

SOME LAWMEN

I HAVE KNOWN



by DOROTHY M. JOHNSON
(alias Calamity Johnson)

ONE OF THE JOYS of my childhood in Whitefish, Montana, was watching Uncle George blow up stumps. By the time my family moved there, the big tree stumps that had once made wagon traffic hazardous right in the center of town — on Central Avenue and Second Street — had all been blasted out. But plenty of them were still left where they weren't wanted, like in people's yards and where they needed to plant a vegetable garden. The town had literally been hacked out of the woods.

Uncle George took care of stumps as a sideline. George Tayler wasn't really my uncle; he was my father's best friend. He was half the Whitefish police force and, being on duty only during the twelve-hour night shift, naturally he had time for what is now called moonlighting. Any man who was able and willing to use explosives to get rid of stumps was a public benefactor. I don't know where he developed his expertise, but he took some pride in it.

An important part of Uncle George's equipment was the rusty, twisted framework of an object known as a sanitary couch. When in working condition, this piece of furniture opened up into a fairly uncomfortable bed big enough for two. One glimpse of Uncle George, tall, broad-shouldered, mustached like a proper lawman, dragging the wreckage of this couch and carrying an axe, and small children came running from all directions, to watch with open-mouthed admiration. He put on the best show in town. He never hinted that we were a nuisance, but he never let us forget that we were observing a very dangerous project in which we could get hurt if we didn't mind what he said. We minded.

We watched with awe while he poked holes under the offending stump and put the dynamite in. We stayed right where he ordered while he dragged up a bunch of fresh-cut jackpines and built them into a protective pile to cover the stump. (Meanwhile more youngsters were running to the scene, but he had eyes in the back of his head and an air of command; he kept us all back from center stage.) He walked around his handiwork, studied it, moved a couple of trees a little. Suspense built so that his small-fry audience almost forgot to breathe.

Then he arranged the rusted wreckage of the sanitary couch on the pile. We yearned forward but prepared to turn and run. When everything was just so, he glared at us and yelled, "Run!" and we ran away as fast as we could scamper. So we didn't see what he did to cause the explosion — we assumed he lit a fuse with a match. Then he ran, too.

The big bang was wonderful. The couch-burdened jackpines lifted but didn't scatter far because the rusted metal skeleton weighed them down. There was a magnificent blast of thunder, the stump jumped out of the ground just as it was supposed to do, and small pieces of it rained down for several seconds. When Uncle George gave the all-clear signal, we ran to squabble over the pieces, mementoes of a great occasion. They had a lovely smell of earth and rotted wood and dynamite.



GEORGE TAYLER was one of the reasons why my generation grew up with considerable respect for the law and lawmen. We were assured at home and at school that they were our protectors. I had even closer relationships with city government than most kids, because after my father died my mother worked in the Whitefish City Hall. In my flightier moments, I claim to have grown up in the police station.

The original City Hall was a rattletrap frame building with a stable out back, built to shelter the official city horse, but the city no longer had a horse when my memories begin. When someone needed a horse, he could rent one at Mr. Little's livery stable. Probably a horse was needed less often for pursuit by police than by City Engineer and Water Commissioner W. K. Trippet, who planned the gravity system by which we got water from sources several miles away in the mountains north of town. My mother was assistant to Mr. Trippet in his capacity as water commissioner, and she was also the elected city treasurer. I don't remember where the police station was in that old building. The water office was a big room, inadequately heated with a wood-burning stove. I walked over there from school for lunch — sandwiches and a can of soup heated on the stove.

The new brick City Hall, (which has since been extensively remodeled) was built in 1917, according to a recently published history, *Stump Town to Ski Town*.¹ There, the police office was right across the hall from the water department, and the big books in which my mother entered the city's financial affairs were kept in a vault that opened from the police room. Once an unwary mouse got locked in the vault and died there. In spite of frantic searching by Whitefish's Finest, the corpse was never found. You wouldn't believe that so small a body could smell so bad for so long.

In 1917, the salary of the assistant water commissioner and city treasurer was raised to \$75.00 a month. Mother earned every nickel of it and often had to work evenings on the city books in the police station. I usually went along to do my homework, run the adding machine, and help check the tapes when totals didn't balance.

