

BLOOD MONEY

The Montana Bankers Association and the Bozeman Bank Robbery of 1932

by Kim Allen Scott

IN THE CLASSIC FILM *The Man Who Shot Liberty Valance*, Senator Ransom Stoddard, played by actor James Stewart, meets a curious resistance near the end of the movie when he tries to confess that his heroic reputation is based on a lie. Explaining that his political career had been launched on his fraudulent claim of having shot a dangerous outlaw, Stoddard is told by a newspaper reporter, "This is the West, sir. When the legend becomes fact, print the legend!" The reporter's cynical maxim has been so often followed that audiences occasionally fail to recognize the literary shorthand of the western legend.

The robbery of Bozeman's Security Bank and Trust Company on July 22, 1932—and the role played by Seth Bohart—presents an interesting case study, especially when the bounty offered by the Montana Bankers Association for killing bank robbers is factored into it. The check pictured below was issued to Sheriff Orin DeVore in the aftermath of the Bozeman bank robbery for his role in apprehending the criminals.

MONTANA BANKERS ASSOCIATION	
August 25, 1932 No. 2062	
PAY TO THE ORDER OF	O. L. DeVore
	\$1400.00
EXACTLY \$1400 & 00 CTS.	
FOR Reward Bozeman robbery	
To Union Bank & Trust Co.	
Helena, Montana	
CORRECT	APPROVED
	SECY. & TREAS.
	PRESIDENT.

Bill Sudmore, Treasure State Treasury: Montana Banks, Bankers, and Banking, 1864-1984 (Helena, Mont., 1986), 109

THE ROBBERY of the Bozeman Security Bank and Trust Company has been told several times over in the past eighty years with varying elements of legend and fact.¹ Each account tells the same basic story of how Andrew Hunter and Paul Rushton robbed the bank, escaped in a stolen automobile, fled into the forest of the upper Gallatin Canyon, and were shot to death two days later by a posse of sheriff's

deputies and volunteers. The problem with these accounts is the sources on which they are based, none of which has ever been subjected to any substantive degree of scrutiny. The robbery is not described in any surviving official report of the Gallatin County sheriff's or coroner's offices.² In the absence of such vital records, the only primary sources for the Bozeman bank robbery are sixteen contemporary local



newspaper accounts and an eyewitness narrative by Seth Bohart, the man who shot Andrew Hunter, published in January 1937 in *Official Detective Stories*.³ This article, written in collaboration with a professional writer, framed the incident within the parameters of a formulaic frontier story and has served as the major source for all secondary accounts of the incident—in part because it seemed so authoritative

and in part because it used the shorthand of western legends to explain away the more problematic parts of the story, including the fact that the vigilantism of 1932 and its lethal consequences sprang directly from the Montana Bankers Association's offer of blood money.

Seth F. Bohart was born near Bozeman on September 25, 1898, one of five children of Richard and Effie Bohart. After growing up on a ranch near Sedan, Montana, Seth decided to pursue a professional career. In the 1920s, one could still become an attorney by simply reading law under the guidance of an established lawyer, and Seth chose this path, gaining admission to the bar in 1925. The following year, he ran for Gallatin County attorney as a Republican, beating out Democrat Ernest Peterson by a vote of 2,723 to 2,486. Bohart initially enjoyed great success as a prosecutor, later claiming to have obtained convictions in every case he handled during his first few months in office.⁴

In spite of his early achievements, the evidence suggests that Bohart did not long enjoy the confidence of Gallatin County voters. When he ran for a second term as county attorney in 1928, he won by the slender margin of 78 votes out of the 6,282 cast. Bohart's continued employment as a county official soon ended, partially as a result of the Great Depression, when record unemployment meant that any local government job became a coveted position. In the Republican primary of July 1930, Bohart faced two rival attorneys, and he lost his party's nomination. Losing the county attorney job severely affected Seth's finances. He would later claim that he made no more than eight hundred dollars in all of 1931 and that his business as a private attorney was so slow that he would periodically call the telephone operator and ask her to call back just to see if the phone was working. Personal tragedy also struck that year when Dick Bohart, Seth's younger brother, was killed in a drunk-driving accident on the night of August 30.⁵

The Bozeman Security Bank occupies the storefront to the left of the Commercial National Bank in this photograph taken at the corner of Main Street and South Black Avenue circa 1949. After the July 1932 robbery of the Bozeman Security Bank, the two criminals, later identified as Andrew Hunter and Paul Rushton, escaped in a stolen automobile, fled into the forest of the Gallatin Canyon, and were shot to death two days later.



Pioneer Museum, Bozeman, Montana, 881

Former county attorney Seth Bohart (right, circa 1940) joined the sheriff's deputies and volunteers who pursued the robbers into the canyon, and he was the man who shot Andrew Hunter. Bohart recounted his experience to Mary Meigs Atwater, a writer of true crime articles, in 1937.

