

Terrell County Memorial May, 2013 Sanderson, Texas Museum News



A Stand for Righteousness ~ The story of Scudder Biggs

One of the most unsettling stories from Sanderson's abundantly colorful past provides ample evidence that it was a lawless and dangerous place to live. Being so far from the county seat in the years before it became a county in its own right, the lack of local law enforcement left the town open to all kinds of excesses. Prostitution and gambling were only the tips of an iceberg of graft and corruption that was so troubling to decent folks.

Then, as now, Sanderson had a hard time keeping a deputy here to maintain the peace, and sometimes the deputy was not the solution to the problem, but the problem itself. Pecos County Sheriff's Deputy R.C. McMahan was a case in point.

McMahan hailed from Tennessee and came to Sanderson before 1900 as a Monte dealer. Three Card Monte was the ultimate con game, and most who dealt it were dishonest. Three cards were dealt, with the queen of heart designated as the winning card. With cards lay-

ing face down, the dealer showed where the queen was, then shifted the cards around. To win, the player would wager and guess where the queen had ended up.



Using skills in the crowd, the Monte dealer would work up the excitement and make the game seem easy for anyone to win. But when it was actually the player's turn, the skillful dealer would palm the winning card and cause the player to lose, never suspecting that he had been "taken." Dealing in one of the six saloons available to the one hundred inhabitants of Sanderson, McMahan soon became well known to everyone.

But, McMahan was not just a crooked card dealer. He had been convicted of sheep rustling in Maverick County a few years earlier, but somehow received a full pardon from Governor James Hogg.

Then, by a most incongruous act, McMahan was hired by the Sheriff of Pecos County to be the sole lawman in Sanderson. By this time, McMahan was leasing Charlie Wilson's Cottage Bar Saloon and had an illicit trade in gambling and sporting ladies on the side. Local rumor held that Pecos County Sheriff R. B. Neighbors was getting a cut from McMahan's operation, so this might explain his unorthodox appointment as deputy.

Now, enter the other player in this True West morality tale, the guy in the white hat, Henry Scudder Biggs.

Biggs first appears in Sanderson records in the 1900 Pecos County census as a boarder in Charlie Wilson's household, along with his brother Edgar. Scudder, as he was known, was born in Arkansas in 1873 to circuit-riding Methodist minister William Henry Harrison Biggs, and raised in a disciplined household to respect the law and God's Word and to uphold a high standard of righteousness.

He attended Coronado Institute, a Methodist public school and college in San Marcos, Texas, graduating in 1895, and taught school in Bee County for about two years. He came to Sanderson in 1897 to teach school and soon made a mark for himself as an honest, intelligent and respectable man and a gifted teacher.

1901 was an important year for Scudder Biggs. He was appointed census-taker for Sanderson and the surrounding area, and he performed his duties with customary zeal.

Later that same year, Biggs married Lillian Wood in Runge, Karnes County, and he brought his bride home to Sanderson.

Also, in 1901, he was appointed Justice of the Peace to fill an unexpired term, and was elected to the office in 1902. His stature among his fellow citizens rose even higher.

The next year, little Corinne was born to the happy couple and life was good.

Biggs had an opportunity in 1902 to buy the *Pecos County Pickings*, the only newspaper in Pecos County, and he changed the name to the *Trans Pecos News*, published weekly from Sanderson. As the quality of the paper increased, so did his neighbors' respect for him.

Biggs and McMahan began to have a social connection as they and their two families traveled together and attended the same functions. They seemed to be friends, but McMahan's rumored connections to the less desirable and dark underbelly of Sanderson surely troubled Biggs and his wife.

In May of 1903, Biggs was approached by Oscar Adams, another gentleman who was troubled by McMahan's pursuits. Being an unschooled man, he asked Biggs to write a letter for him, to be sent to Sheriff R. B. Neighbors in Fort Stockton. In it he complained about McMahan's reputation and reputed illegal activities and asked that another deputy be appointed for Sanderson. But, Biggs went one step further and added his own comments to the letter about the situation.

When Neighbors received the letter he sent it on to McMahan for his perusal. Of course, McMahan was incensed! At this point, he began to hatch a plot against Biggs.

Enlisting the aid of his barkeeper, Ed Bell, McMahan convinced him that Biggs must be dealt with. Bell, local low-life bartender and pimp for McMahan's whores, was easily convinced. The deed would take place at the Post Office on the ground floor of Wilson's Hotel, located across the street from the depot and adjacent to the Cottage Bar Saloon, now owned by McMahan. Ostensibly the back-up shooter, Bell didn't suspect that McMahan was far too crafty to do the dirty work himself.

When word reached Biggs that Sheriff Neighbors had turned the letter over to McMahan, he expected that there would be trouble. He knew that McMahan was a tough man and prone to violence. Biggs' friends suggested that he might want to start carrying a pistol, just for protection. Biggs was a God-fearing, gentle man, and did not even own a gun. Against his better nature, he acquired a pistol and ammunition and prepared for the worst. As a precaution, he sent his wife and daughter away to visit family.