The night policeman (no longer Uncle George) was usually out when we were in. He was supposed to be out, because crimes seldom came to his office to be committed, and the local telephone girl could always track him down. If he brought a drunk to the city jail in the basement, he hustled the offender past the open door in a hurry to spare us ladies a view of the seamier side of life. I found these occasional hassles much more interesting than running the adding machine or doing homework.

There was an uncomfortable period in the city's history when the night policeman was a surly fellow who didn't like having us there. He didn't care for patrolling the streets, preferring a leisurely game of solitaire at his desk, and he must not even have had any friends in the back rooms of pool halls,

¹ *Stump Town to Ski Town, The Story of Whitefish, Montana*, by Betty Schafer and Mable Engelter, The Whitefish Library Association, Inc., 1973.

where the fearless enforcers of the law often took refuge on cold winter nights. He did what he could to make life miserable for the city treasurer. He brought in a tub of mash, confiscated from a moonshiner, and stored it in his office. The ingredients looked like wet bran and bloated prunes, and they smelled awful.

He wouldn't move that tub to some other place, either, like the jail or the fire hall, because he maintained it was evidence being held for the trial of a moonshiner and he had to keep it under his direct control. So there it sat, with an occasional bubble rising to say "glub," to the great distress of my mother, an ardent prohibitionist who felt soiled by its mere presence. That tub of working mash never did smell as bad as the unfindable mouse; her objection was a matter of moral principle. But she lost the battle.

AS OFTEN HAPPENS to people who work for government at any level, the day came when a candidate flourishing a new broom was elected mayor. A friend of my mother's came hotfooting to tell her sadly, "He says he's going to fire you from both your city jobs."

"Let's see him try to fire the elected city treasurer!" she said grimly. "He'll find he can't do it." And if he did try, he did indeed find out.

But jobs in the Water Department were appointive. She gave the matter about three minutes of thought. Then she wrote out her resignation and handed it to me to deliver. (I must have inherited her ability to decide important matters fast. It may take me half a day to pick out a dress pattern, but on two occasions I have bought a house after considering it for an hour or so.)

Jobs for women in those days were scarce indeed. Before buckling down to looking for one, my mother decided we needed a short camping trip so she could get her wits together. Our blankets were strapped on our backpacks and we were lacing our boots when the manager of the local power company office appeared at the door.

"Our cashier is on vacation," he said apologetically, "and everything is piling up and nobody can find anything, so could you maybe come down and help out for a few days until he gets back?"

She guessed she could, if he would wait until she changed clothes. The cashier never did get back, so she worked there "temporarily" for ten years until she resigned to remarry and move to Wisconsin. For most of that time she was also city treasurer.

I worked at City Hall a couple of times myself some years later, but not for long. Once was as stenographer for the city clerk and attorney, starting at \$20.00 a month with a promise of a \$5.00 raise each month up to \$50.00, which was supposed to satisfy my wildest dreams of avarice. There wasn't much to do, but I wrote such nice minutes of one council meeting from my shorthand notes that he decided that I should attend *all* the council meetings. When I asked for overtime pay on account of that night work (which was really horrid, a continuing series of fights), he fired me.





The next time, a mayor asked if I'd like to work for the water commissioner because his girl had suddenly quit. I felt right at home in that office, but the current water commissioner — a friendly man until then — wouldn't talk to me. When I asked for orders, he grunted that he didn't care what I did. Before noon I ran out of things to do and asked him timidly what was wrong.

"I'm shocked that you're here!" he said bitterly. "You must know what happened!" But I didn't, so he explained furiously: The mayor had made passes at the other girl, even chased her around her furnished room the night before, and when she fought in defense of her virtue, he fired her. (I hadn't guessed he was such a swinger.) I figured that we girls ought to stick together, so I told the embattled water commissioner I was going to lunch and wouldn't be back. He smiled for the first time that day.

Come to think of it, Whitefish probably still owes me half a day's pay, but I never had to run any foot races with the mayor.

After those experiences with government in little old Whitefish, I never had the slightest interest in trying to get a job in Washington, D.C. There's no telling *what* a girl would run into there.

I DID, HOWEVER, venture to New York City, staying away from government employment and in the publishing business, which was safer. My contacts with lawmen there were friendly until I ran head-on into the Sullivan Law, which New York police view with considerably more respect than the Ten Commandments. The Sullivan Law strictly controls the possession of concealable weapons, or even useless fragments thereof. By long and bloody experience, New York's Finest have come to believe that anyone who has a concealable weapon and no official permit for it has just one thing in mind: to kill a cop.