Nineteen thirty-two promised to be an even leaner year for Bohart and many other Gallatin County residents. No fewer than seventy-one people filed for county offices before the July primary election. In such a heated political atmosphere, it seems incredible that Bohart managed to avoid any opposition for the county attorney nomination. Perhaps local Republicans believed the Democratic incumbent unbeatable, but an opportunity to influence the outcome of the election in his favor would come that summer when Bohart joined the pursuit of the Bozeman bank robbers just a few days after the primary, as he prepared for his general election campaign.⁶

Bohart told his version of the story of the robbery to Mary Meigs Atwater, a Basin, Montana, author of true crime articles and handloom weaver, in 1937. The passage of five years' time between the incident and the article's publication allowed for embellishments to the narrative, and the article can be interpreted as Seth Bohart's attempt to frame the story both as a frontier adventure tale and as a justification for his



Emma Ohlsen, photographer, Pioneer Museum, Bozeman, Montana, 6332

part in the events. Atwater prominently identified Bohart as "Former County Attorney, Gallatin County Montana" in the author's byline. This qualification allowed Atwater to shape the story in such a way that

After the holdup, the robbers drove south toward West Yellowstone, stopping for gas at Karst Kamp. Pete Karst alerted authorities that he had seen the robbers at his place. Karst (right, 1938) owned Karst Stage Stop Inn and dude ranch, also known as Karst Kamp, located thirty-five miles south of Bozeman.



Bert L. Brown, photographer, Museum of the Rockies, Bozeman, Montana, 97.19.34

any reader would incorrectly assume Bohart served in an official capacity during the manhunt for the bank robbers and implied an authority for the narrative that it would have otherwise lacked.⁷

In Atwater's composition, Bohart's story is told in the first-person voice. He claims to have been on Bozeman's Main Street from the moment Security Bank and Trust Company president Armand G. Berthot ran from the bank to give the alarm after the robbers had fled. He also professes to have interviewed Berthot, with Sheriff Orin L. DeVore, during the first crucial minutes of the investigation and was instructed by DeVore to "cover the West Yellowstone Road."⁸

It is known that Pete Karst, the owner of a dude ranch on the West Yellowstone Road in the Gallatin Canyon, telephoned DeVore's office to report that the robbers had stopped at his place for gas. But in Atwater's version, Bohart arrived at Karst's Kamp to discover that his younger brother, Paul, a Karst employee, had started in pursuit of the suspects on his motorcycle just a few moments before. In the most authentic understatement in the narrative, Bohart admits, "When I heard that Paul, unarmed and alone, was trailing them, my anxiety knew no bounds."⁹

Contemporary newspaper accounts relate the essential facts of Paul Bohart's chase. After the bank robbers stopped for gasoline, Pete Karst told Bohart to follow the pair. Bohart tailed the Model A Ford roadster on his motorcycle, maintaining a safe distance but keeping the car in sight on the road's intermittent straight sections. As one would expect, the robbers noticed they were being followed and fired a few shots back at Bohart, who stopped at a ranch house to borrow a rifle and a few cartridges before resuming the chase. Once Paul closed in on the bandit's car again, the road became narrow and winding, allowing him only occasional glimpses of his

quarry. The robbers apparently tired of the pursuit and pulled over after rounding a blind curve south of Benham's Camp to confront Bohart, who had no choice but to fly past them. A few dozen yards down the road, Bohart managed to ground the motorcycle while simultaneously maintaining his grip on the borrowed rifle. When the robbers resumed shooting at him, he returned fire from a roadside ditch. After a brief exchange, Hunter and Rushton panicked, abandoned their car, and fled into the woods, while Bohart ran to the Cinnamon Creek ranger station to sound the alarm.¹⁰



Pioneer Museum, Bozeman, Montana, 7534

Pete Karst sent Paul Bohart, Seth's brother, in pursuit of the robbers on his motorcycle. When the robbers fired at Paul, he stopped to borrow a rifle. The three ended up in a firefight, but no one was injured. Here, Seth is pictured on Paul's motorcycle.

The first investigators arriving on the scene found evidence that at least one of the bandits had crossed the Gallatin River to hide in the pine-covered mountain slopes on the east side. Whether one or both of the robbers got to the east side, events would later prove they did not stay there, though the men who had joined the hunt wasted hours searching the wrong area. After all, the only escape route by automobile was the highway on the west side of the river.

"The hunt for the bandits was the most intensive southern Montana has known since the days of the vigilantes and road agents," reported the *Bozeman Daily Chronicle*, and even Atwater's version confirmed that "the mountains soon were swarming with amateur bandit hunters." Why nearly two hundred



After the confrontation, the robbers left their stolen car and fled on foot. Soon, nearly two hundred men drove down the Gallatin Canyon (above, 1936) to join the Gallatin County Sheriff's Department in a search. Why they did so is essential for understanding the events. Simply put, the manhunt offered volunteers a way of collecting the Montana Bankers Association's two-thousand-dollar bounty for a robber apprehended dead or alive. "There is but one way to stop a daylight robbery and that is by shooting the robber and shooting to kill," association secretary John Romersa was quoted as saying in 1927 when the reward was first offered.

men drove down the Gallatin Canyon to hunt for the robbers was a question the Atwater article pointedly ignored, but it is essential for understanding the events. Simply put, the manhunt offered volunteers a way of getting paid for committing homicide.¹¹

Bank robberies had been a growing problem in the United States since the early 1920s, a result of a

combination of proliferating rural banking establishments after World War I and the increasing availability of the automobile. As the decade progressed, bankers in the Midwest, especially in Indiana, began organizing vigilante groups to assist in capturing bank robbers. In Montana, a state with a long-standing myth of justified extralegal action, the president of the



