selected without regard to political views, and all good citizens are called upon to unite with the association in these attempts to place trustworthy men in charge of the city government. The association has determined to call a mass-meeting at Music Hall to ratify their ticket. The ticket named by the association is as follows: Judge of Superior Court—Lawrence MAXWELL; Board of Public Works—Jacob LOWREY; Clerk of the Police Court—Emil HOFFMAN; Director of the Infirmary—S. H. FRUNK; Wharf-master—John BAKER; School Board—J. P. CARBERY, C. VON SEGGERN, William P. ANDERSON, Dudley W. RHODES; Board of Aldermen—Nicholas WOLFF, A. Howard HINKLE, J. G. F. GROTE, Samuel BAILEY, Jr. The nominations embrace men of both parties.

As to the state of public feeling it cannot be said that the original impulse that actuated the men who took part in the demonstration on Saturday night has been removed or lessened by the presence of the military. On the contrary, the event of Friday and Saturday nights have given rise to a new feeling—that of indignation against the militia. Only the hopelessness of a conflict with the powerfully armed force prevents an attack upon it. The newspapers, usually conservative in tone, speak with great freedom to-day on the situation as it now is.

The *Volksblatt* (German) says:

“The calling out of the militia on Friday night can only be characterized as a grave mistake. Our militia know and can do nothing else, it appears, but shooting. If reliance had been placed on the police force order might, probably have been restored without loss of life.”

The *Freie Presse*, German says:

“The indignation of the people is on the increase on the account of the rough and wholly unprovoked shooting upon peaceful citizens, and upon women and children, and the increase of indignation is becoming more and more fearful. It may be dreaded upon too reasonable grounds that the shedding of blood is not yet ended, but will begin afresh.”

The article, continuing, blames Sheriff HAWKINS, Mayor STEPHENS, and Gov. HOADLY; the first two for mismanagement, and the last for not coming here to see for himself what the situation required.

The following editorial in to-day's *Commercial Gazette* has attracted much attention:

“The time has come for taking an account for salvage for three days’ of destruction and terror. First, we have saved our jailful of murderers. We have killed 45 innocent men and wounded and maimed 45 more, all to save our jailful of murderers. We have burned our fine Court-house, with records of three-quarters of a century, creating confusion which a whole generation will not suffice to settle. But what is that by the side of a jailful of murderers saved from the popular excitement? We have converted a just, popular impulse against the prostration of law before criminals into a war between an unorganized people. Incensed to act as blind vengeance against the authorities who killed them to protect the murderers. We have planted in the people’s minds a cause of innocent blood crying from the ground, but we have saved our jailful of murderers. We has lost all, but not our jailful of murderers, not having saved even our honor.

The reign of law and order is resigned in Cincinnati—that law and order which makes murder the safest trade, and which has made impotent the administration of law against crimes of society. We have vindicated all practical forms are rules and traps and tricks which make the trial of a murderer a farce and degrade the judiciary to the sole end of having known and proved murderers saved from conviction, and promoting the trade of criminal lawyers. Is any citizen in Cincinnati contest with his salvage except the jailful of murderers and the criminal classes, and the trade of the criminal lawyers? Is there a decent citizen who feels that these slain citizens should be infamously buried as malefactors, while the jailful of murderers are to be held innocent until after the exhaustion of all means to put witnesses out of the way and to fix juries and every trick of law they shall have been convicted?

“However unfortunate the action, the mass of men that moved from the meeting at Music Hall to the jail and began the attack upon it were moved by an impulse on the side of justice and law against the reign of criminals before which the law has become impotent. Unthinking persons speak of such popular impulse as a criminal, forgetting that the right to protect itself against criminals is a right of society, and it conferred by it on its agents, and that society does not lose its right because its agents have become impotent. The movement was a terrible mistake because it was made by a sudden impulse, without organization or plan, or material. Let the sober judgment of the public keep a just discrimination between the first impulse of the people and the subsequent acts of blind vengeance of a crowd maddened by bloodshed. This affair is wholly different from any such conflict between rioters and authorities in this country, and must not be judged by any of them. It was not of workmen against workmen and against the property of corporations which were trying to get along without them. Nor was it like the riot against the draft. Those were riots against law, justice, public sentiment, and property. But this began in an uprising of the people on the side of justice and law and order, where the administration of the law had failed to serve the public safety. The feeling which suddenly took an impulse of movement was felt by all of the law-abiding citizens. Ill-judged as it was in acting without organization or deliberation, in a city where the means