I was writing a Western story in which the operation of a certain old-type six-shooter was important to the plot, so I innocently hunted up a dealer in antique firearms, told him my problem, and bought the gun I needed to study: an 1860 model 44 calibre single-action Colt.²

One day I mentioned it blithely to a policeman friend, who instantly ceased to be a friend. He turned white. "Dorothy, you can't have that gun without a permit and you haven't got one!"

Somehow it was legal for the dealer to sell me a gun but illegal for me to possess it. And getting a permit was next to impossible. Furthermore, by the time I confided in Patrolman X, my interest in antique firearms had grown and I had innocently bought a 32 calibre five-shot percussion-type pepperbox and a 50 calibre single-shot flintlock Tower pistol bearing the date 1742. Was I in trouble!

2. The story was "Prairie Kid"; it is in my book *Indian Country*.

From here on I'll disguise some details to protect some nice policemen who no doubt retired honorably years ago. I asked one how to get a permit. He asked, "Where are these guns now?"

"In my apartment," I answered.

"Where are they?" he demanded, scowling, so I hastily revised my story: "They're back on the farm in Wisconsin — you see, I inherited them — but I don't live there any more and I want to bring them here."

"That's better," he said approvingly. "Now next Saturday you bring those guns over to the station house and let's get started on the permit."

So I put them in a shopping bag with a bunch of carrots on top for camouflage and trudged up the station house steps trying to look like an abused housewife, mother of seven, coming to report that her old man was on the sauce again and she didn't know which jail her oldest boy was in this time.

The cops just loved those guns. They swarmed in with screwdrivers, admired the mechanisms, played Captain Kidd with the flintlock, Wild Bill Hickok with the Colt and Doc Holliday with the pepperbox.

After some finagling in high places my permit came through, with a photograph on it that made me look tougher than Belle Starr and not fit to be trusted with anything more lethal than a capgun.

Some years later, living in Montana again, I wanted a pistol permit, because I was planning to do some driving in a sparsely populated ranch area where there had been a couple of holdup robberies of unwary drivers who stopped to help somebody acting distressed beside the highway. Off I went to the county courthouse.

Everybody was affable but most of the people I talked to thought the idea of getting a gun permit was pretty funny. Was I going to carry a pistol concealed in my clothes? For that, I'd require a permit. No, I only wanted to carry it on the car seat. That's perfectly all right in Montana. The pistol can be on the seat, under the seat, or in the glove box and you still don't need a permit.

For some reason — maybe pure orneriness — I was determined to have one anyway. Getting it was great fun. Since almost nobody ever wants a pistol permit in Montana, there was considerable doubt about the procedure. Figuring it out was a challenge. Everybody around the courthouse entered joyfully into solving the problem. There were some forms to fill out (Now where do we keep them?) and fingerprints to be taken and the signature of a district judge to get.

It could have been done in an hour at most except that I had such a good time talking to the deputy sheriff in charge of fingerprinting, who was writing a book in his spare time about his experiences in the Navy, that the judge's office was closed by the time we got there and I had to go back the next day.

Most of the people who looked at the pistol I proposed to carry — a stubby 41-calibre over-and-under derringer — thought it wouldn't even need to be loaded. An evil-intentioned holdup man, facing the twin muzzles of that gun through a car window, would faint dead away.





ALL IN ALL, I have found that dealing with the forces of the law in Montana is much nicer than coping with them in New York. But on the federal level — that's another story. And it all started out so innocently when I bought my mother an African violet.

This was after we had left New York and moved back to Whitefish in 1950. Mother saw an advertisement for a red velvet African violet. She had pink, blue, purple, lavender and white, but not red. So I ordered a red one from a nursery in Illinois, which arrived and in time bloomed, but not red. The blossoms were pale lavender.

The nursery must have made a mistake, I said, and wrote them a nice letter. They returned my letter with a printed slip that explained Red Velvet was only the name of the thing, not the color.

This annoyed me. If you ordered a Siamese cat, would you be satisfied with a Jersey heifer simply because the seller had decided to call her Siamese Cat? Then I wrote a letter that caused me great trouble and cost the U.S. government a lot of money, but that was their fault. If they had left me alone, it wouldn't have cost them a penny. My letter was to the Postmaster General. After all, it was through his mail service that this transaction had taken place.