Montana Bankers Association, J. K. Haslet, urged his constituents to form their own community vigilance committees in the summer of 1927. Haslet likely felt Montana's vigilante tradition would easily adapt to the Indiana model, but a more sinister proposal came later that year from the association's secretary, John Romersa. "There is but one way to stop a daylight robbery and that is by shooting the robber and shooting to kill," he was quoted as saying. To further that goal, the organization established a two-thousand-dollar reward for killing a bank robber, either in the actual commission of the crime or in the attempt to escape afterward. "We are convinced that 'the only

good bandit is a dead one,'" Romersa allegedly said.¹²

Offering money for killing rather than capturing a lawbreaker, regardless of the immediate threat posed, is clearly in violation of present Montana laws against solicitation, but in 1927 apparently no one challenged the right of the Montana Bankers Association to offer such blood money. Notices of "the dead bandit reward" were printed up on placards to be displayed in every Montana bank window, and Romersa bragged on August 17, 1928, that no banks had been robbed in the state since the announcement of the policy the previous year.¹³

To his credit, Sheriff Orin L. DeVore tried to control the bounty hunters who flocked to join the Gallatin Canyon posse by officially deputizing fifty-one men and giving them specific assignments under the supervision of regular officers. But as the search progressed over Friday and into Saturday, dozens of trigger-happy volunteers stalked the woods. There were reports of several near accidents. For instance, posse members John Hoell and Earl Benham had to take cover when another man hunter opened fire on them as they emerged from the woods, and one tourist who had the misfortune of driving past the robbers' abandoned vehicle was threatened by vigilantes.¹⁴

Sheriff DeVore set up his headquarters at the 320 Ranch, put up roadblocks along the highway, and established regular patrols of deputized volunteers, three to a car, driving up and down the canyon. People picnicking, camping, or staying in any of the local tourist cabins were asked to leave. Lewis Mayfield, then ten years old, recalled being on a picnic near Pulpit Rock and his mother's panicked scramble to get the kids and the food in the car.¹⁵

While most people like the Mayfields prudently followed the directive, a few stubbornly decided to remain while the search continued. Among those who stayed in the canyon were Bud and Hannah Henke and two other couples, Oscar and Buzzy Keys and Lyle and Daisy Richards. The Henke party occupied a comfortable log cabin within a few dozen yards of the main road and about a quarter mile away from the Cinnamon Creek ranger station. Sheriff DeVore's headquarters at the 320 Ranch was a mile and half to the south, so it would be reasonable to assume that the Henkes were aware of the manhunt. On Saturday evening, the road through Gallatin Canyon

was shut down by DeVore's deputies. While patrol cars continued to go back and forth along the highway, the Henkes and their friends sat down to a game of cards.¹⁶

What happened at the Henke cabin that night can be pieced together from the newspaper reports and a later reminiscence. The two robbers forced their way into the cabin after dark, brandishing pistols and taking all six vacationers hostage. Sixty years after that July night, Buzzy Keys vividly recalled the terror she and



Pioneer Museum, Bozeman, Montana, 5699

Gallatin County sheriff Orin DeVore (left, circa 1931) directed the manhunt, officially deputizing fifty-one men, evacuating the tourists, and trying to control the bounty hunters.

her companions felt as the two men demanded food at gunpoint. Andrew Hunter, the younger of the two robbers, seemed just as threatening to Buzzy as did the older of the pair, Paul Rushton, and both men were nervous and exhausted.¹⁷

After the two had wolfed down their food, Rushton announced his intention of concealing himself and his partner in the Henkes' car and forcing the vacationers to drive them to West Yellowstone. Buzzy Keys recalled, "We pretended to be on their side," while Bud diplomatically argued against the plan by pointing out that the sheriff's men were stopping and searching all cars going through the canyon.¹⁸ Rushton then came up with another idea—to travel deeper into the forest and hide until the coast was clear. For this contingency, the outlaws needed food, and they instructed Henke to purchase supplies at the 320 Ranch in the morning. The rest of the vacationers would remain in the cabin to ensure both Henke's return and his silence should he encounter any of the posse. Rushton warned the group that he and Hunter could easily keep the cabin in gun range to make sure no one tried to leave, and he showed Henke a tree a few dozen yards behind the cabin where he expected the groceries to be cached by four o'clock Sunday afternoon. With that, the two gunmen slipped back out into the night.

These are the essential facts of the hostage incident that all sources agree on, but there are interesting differences between the Atwater version and

the story Henke told just a day later to a *Bozeman Daily Chronicle* reporter. Atwater's narrative claims that after the meal, Andrew Hunter decided to play phonograph records and forced some of the women to dance with him. This interesting bit of fiction cannot be reconciled with Buzzy's memories of the event, but even more intriguing is Henke's recollection of Hunter's inquiries

regarding "that fellow on the motorcycle." Apparently, the younger outlaw was concerned that Paul Bohart may have been badly hurt during the roadside gunfight, and he displayed visible relief when told the motorcyclist was fine. Rushton then boasted that they could easily have killed Bohart, but that they only wanted to get away and had no desire to hurt anyone. Buzzy Keys did not corroborate this detail either, but Henke's recollection of Ruston's claim of mercy is likely true since Paul Bohart in a later interview felt compelled to specifically refute it.¹⁹