In the Sanderson of May, 1903, there were four passenger trains that stopped every day,



Photo courtesy of Alice Evans Downie

The Wilson Hotel sat north of the SP Depot, about in the spot which became a park for the new Kerr Hotel and today is a plot of trees and weeds just east of the US Post Office. When it was bought from Charlie Wilson in 1907 it became the Terrell Hotel. The Post Office famous for the Biggs Assassination was in the lower left corner, through the open window. These buildings were demolished in 1917 to make way for the brick Kerr Hotel.

two from the east and two from the west. The last train of the day, No. 9, arrived about 9:00 p.m., and delivered the mail. It was the custom of many town folks to be present at the depot for the arrival of all the trains. And, in spite of the late hour, the town folk would head to the Post Office in a corner of the store on the first floor of the Wilson Hotel, to pick up their mail, which was put up as soon as it arrived. McMahan knew that Biggs would also be there for his mail. He planned to be there with his liquored-up crony, Ed Bell, to settle their differences. Now, the trap was set.

When Biggs got to the Post Office, McMahan and Bell approached him and asked him to step outside for a word. Once outside, McMahan asked if Biggs had sent the letter to Sheriff Neighbors. Biggs answered, yes, and that he intended to send more letters. With that remark, McMahan struck Biggs in the face with his pistol.

Bruised and bleeding, Biggs ran back into the store and exclaimed, "Bob McMahan just struck me on the side of the head with his pistol!"

At this point, Bell and McMahan entered

and hot lead began to fly. In the process, Ed Bell was struck multiple times and Biggs was hit four times, once in the back. With shaky aim, Biggs gave McMahan a flesh wound in the arm, then staggered forward and fell dead behind the sales counter.

Bell made it outside to the front porch of the hotel, where McMahan had already gone, and exclaimed to his co-conspirator, "You are the cause of me getting killed!" Whereupon, he expired at McMahan's feet.

A telegraph was sent immediately to Marathon to summon two Texas Rangers to come and take care of the situation. Fort Stockton and Sheriff Neighbors were two days of hard riding to the north, and the circumstances demanded impartial law enforcement officers. When the Rangers arrived they took McMahan into custody for the murder of Scudder Biggs.

Meanwhile, the town was in shock. Biggs was a beloved and well respected member of the community, and though the town folk had grown accustomed to violence in their streets, the death of a good man was just too much.

When Alvah Biggs found out about the tragedy, he came immediately to take charge



Photo courtesy of findagrave.com

Misleading accounts in the Terrell County history book had Scudder Biggs buried at Cedar Grove and his grave lost in the 1965 flood. But, a search of the internet turned up his final resting place in Runge, Texas, southeast of San Antonio in Karnes County.

of his brother's body. Lovingly and tenderly he washed the bullet-riddled body to prepare it for burial. It was decided that the body would

be sent to Runge for burial, and so it was prepared for transportation by train.

The day for its departure was a sparkling spring day, the azure sky as clear as crystal, the surrounding mountains and canyon walls like cardboard cutouts propped against the cloudless sky.

But, the blue skies were obscured by dark clouds of grief. As hastily summoned pallbearers lifted the casket box into the wagon, a crowd of small children, the professor's students, and adults gathered behind the wagon. Mr. Kerr generously had lent his delivery wagon to carry the body to the train depot.

Some of the smaller ones did not understand what was happening, but the older ones knew only too well that their beloved teacher and mentor was making his final journey, and they wept bitter tears.

The wagon moved slowly forward and the young ones and their elders followed silently behind. Bystanders removed their hats in sad salute as the great man who had taken a stand for righteousness passed by and into history.

As for McMahan, he was tried, found guilty for his part in the brazen ambush/murder and received twenty years in the penitentiary. That ruling was overturned by the State Appeals Court, and, in a retrial at Del Rio, he was found not guilty and set free. Lacking modern forensics, there was no proof that he had actually shot Biggs, even though eye-witness testimony placed him in front of the Wilson Hotel, reloading his pistol after the event.

God, however, takes care of things like that. A few years later, McMahan and a friend were walking down the Southern Pacific Railroad tracks a few miles east of Separ, New Mexico, in a driving rainstorm, and were struck and dismembered by a passing freight train.

Years later when interviewed about the event, long-time resident Bill Savage had this to say about McMahan: "Now if he had gone out and stolen a horse, or even a cow, they'd have hung him for sure. But like nowadays, murder was a mere misdemeanor."

References

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Court testimony, second trial at Del Rio, Texas, 1904, courtesy of Pat Parsons, December, 2012.
Interview with Pat Parsons, grand-niece of Scudder Biggs, December, 2012.

All newsletters can be found at <http://terrellmuseum.info/newsletters/>