of supporting the regular authority can so quickly be summoned, the feeling which moved it was a true representative of healthy public sentiment.

“Neither experience, observation, nor public discussion had taught the people of Cincinnati that the administration of criminal law is on the side of justice, law, and order. They have seen that its chief end is to give immunity to murderers. The Berner verdict is but an incident in this failure of justice. The odious verdict in the Berner trial is not so bad as that imbecile quibbling of the Supreme Court which twice set aside the verdict of murder in the McHugh case. There were exceptions in the Berner trial as valid as those on which the Supreme Court act aside two verdicts for McHugh.

“The feeling of the mass that stood before the jail Friday night was that which pervaded the whole people. Its action was mistaken, but its feeling was no crime, for it was the public sentiment. Not before in America has there been such an array of people and justice on one side and of police force and military support on the other. Such an army was most deplorable. To fire into such a people for the protection of murderers against murderers, there was no call to take the desperate hazard of troops, or of the public safety, or of property. Who does not now know that the militia had not been called into the jail? Who would gladly exchange the present situation for one in which the men who first attacked the jail had taken out and hanged every man-slayer? The rational probability is that they would have stopped with the execution of a few of the most notorious murderers. As the case now stands, justice and law and order are not restored. That abandonment of law which is responsible for the uprising of the criminal class turned this into an opportunity for arson and pillage. The citizen soldiers simply obeyed orders, as they were bound to do under severe penalties. They are not objects of any rational resentment. The sentiment of justice and law and order is now enlisted on the side of the authorities in putting down that which as the beginning was its own representative. Public sentiment, which has long been indignant at the failure of the courts to administer justice and at their degradation to the trade of the criminal lawyer, has not the addition of lasting resentment for the slaughter of innocent citizens to the save a jailful of murderers.

Capt. FOLLEGER, who commanded the detachment of militia which fired the first shots, has published a card denying the statement the he order his men to fire. He says: Sheriff HAWKINS gave the order in the words, ‘Give it ‘em boys—fire,’ and in the excitement I could not stop them, so I cried, ‘For Christ’s sake boys, fire high.’” My men would never have fired if it had not been for that four of them were wounded with stones and shots from the crowd, and they shot on the Sheriff’s order. I have been in the war. I would rather face an enemy than such a crowd of citizens, with whom I have a fellow feeling and I would not rashly give an order such as it has been said I gave.”

A portion of the soldiery are being ordered home. The Thirteenth and Fourteen Regiments, from Hillsboro and Columbus, respectively, including independent companies, the Governor’s Guards, and the Duffy Rifles (Colored,) from Columbus, started homeward this afternoon. These regiments have been on continuous duty for three days and nights at the Court-house and jail, defending the barricades at the most dangerous points, and have been the object of attack of the mobs. Before starting for the station the troops were drawn up in line before the jail, and a highly congratulatory and commendatory dispatch from Gov. HOADLY was read to them. The Governor spoke of the dangerous position they had defended and of the bravery shown by the officer and

next thanked them heartily for the soldierly manner in which they had responded to the call and discharged a perilous duty. The troops remaining in the city not yet on active duty—the First, Second, Fifth, Fifteenth, Sixteenth, and Seventeenth Regiments, together with two batteries—will take the places of those ordered home, and will themselves gradually be returned to their respective homes.