The robbers had given Henke ten dollars to purchase the food. On Sunday morning, Henke drove to the 320 Ranch as instructed and bought the food, but here again the particulars of what happened next differ greatly. The Atwater account insists that Henke did exactly as the robbers demanded, and the interview in the *Chronicle* also confirms that he told no one of the true nature of his errand. Four of the newspaper accounts, however, insist that Henke told Sheriff DeVore but then begged to return with the groceries and get his people safely out. Most likely, Henke simply returned without saying anything at the 320 Ranch, for it is difficult to imagine that the terrorized man would have been allowed by the lawmen to return alone to rescue his wife and friends. Regardless, by the time Henke returned to the cabin and placed the food in the tree, the vacationers had already made up their minds to make a break for freedom. Taking advantage of the fact that the car was

parked near the front door, they all rushed into the vehicle and sped down the main highway.²⁰

As Henke and his guests drove away from the cabin, they were stopped by one of the volunteer patrol cars; the armed occupants pointed their weapons at the former hostages. "We stopped the car and all the men got out with their arms raised," recalled Buzzy. "You can't believe how wild those posse men could be back in those days."²¹ Henke told his story to the volunteers, and the party was allowed to go on back to Bozeman. Now at least three of the man hunters knew the truth of the robbers' location.

If Atwater's story is to be believed, Sheriff DeVore soon became aware of the Henke ordeal and asserted that "the men must be captured at the earliest possible moment." The article claimed that Seth and Paul

Bohart volunteered to go along with Deputy Sheriff Clyde Williams when he was ordered by DeVore to return to the cabin and wait for the robbers to come down to retrieve their food. Atwater also reported that Henke had not stashed the food as directed and that it was Williams who carried the bag from the cabin out to the tree. Both of these assertions are demonstrably false. Contemporary newspaper sources say that Seth and Paul Bohart were accompanied to the Henke cabin by Edward M. Lyon, a Bozeman meat cutter. The most likely explanation is that the three posse men, after hearing the erstwhile hostages' stories, immediately went back to the cabin without telling anybody.²²

Newspaper accounts agree that the wait was conducted in silence by the Bohart brothers and



The sheriff's department set up headquarters at the 320 Ranch, pictured here in the early 1930s. Meanwhile, about a mile and a half north of the ranch, Andrew Hunter and Paul Rushton came upon the cabin where Bud and Hannah Henke and two other couples were vacationing. After forcing their way into the cabin, the robbers hatched a plan to hole up in the mountains rather than try to escape by road. They needed food, so they directed Bud Henke to buy groceries at the 320 Ranch, keeping the other five as hostages. Henke was to leave the food at a prearranged location.

Edward Lyon in the cabin and that each watched from a window whose shade had been drawn down to allow only a crack to peek through. When four o'clock arrived, Lyon first spotted Andrew Hunter descending the hillside to the cache tree, and the Bohart brothers quickly took up their position by the window. Seth asked Paul to identify Hunter, and at this point the Atwater article's attempt to frame legend as fact can be demonstrated by its language:

The fellow was alone; he came down through the timber confidently and carelessly. No doubt his partner was covering him from some concealment above. He was armed, of course, but the gun was in the holster at his hip and not in his hand. Apparently he felt that he had nothing to fear from the campers. It was the younger of the two bandits, the one his partner had called "Shorty." The man was not far from the cabin when he looked up and saw us at the window. He whipped out his revolver, but before he had a chance to shoot I fired. He dropped in this tracks and probably he never knew what hit him.²³

The confident young outlaw, his nonchalance, his sudden alarm when realizing the danger, and the classic action of "going for his gun" are all standard elements in western legends, but there are several compelling reasons to doubt this story beyond its hackneyed familiarity. First, it is hard to imagine an exhausted, seventeen-year-old criminal, no matter how hardened by experience and inclination, to have been so nonchalant about conducting this dangerous errand. Second, Hunter was specifically remembered by Security Bank and Trust Company president Armand Berthot as having wielded a sawed-off shotgun during the robbery.²⁴ So the young man would have had to buckle on a gun belt during the drive from Bozeman if he was wearing one two days later. Finally, there is the unlikely story that Hunter suddenly noticed Bohart at the window and drew his gun. All of the newspaper accounts agree that the bounty hunters had drawn the shades to allow only a thin crack.

None of the stories indicated that Hunter had drawn a gun or even mentioned he was armed when he was shot, with the important exception of the *Bozeman Courier*, which stated: "The possemen went out

to the dead man and *removed* [emphasis added] the heavy 45 calibre gun he was carrying."²⁵ This phrasing is significant because it implies that the gun was taken from Hunter's person rather than recovered from the ground, where it would have fallen had he drawn it. The newspaper stories taken in sequence illustrate the evolving justification made by the three bounty hunters in the face of the community criticism they would encounter during the days and weeks after the killing.

The earliest accounts, from the July 25 *Bozeman Daily Chronicle*, do not specify which man pulled the trigger, simply saying in vague terms that a bullet was fired "from a darkened window." On July 27, the newspaper identified Seth Bohart as the shooter by quoting his brother Paul, who claimed that Hunter had cautiously approached the cabin while keeping an eye on the road. The phrasing had changed by the time the *Chronicle* described the shooting on July 30 in a story that claimed Hunter had been "killed by a bullet from the gun of Seth Bohart." On August 26, Seth Bohart's identity as the shooter was pointedly absent when the paper described the shooting with a significant additional detail: "The younger of the two bandits approached the cache near the cabin but, suspicious, turned to leave the vicinity. One of the men in the cabin then shot him to prevent his escape."²⁶ This is patently false because the bullet entered Andrew Hunter's body through the chest, an impossible wound had he actually turned away from the cabin.