Then I forgot all about it. But the Postmaster General didn't. My mother and I moved to Missoula, 140 miles away, and time passed. One day a postal inspector named Peterson called at my office at the University of Montana. He said the government was interested in this red African violet that I claimed wasn't red.

"Forget it," I advised. "Who cares?"

Uncle Sam cared. He certainly did. Uncle Sam was investigating the nursery that advertised red African violets and many other desirable but implausible horticultural goodies. There might be a trial for mail fraud in Springfield, Illinois, Mr. Peterson said, and I might be called as a witness.

"About a silly old African violet?" I said. "Tut! I can't go to Springfield."

He said, well, maybe I wouldn't have to, he was just gathering some facts.

More time passed. A Missoula lawyer came to my office. His firm had been employed by a firm of Chicago lawyers that was employed by the Illinois nurseryman, who was about to become the defendant on a charge of mail fraud. The lawyer had a long string of typewritten questions. We whizzed through them in a hurry, laughing merrily. Such a fuss about a little old African violet!

One question was something like this: Did I think that Mr. Defendant, a prominent citizen of his community, a respected family man and a pillar of his church, should have to go to jail because of a mistake made by a minor employee in his business?

My experience has been that mistakes made by anybody in a business do come to roost on the boss' shoulders, anyway if the boss is me. But I told the lawyer that I had no opinion about what should happen to Mr. Defendant. I

had lost all interest in African violets and if there was a trial I didn't care to attend.

The date mentioned by the post office's Mr. Peterson for the trial came and went. All my mother's African violets continued to shed on the rug as usual.

Then my mother was in the hospital for several weeks, the result of a broken hip and a series of strokes. I was expecting to bring her home, had hired a nurse-housekeeper and was moving furniture to make room for navigating a wheel chair when a stern man came to the front door.

Did Miss Dorothy M. Johnson live here? Was I that person? He asked a dozen questions to make sure I was the right one (because there are lots of Dorothy Johnsons), and then he flipped his lapel to reveal a badge.

"I am a United States marshal," he growled. "I have a subpoena for you."

"I don't want it," I said prudently.

He touched my arm with a folded document and snarled, "You've got it."

There wasn't a word in it about African violets. But in the case of the U.S. vs. Mr. Defendant, the President of the United States of America commanded that laying aside all and singular my business and excuses, I be and appear in Springfield, Illinois, on the 13th day of May, then and there to testify and give evidence on behalf of the United States.

The President yet! And to think I voted for that man! The document warned, "Hereof fail not, under penalty of whatever may befall you thereon." Now that's a good round threat for you. It covers just about anything.

I did not, of course, read the document thoroughly at the time. I burst into tears, but the marshal only grated, "Be there!" I told him my mother was coming home from the hospital and could not be left alone with a stranger. The marshal said, "Be there!"

I did wear him down enough so he told me the name of the United States Attorney who was stage-managing this idiotic drama. But the last thing he said was, "Be there!"

I rushed to the typewriter and wrote an impassioned plea to the U.S. Attorney in Springfield. Then I went back to moving furniture.

The attorney's assistant wrote a sympathetic reply, the gist of which was "Be there!" He assured me the government would not go to the expense of transporting me to Springfield unless my testimony was important; the Grand Jury was convinced that citizens of the United States were being victimized by the use of the mails in the operations of Mr. Defendant's nursery.

When that letter came, my mother was much sicker, with private-duty nurses around the clock. A letter came from the U.S. Marshal. The time for my appearance had been postponed for a month — but not because the government cared about my personal problems. The tenor of the marshal's message was: "Be there!"



I worried about who was going to pay for this expedition. I wrote to the marshal. The reply came from a deputy, who said I would be reimbursed at 7 cents a mile plus \$5.00 a day subsistence plus \$4.00 a day witness fee. The letter ended on the same old note: "Be there, without fail!"

Subsistence, I judged, would not be riotous at \$5.00 a day, and \$4.00 seemed like little enough for my time, although a dime's worth of it would be plenty for telling all I know about African violets. I looked up the mileage from Missoula to Springfield, multiplied by two for the round trip and by 7 cents a mile, and the financial aspects began to look less dismal. Mother was in a nursing home by then — not that the U.S. Government cared.