The courts have been re-established in the public library building. Copies of the pleadings will be substituted for the original on application to the court. The Grand Jury will resume its sessions at once, and arrangements will be made for the trial of criminal cases. The members of the Bar have appointed a committee to ascertain and report what legislation is necessary to cover the loss of the records and legal papers. One plan suggested is that establishment of a record court and a commission to hear and determine proof of lost records and to record the result, such records to be held by all courts prima facie evidence of title or other facts involved. Several suggestions have been made looking to better administration of criminal law.

The Committee of One Hundred appointed by the mayor to assist him has been organized by the Mayor to assist him has been organized permanently by the election of the Hon. William D. GROESBECK as Chairman and Julius DEXTER, Secretary.

Israel S. GETZ, of the Governor's Guard (of Columbus) died to-day at the hospital from the effects of the wound received by the accidental discharge of a gun. The barricades about the Court-house and jail have ceased to attract much attention, no crowds gathering about them. Many persons went within the lines to-day on passes to look at the ruins. A number of women were among the sight-seers.

The city remains quiet to-night, but there is apprehension that the jail will be again attacked as soon as the militia are withdrawn. If such a movement occurs the turners<sup>1</sup> are expected to lead in it. The riots have caused a dangerous development of the Communistic-spirit. Special guards are placed around business houses. Five more of the wounded died to-day. Weapons are found upon only a few of the killed and wounded showing that they were probably merely looker-ons or if members of the mob, that the lives of the militia were not in much danger. It is demanded that an investigation of the cause and responsibility of the slaughter be made. As one of the results of the trouble an earnest effort had been begun to reform the practice in criminal cases, the Bar Association taking the initiative. Legislation will be asked which will prevent the Supreme Court from remanding cases in which substantial justice has been done for a second trial on accounts of errors. The riots will probably make necessary a postponement of the dramatic festival.

London, April 1, -- The *Times*, in commenting upon the Cincinnati riot, says: "Occurrences like this must give to the statesmen of that vast and growing Republic food for reflection. One way to lesson the difficulty of preserving order is to secure a decent administration of justice, were the 'boss' and the criminal lawyer no longer have things so much their own way."

## **WELCOMING SOLDIERS HOME.**

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<sup>1</sup> Turner Hall – German Social Organization  
<http://www.undata.com/turnerhall/thhist.htm>

Columbus, Ohio, April 1. – During the present session of Legislature four bills have been introduced to abandon property belonging to the Miami and Erie Canal at the southern terminus for railroad purposes. This consist of about three miles of the canal in the city Of Cincinnati valued at about \$2,600,000. Some of those have been favorably considered, and the Thompson bill was recommended for passage by the Railroad Committee to which it was referred. Tom CAMPBELL, the notorious criminal lawyer of Cincinnati, who was the cause of the riot, has been here in company with John MC LEAN, of the *Enquirer*, lobbying for the bill, and the Legislature to-day took up the four bills and defeated them, for the reason that CAMPBELL was in favor of the abandonment of the canal. The Fourteenth Regiment, O.N.G. from this and the adjoining counties, arrived in this city from Cincinnati this evening, bringing with them the six wounded men of the regiment. The Governor's Guard, independent company of this city, also arrived at the same time. The remains of Israel GATZ, of the Governor's Guard, who was killed Sunday, were brought here by his comrades. His coffin was draped with the colors of the company. It was conceded that the Fourteenth Regiment did the best duty at the scene of the riot. There was great rejoicing upon the arrival of he regiment; flags were hung out and fire-works let off, and at least 5,000 citizens met the boys at the station. When they were marching home their sweet-hearts were profuse in their embraces. One young woman clinging to her boy in blue so persistently that he could not shake her off until assistance came. He said to a comrade, "Please take her off. I cannot carry her and my knapsack too." The excitement has about died out in the pork-packing Paris of America, and the reign of terror is over.

Wellsville Daily Reporter,  
Wellsville, N.Y.,  
Monday March 31, 1884

## **Terrible Riot**

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### **Cincinnati in the Hands of a Mob**

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### **Many Citizens Killed and Wounded**

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### **Buildings Burned**

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### **All Quite Now**

One of the most bloody and terrible riots that has ever occurred in the country began Friday night in Cincinnati, and has not yet ended.