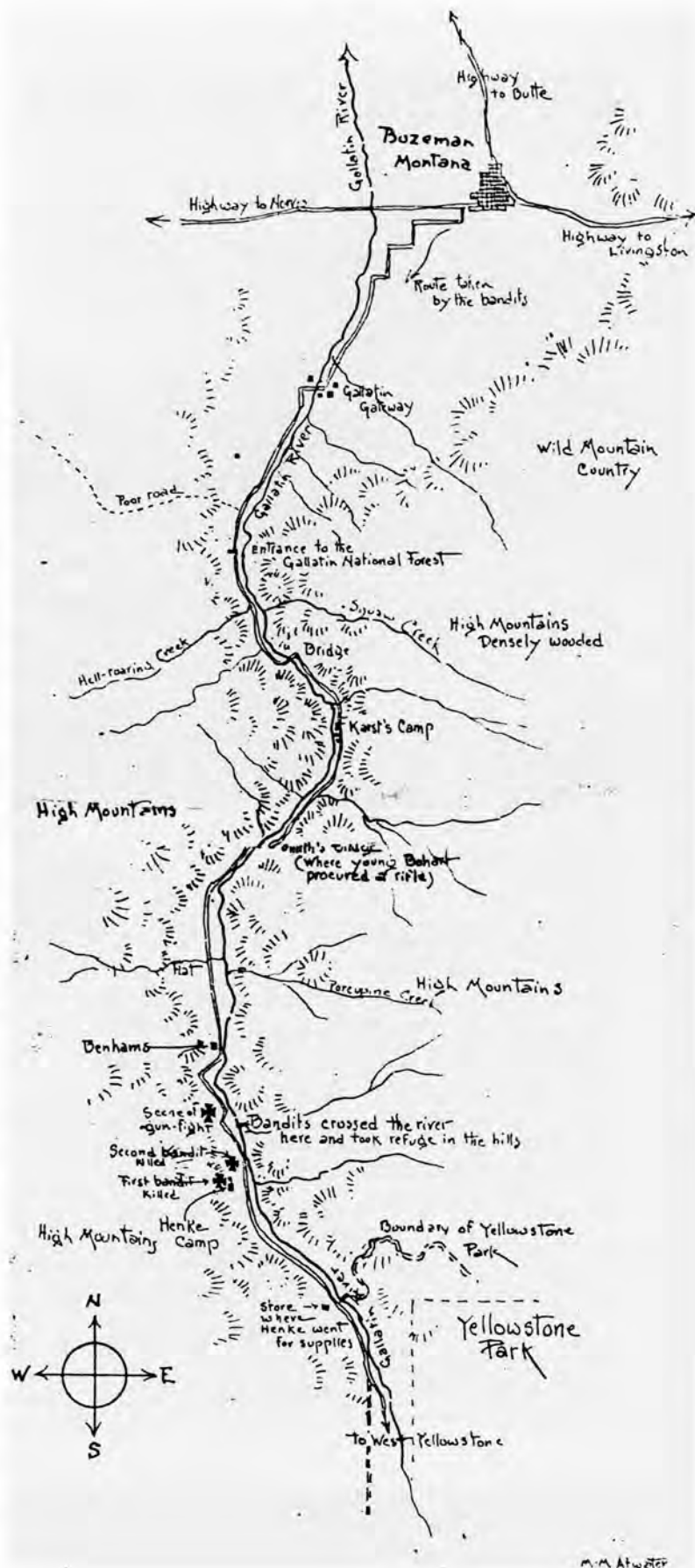
All accounts, even the Atwater article, confirm that no one called on Andrew Hunter to surrender that afternoon; he was simply shot on sight. After the deed was done, the three men in the cabin were justifiably cautious about going outside to view their handiwork because the other robber had not shown himself. As it turned out, they need not have worried, because Rushton, now acutely aware that no mercy could be expected, had begun working his way north, hoping to steal a car and make a getaway. Meanwhile, the Boharts and Lyon began firing their rifles into the air to attract the attention of other posse members, an act that again reinforces the plausibility that Sheriff DeVore did not receive word of the men's stakeout until after the killing. It took over an hour for the real law officers to show up, and Hunter's body was then recovered from the back of the cabin.

In the Atwater story, Seth Bohart expressed disgust with the amateur bounty hunters who crowded

This map accompanied the article "Bring in the Bozeman Bandits!" in *Official Detective Stories*, by Seth Bohart, as told to M. M. Atwater (January 15, 1937, p. 13).

together at the cabin to see the corpse. This, too, is likely a literary device to distract the reader by contrasting the decisive action of the narrator with the boorish rubbernecking of the volunteers. Their sudden convergence at the Henke cabin accomplished one unintended result; it allowed Paul Rushton to move closer to the highway. A few hundred yards north of the Henke cabin, he found a car parked in the open sagebrush flat. J. D. Wade, a Bozeman gas station operator, and Wesley A. Simpson, a furniture store owner, were returning to the car just as Rushton prepared to make his move. Frustrated, the outlaw shot at the two men, who dove for cover. The noise attracted Sheriff DeVore, who was urging the volunteers to disperse. DeVore quickly came to Wade's and Simpson's aid, along with Allan H. Sales, the Bozeman chief of police, and Lester Pierstorff, a Spanish-American War veteran and former rancher in the Gallatin Canyon. These men then advanced up the wooded slope to flush out the remaining robber.²⁷