So I went to Springfield on the train, by day coach. The U.S. Attorney, a postal inspector and several other officials greeted me with courtesy at the Federal Building — which they could well afford to do, considering how vital a witness I apparently was — and told me court opened at 9:30. During the morning session, testimony concerned some dwarf fruit trees that an acknowledged expert swore were not dwarf fruit trees. He had a brisk altercation with the defense attorney. The court reporter lost his temper when his shorthand bogged down on *sphagnum*, *scion* and some fast botanical Latin.

In the afternoon, duly sworn, I testified that the letter the U.S. Attorney showed me was indeed written by me to the Postmaster General about an African violet that did not bloom red. I identified the printed slip in which the nursery said Red Velvet didn't mean red; I had sent it to the Postmaster General, and wouldn't you think one of us might have lost it? I handed the U.S. Attorney four fading lavender blossoms plucked from the erring not-red violet two days before, and these he carried reverently to a table, where they became Exhibit 27-B.

The defense attorney set out to prove I was a dope. I would have admitted it gladly if he had just asked me; I would have confessed to the Gunpowder Plot, the abduction of Charley Ross and arranging for the fall of the Roman Empire. But no, he had to do it the hard way. Was I, he asked with a sneer, familiar with a certain book, accepted as the last word of authority on African violets? Shucks, no, I never heard of it. Was I aware that changes in temperature can alter the color of African violets? Not me. He asked several more questions aimed at bringing out the unarguable fact that I knew nothing about African violets. With some effort, I refrained from saying that I didn't give a damn, either. By that time I was a completely unprejudiced witness — hostile to both sides.

The U.S. Attorney reminded the presiding judge that nobody had ever claimed Miss Johnson was an expert witness. This was so obvious that they dismissed me, and I rushed out to collect my pay.

A woman clerk cheerfully made out the proper papers, with all those nice seven-cent miles, and I presented them, gritting my teeth, at the office of a U.S. Marshal. But this one didn't growl, "Be there!" because in my hand were





the papers constituting official proof that I was there. He gave me a check and even went with me to a place where I could get it cashed. I certainly didn't lose any money by going to Springfield to testify for fifteen minutes. The check even enabled me to pay for a sleeper on the train ride home.

Mr. Defendant was convicted on seventeen counts of using the mails to defraud. Each count carried a maximum penalty of five years and \$1,000 fine, but I never found out whether he ever served any of it or paid any of it. I was only one of 2,500 persons who complained to the Postmaster General. I doubt whether all of them went to Springfield. Some of them probably just shot a U.S. Marshal.

The one who kept telling me "Be there" I would like to see again, just once. I'd like to see him standing by a road fifty miles from town with his car out of gas and four flat tires, fighting off a pack of wolves. I would toss him an African violet, pot and all, yell "Be there!" and keep right on going.

But no, it probably wouldn't work out that way. I'd be the one in need of succor (although I haven't had any trouble with wolves for quite a while) and possibly he would rescue me. He may be quite a nice man when he's not harassing harmless females about African violets.

DOROTHY (Calamity) JOHNSON: COLLECTOR OF LETHAL WEAPONS AND VARIOUS "THINGS"

The author no longer owns the 1860 Colt revolver that started her collection of lethal weapons; she traded it, as collectors often do, if each party to the deal thinks he's getting the better of the bargain. "My guns are junk," she admits frankly. "I found out that collecting good antiques is strictly for the rich. In a dealer's shop I head for what he calls, with a pitying smile, his five-and-dime department in a back room." Her collection of "things" includes some perfectly harmless items bought in far places "just because they seemed unusual, didn't cost much, and fit into a suitcase." They include a tapa cloth from New Guinea, carved masks from Fiji and Kenya, a Zulu fertility charm, shadow lace from Paraguay, a wooden doll from Senegal, shell necklaces from the South Pacific, seed necklaces from Central America, embroidery from Turkey and the San Blas Islands off Panama, weaving from Greece and Ethiopia. Some improbable lethal weapons in the Johnson collection include a carved wooden mere (*may-ray*), a murderous chopper once used by the New Zealand Moari; a killer boomerang from Australia, used by aborigines to bring down small game; a Zulu knife in cloth scabbard, and a flexible leather sap, American style. Guns displayed on the wall include, from the top, an ornamental Greek knife in metal sheath, a powder-horn from Mexico, a pepperbox percussion pistol, a muzzle-loading flintlock pistol, a brass-trimmed miquelet-lock pistol of Arabian rat-tail design ("bought in an Athens flea market"), and an over-and-under double-barreled derringer.