From small beginnings the excitement has grown to be uncontrollable, and a contest of the mob against the military has been precipitated which fairly rivels the famous *ementes* of Paris in other days. A great many citizens have been killed and wounded, valuable buildings burned and other property destroyed.

This outbreak, with its fatal and terrible disastrous results, is the result of a failure on the part of a jury to meet out justice to a criminal indicated for murder. The populace were indignant, believing the criminal should have been hanged. The story is briefly this:

The man who had been on trial was William BERNER, who, by his own confession, participated with a negro named Joe PALMER in murdering and robbing William H. KIRK in his own stable, just before Christmas, and then to hauling his body out and dumping it into Mill Creek.

The jury found him guilty only of manslaughter. This was last week Monday. On Friday evening a mass meeting was held in the great Music Hall, and ten thousand people were present. The meeting was called to denounce the action of the jury in Burner's case. Though the speeches were moderate, the greatest excitement prevailed among the large throng present, and at the close of the meeting a great mob attacked the jail to get possession of the prisoner if possible and hang him.

The jail doors battered down, but BERNER had been removed and sent towards Columbus, where he was to serve his sentence, twenty years in the penitentiary.

There were several other prisoners in the jail charged with murder, and efforts were made to get possession of them to hang them by the mob. The military fired upon the mob and fire was returned. Fifteen or twenty persons were killed and wounded.

The second night (Saturday) the violence increased. The mob fired the great Court House and the Treasurer's office building, which was burned and volleys were directed against the jail. A Gattling gun was trained upon the mob, and poured its destructive fire into their midst.

Incendiary handbills were posted about the city, appealing to citizens to organize in every ward to rid the city of criminals, criminal lawyers, gamblers and prostitutes. This had a great effect to increase passion and violence.

The prisoner BERNER was at last safely landed in the Columbus penitentiary.

The sheriff telegraphed to the Governor for troops, stating that the killing and wounding of so many on Saturday night had greatly incensed the mob, and unless heavy reinforcement were sent, there was no telling where the trouble would end if hostilities should resumed.

The Governor on Sunday ordered every military organization in the state to report at Cincinnati immediately. There are seventeen regiments and five batteries of artillery.

#### Later—the Work of Sunday.

Cincinnati, March 30—1 p.m. – The streets have been comparatively clear of people to-day. Barricades in all directions keep the crowds away from the court house and jail. All available militia of the state have been ordered here at the quickest possible time as a repetition of last night's bloody and aimless work is expected.

At 3 p.m., Fred SMALTZ, a bar-keeper, has just been shot by a militia man and instantly killed.

At 9:20 p.m., firing has begun at the court house heavier than at any time last night.

At 9:25 word was received that the mob was attacking Music Hall to secure cannon. Two companies of soldiers were sent and drove the mob away without bloodshed and took possession of the hall.

10 p.m., Briggs SWIFT, a leading citizen, has just been shot.

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#### Wild Rumors To-Day.

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The most extravagant rumors have been sent over the wires to-day, amounting to that 700 persons had been killed that there were 10,000 soldiers present, and that all the newspaper offices had been burned. Later on came another report that the great Music Hall and one of the hotels had been burned.

#### The Very Latest

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Special to "The Reporter."

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The very latest from the scene of disturbance, received by wire at 3:30 this afternoon is found in the following authentic special.

March 31 -3:30 p.m.

The militia now have completed control in Cincinnati. The mob tried last night without avail to get assistance from Kentucky.

The Secretary of War has ordered a regiment of Regulars to start for the scene of trouble.

Since Friday, seventy-five have been killed and one hundred and fifty wounded. All quiet to-day.



Briggs SWIFT, the millionaire merchant was shot yesterday, is dying.  
A prominent citizen was shot this morning because he refused to stop when ordered to do so by soldiers.  
It is thought the worst of the trouble is over, and that the mob will not again break out.