It is interesting to contrast these men with the amateurs who had staked out the cabin. DeVore coolly led his party up the slope. Chief Sales, sixty-one years old and a former Gallatin County sheriff himself, followed with his rifle at the ready. Pierstorff, a sixty-one-year-old Yellowstone stagecoach driver who, in 1897, had actually been held up by road agents, brought up the rear.²⁸



"BRING IN THE BOZEMAN



Bozeman poses scorn the jail; bring their quarry to the morgue. At left is "Heavy John Doe," as this unidentified bandit was tabbed

BOZEMAN, Montana, is as peaceful and prosperous a little city as one could find. It lies against the lower slopes of the mountains at the head of the famous Gallatin Valley, one of the richest farming districts in the country.

From the point of view of an enterprising bank-robber Bozeman would seem an ideal spot for the exercise of his peculiar craft. But since the affair of July 22, 1932, nobody has tried bank-robbery in Bozeman. There are reasons—

That morning—it was a Friday—was one of those bright and beautiful days that make Montana a Summer paradise. Parked along both sides of Bozeman's broad Main Street were tourists' cars carrying the license plates of every state in the union, beside the trucks, farm wagons and fine pleasure cars of the prosperous valley ranches. Dudes from the dude-ranches, dressed in fantastic cowboy costumes, mingled in the small crowd passing by. Most of the shop windows held displays of fishing tackle. In short, it was like any morning in Montana from June to September.

A little before ten o'clock I happened to be coming out of the Commercial Bank Building into Main Street, when a wild-eyed, disheveled man carrying a rifle went charging by. He almost ran me down.

Rifles are no uncommon sight on the streets of Bozeman during the hunting season in the Fall, but to see one on a morning in the middle of Summer amazed me. I was still more surprised when I recognized the rifleman as Mr. Bertholt, president of the Security Bank and Trust Company.

There could be only one explanation, a bank-robbery.

I CAUGHT up with Mr. Bertholt at a corner where he paused to look up and down the cross-streets.

"There were two of them," he panted. "A big fellow, and a slim youngster carrying a sawed-off shotgun. Which way did they go?"

Nobody could answer his question. The broad streets between the awninged store fronts and commercial buildings slept peacefully in the sun; there was no sign of running men nor of a speeding car. Nobody among the people who began to gather on the corner had noticed anything out of the ordinary.

Sheriff De Vore was notified of the

Around a corner of the lonely mountain road above the bandits thought they had trapped young Paul Bohart. Bohart escaped; note the hole in the chest of "Shorty John Doe," right

robbery and was on the ground in a few minutes. He and I questioned Mr. Bertholt and the bank employees, but we could learn nothing that would be of any use in capturing the bandits. The robbery had been carried out strictly according to the conventional technique.

Shortly after the bank opened, and while there were no customers in the place, two roughly dressed men armed with automatics and a sawed-off shotgun entered the bank. Every one of the employees agreed that the men were strangers. While one of the bandits held Mr. Bertholt and the employees at the point of his gun, the other gathered up all the paper money in sight, disdaining the silver. They then herded their victims into the vault, shut the door on them and departed. The robbers had not been gone long, for the bank officials had been able to release themselves promptly. But when the irate victims rushed into the street the men had disappeared.

The elevator operator in the Commercial Bank building recalled taking two rough-looking men up to the top floor in the elevator at about this time. We made a thorough search of the building from the roof to the basement, but instead of finding the thieves we lost twenty minutes.

However, in the alley behind the next block we found an observing young man who had important information to give. He had noticed a car parked in the alley behind Holloway's store. It was, he said, a Model A Ford roadster with red wheels and the top down. It was loaded with camp equipment and carried a Montana license. He even remembered the license number. His interest in the car had been aroused when he saw two men hurry into the alley and approach the car. One of them was carrying a bulky object which he was attempting to hide under his coat. As the men got into the car the observer saw that the object was a sawed-off shotgun.

NOW we had excellent descriptions of both bandits and of the getaway car. Catching the thieves was going to be a simple matter, it seemed.

In a flat country traversed by many roads there are numerous routes open to an escaping criminal. But in the

mountains conditions are different. The Gallatin Valley, of course, is criss-crossed by many country roads, but to get out of the valley on wheels it is necessary to follow one of four highways.

THE highway leading north from Bozeman traverses the entire length of the valley, through an open and settled country with several small towns along the way. It is a part of the famous Yellowstone Trail and is a main-travelled road. It seemed unlikely that our fugitives would have chosen this route.

The highway to the east crosses the mountains over a lofty pass to Livingston. This also is one of the main lines of tourist travel and for part of the way is in thickly settled country. If the bandits had gone east we were certain to catch them at Livingston.

It seemed far more likely, however, that they had taken either the road to the west or the one to the south. The road to the south, although it is used as a tourist route to Yellowstone Park, traverses a very wild and mountainous country all the way to West Yellowstone. There are, to be sure, a number of dude-ranches, tourist camps and Summer cabins along the way, but there are no towns or large settlements

BANDITS!"

Bozeman, Montana, Has
Had No Major Bank
Holdup Since 1932.
Read This Amazing
Story and Learn Why

By Seth Bohart
Former County Attorney, Gal-
latin County, Montana,
as Told to
M. M. Atwater



In the entire hundred and twenty-five miles.

But Sheriff De Vore decided that if the men knew the country the road to the west was their likeliest route. This road leads out of the valley into the wild and practically unsettled region that lies between the Gallatin and Madison rivers. It is not a main highway and is seldom used except by fishermen and a few ranchers.

THE Sheriff took immediate steps to close all the roads out of Bozeman by telephoning news of the robbery and a description of the men and their car to all the settlements along the four routes. With some of his deputies he started out on the road toward the Madison. He asked me to cover the West Yellowstone road, the one leading south.

The bandits had a half-hour start, but unless they should abandon their car and take to the hills on foot, they had little chance of getting away. Of course if they were mountain men that is exactly what they would do, and in that event it was likely they would make good their escape, for in the wild country between Bozeman and the Park a thousand men could hide out indefinitely and it would take an army to corral them.

But the chance was that the robbers were strangers. People unfamiliar with the high country cling closely to the highways through fear of the wilderness. The get-away car, to be sure, carried a Montana license, but this turned out to mean nothing when a check-up of the license numbers brought up the information that the car had been stolen on the third of July at Victor, during the Bitter-Root Valley rodeo. And the technique of

the Bozeman stick-up was not that of local robbers.

Among the places to receive word of the hold-up was Karst's Camp on the West Yellowstone road, about thirty miles from Bozeman. The road, after leaving the valley, follows the course of the Gallatin River through a narrow canyon that in most places is barely wide enough for the rushing stream. The road itself is hardly more than a shelf blasted out of the canyon wall. At Karst's, however, there is a strip of land between the road and the river, and here are a road-house, a store and gas-pump, and a string of overnight cabins for tourists.

My young brother, Paul Bohart, was at Karst's when the Sheriff's message came in. At the time, he was acting as a patrolman in the U. S. Forest Service, and he kept his motorcycle at the camp. He was a member of a Montana company of militia and on that day happened to be in uniform—a fact that had a good deal to do with the adventure in which he was soon to be involved.

"Bring in the Bozeman bandits!" he heard as he listened to radio warnings. He was not armed, but he did not hesitate; he determined to follow the bandits if they should appear, and at least report their route to the Sheriff.

On receiving these instructions he ran to the garage for his machine. Just as he wheeled it out into the road the bandit car drove up and stopped at the gas-pump!

FORD roadster, red wheels, top down, camp equipment and license number all checked. There was no possibility of mistake.

But what could Paul do? No one at the camp was armed. The hard-look-

ing man sitting beside the driver of the car was leaning forward holding both hands under the shield of the cowl. No doubt he held a gun in either hand.

PAUL had to stand by while the gas-tank was filled, see the driver pay for the gas from a fat roll of bills he took from his pocket—part of the bank loot, probably—and watch the car drive away. But when the roadster had rounded the next turn he mounted his motorcycle and followed.

I reached Karst's Camp a few minutes later and when I heard that Paul, unarmed and alone, was trailing them, my anxiety knew no bounds. Up the steep grade at eighty-five miles an hour I roared. It was a reckless speed for that steep, narrow, winding mountain road, but this was not a time for cautious driving.

I approached Grant's cabin a few miles above Karst's. A woman and a child ran out into the road waving their arms excitedly. I skidded my car to a stop. At the same time two men stepped out of a house above the road. Thinking they might be the bandits I blocked the road with my car and halted them. They were not my men, however, but nothing more than campers who had heard of the excitement by telephone and had come out to see what was going on.

Except for this short delay I probably would have come up with the bandits in the midst of the gun-battle that at that very time was going on up ahead. For later I learned that I

Sheriff De Vore at the tree from behind which one bandit tried to send him to Kingdom Come

had been only three or four minutes behind the chase at this point.

Paul, meanwhile, had been trailing the bandit car as close as he dared. Sometimes he would lose sight of it for a few miles around sharp turns and in the heavy timber, but there was no possible way for a car to get out of the canyon except by driving straight ahead or by turning around and going back to Bozeman, so there was little danger of losing the roadster. On occasional straight stretches he would catch a glimpse of them up ahead.

Slowly, though, he began to realize the danger of his position. Those men undoubtedly were desperate. By this time they must have spotted him and realized that they were being followed. He might find them lying in wait for him around any turn.

He felt an urgent need for something that would shoot, and when he came to Smith's ranch he stopped. Luckily a loaded rifle was standing against the wall near the door; he snatched it up as it was, not waiting for extra ammunition, and continued the chase.

He soon had proof that the bandits realized they were being followed. On a straight stretch between fields, where the canyon widens out a little, they slowed down and drew off to the side of the road—an obvious invitation to Paul to pass them. But he, too, slowed down and remained at the same distance behind. They needed no further proof. Probably, too, they mistook his uniform for that of an officer.

They had no way of knowing, of

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When Andrew Hunter tried to retrieve the food cache, Seth Bohart shot him dead. In the article published five years after the manhunt (above), Bohart framed his actions and offered justification for his part in the events using the shorthand of western legends to explain away the more problematic parts of the story.

The trio had not advanced far into the timber when suddenly Paul Rushton rose from his place of concealment and opened fire with an automatic pistol. Three of the bullets struck Sheriff DeVore and knocked him to the ground, but Sales and Pierstorff fired their rifles together at Rushton, hitting him in the throat and chest and instantly killing him. Although DeVore had been wounded in the neck, hand, and thigh, he apparently had the grit to walk back down to his car before he was rushed to the Bozeman hospital.²⁹

In reporting the second shooting, several literary devices were used by local newspapers as well as the Atwater article to help frame the death in legendary terms. The *Bozeman Daily Chronicle* reported that Rushton had opened fire "without warning" and that Sales and Pierstorff "directed a hail of lead at the bold bad man."³⁰ In the terms of familiar western narratives, the outlaw had drawn first and was killed in a fair fight with the sheriff and his deputies.

No poll was taken of Bozeman residents' reactions to the shootings, and newspapers of the time did not customarily print letters to the editor in dedicated columns. There are indirect hints, however, that suggest an uncomfortable collision of reality and legend in many people's minds. Phil Sandquist, then nine years old, recalled a crowd cheering Sheriff DeVore when he arrived at the Bozeman Deaconess Hospital, but the reaction at the morgue was more subdued.³¹ Over the following days, a parade of people, by some accounts numbering in the thousands, came down to the morgue to view the bodies, not necessarily as idle spectators. The bank's money had been recovered, but not a shred of identification could be found for either man. Authorities hoped someone among the crowd at the morgue would recognize the corpses. But no help was forthcoming.

Herman H. Dokken, the county coroner and the owner of the Dokken Funeral Home, apparently did not hold any hearings. Instead, he quickly filled out the death certificates, indicating the cause of death to be "justifiable homicide" for John Doe "Shorty" and John Doe "Heavy." In what can be interpreted as a rather macabre jest, he also listed "bank robbery" as the occupation of the two deceased men.

In the days following the shootings, the Bohart brothers and Ed Lyon did little to advance their reputation by their unseemly bickering over the division

of the Montana Bankers Association reward money. The organization had made it clear that it would pay \$4,000 for the two dead robbers, but as Secretary Robert E. Towle explained, "Nothing further will be done until authenticated claims for the rewards are presented." The Boharts put in their claim first, demanding an even three-way split between themselves and Lyon, but eventually the money was distributed in a rather arbitrary way: the Boharts and Lyon each received \$500, Sheriff DeVore \$1,400, Police Chief Sales \$750, Lester Piersdorff \$250, and, for his part, Bud Henke got \$100.³²

Meanwhile, the robbers themselves were buried with no more identification above their graves than "Shorty" and "Heavy," but their funeral was attended by dozens of citizens, who donated some thirty bouquets of flowers for the service.³³

The community sympathy for the younger thief was obvious enough to get a reaction from Paul Bohart. He reminded *Bozeman Daily Chronicle* readers that, during his encounter with the outlaws, "they were shooting at me to kill me." Even the paper's editorial page writer felt compelled to defend Seth Bohart in the aftermath of the shooting: "Some may be inclined to believe that the bandits could have been captured without killing them, but desperate criminals with guns in their hands and murder in their hearts are as dangerous as mad dogs at large and it is better to dispatch a hundred bandits than to take any unnecessary risk of having them kill an innocent victim."³⁴

Eventually, the two robbers were identified from the photographs and fingerprints taken from their corpses that were distributed around the country. Andrew Hunter was confirmed to be a widow's son and high school sophomore from Ravanna, Missouri. His remains were exhumed from Bozeman's Evergreen Cemetery and shipped back to his hometown for reburial in the latter part of September. The identification could not have been announced at a worse time for Seth Bohart, for he was entering the final weeks of his campaign for county attorney. When the votes were finally counted, Bohart lost the contest to Democrat Fred Lay 1,568 to 5,483. And, while many other factors could have contributed to Bohart's defeat, it would be fair to assume that his role in the manhunt adversely impacted his campaign.³⁵

The Montana Bankers Association secretary,



The other bank robber, Paul Rushton, was tracked down by Sheriff DeVore, Bozeman police chief Allan H. Sales, and rancher Lester Pierstorff. The Montana Bankers Association paid \$4,000 for the two dead robbers: the Boharts and Edward Lyon each received \$500, Sheriff DeVore \$1,400, Police Chief Sales \$750, Lester Piersdorff \$250, and Bud Henke \$100. Posing above are members of the Gallatin County Sheriff's Department and the Bozeman Police Department circa 1931. The lawmen are (front row, left to right) unidentified, unidentified, chief of police Ollie Barnes, Ralph Sly, Alf "Big Andy" Anderson, Dave Stewart, and unidentified; (back row, left to right) Donnie DeVore, Sheriff Orin DeVore, Gordon Mandeville, Max Howell, Clyde Williams, Ernest Peterson, and Tel Menard.

R. E. Towle, coldly admitted that his organization's unusual reward had "accomplished the results for which it was intended." Not until 1955 did the organization revoke its unusual offer to pay citizens for killing one another, but the deaths of Hunter and Rushton were the only ones for which it ever actually paid the blood money.³⁶

Seth Bohart never ran for public office again, although he would be appointed a deputy attorney for the county at least twice in the coming decades. He finished his life as an attorney in Bozeman, living on a ranch he purchased in the Bridger Mountains. There is no record he ever spoke again about the shooting after he gave his closing statement for the Atwater article: "Burglars," he said, "do not relish a manhunt in Gallatin Canyon, it seems, nor do they

take lightly the marksmanship of our posses."³⁷ With such braggadocio did Seth Bohart attempt to dress up this sorry episode as a twentieth-century version of frontier-style justice.

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