

## **BLIND JUSTICE AT PRYOR CREEK**

Although he was unaware at the time, Tuesday night of May 2, 1893 was a bad night for Alfred "Alf" Chaney in fact it was the beginning of a nightmare that was to continue for the next decade. Henry Starr and his gang, flush from a successful robbery in Caney, Kansas a couple of months before, had chosen the Pryor Creek depot as the place and the Missouri Kansas and Texas "Katy" train as a likely target for robbery and it proved to be a success. The bandits boarded the train when it stopped at the depot and reportedly made away with \$5,000 in cash and jewelry. Alfred Chaney was identified as one of the gang members.

Henry, grandson of Cherokee outlaw Tom Starr and the ringleader, who years later would boast of robbing more banks than the Dalton or Doolins combined, had only recently formed his gang. It had been less than a year before that Starr, Alf, and his brother Frank had met at the Chaney farm north of Wagoner. Alf, married and with an infant daughter, was born in 1852, the oldest of eleven children raised by Hezekiah and Deborah "Devey" Chaney. Frank, several years younger, began spending time with Starr and soon the two struck up a friendship that a year later led to their involvement in the Caney robbery.

Robberies on the Katy line had become increasingly frequent since its completion in 1872, even though more guards were added, detectives hired and the reward money increased. Upon investigation, it soon was determined that the Pryor Creek robbery had been committed by Henry Starr and his newly formed gang, now five in number. So, when the search began, the railroad offered a reward of \$1,200 and the Pryor Creek Trainmen offered an additional \$1,000 for their capture and conviction. Within a short period of time railroad detectives had confirmed a list of suspects and, led by famed United States Deputy Heck Bruner, the hunt and Alf's nightmare began.

According to reports, Alf had been identified as a member of the gang by the passenger train's engineer. Bruner, following up on a lead, determined that Alf had been sighted at the Wagoner depot when the train stopped there shortly after the robbery. That fact was corroborated by numerous acquaintances who had known him for years. No practical explanation was given concerning why Alf was at the depot by himself and not with the rest of the gang. His mother's contention that Alf had been home on the farm recently, weakened from recovering from pneumonia was ignored. Only the engineer's testimony seemed to bear credibility. Meanwhile, as the investigation continued the Starr gang struck again on June 5<sup>th</sup> robbing the Peoples State Bank in Bentonville, Arkansas. According to reports, Alf was again identified as being involved. So, when Bruner and other authorities completed their investigation of the Pryor Creek robbery, arrest warrants were posted for the Starr gang, including Alf who was apprehended, as were Henry Starr and Kid Wilson, a gang member with a bad reputation.

If the charges against Alf were a nightmare, the trial must have been a migraine headache. While the engineer was "pretty sure" it was Alf at the robbery, no adequate explanation could be given as to why he was at the Wagoner depot, 26 miles away when the passenger train arrived there. The prosecution contended he could have taken a freight train that had arrived in Wagoner shortly before, but had no real convincing argument regarding why he would do that. Years later, Henry Starr wrote in an autobiography that he offered to tell the court that it was a case of mistaken identity, that it was Alf's brother

**Frank who had not been arrested, that was involved in both robberies. But Alf's lawyer refused to let him testify, so Starr concluded that he was "in on the take" for some of the reward money.**

**Convicted, Alf was taken to Fort Smith to face Judge Isaac Parker who sentenced him to 24 years in the King's County Penitentiary in Brooklyn, New York then later transferred to Atlanta, Georgia. Alf's nightmare of injustice might have continued by serving out his time except for the determination of his most loyal advocate, his mother Devey. Tirelessly, she wrote to every official who might listen to her plea of Alf's innocence. After all, she knew Judge Parker's sentences had been appealed and either reduced or commuted dozens of times. Even Henry Starr had been given a retrial and a reduced sentence. Finally, Devey's persistence paid off and someone listened. In this case, the "someone" was President Theodore Roosevelt who commuted Alf's sentence to time served and pardoned him. Alf was freed in 1903 after serving ten years for a crime committed by his brother Frank.**

**If there was a happy ending to Alf's ten year nightmare it is that he received a substantial sum for his false imprisonment and returned to Indian Territory in time to take part in its transition to the state of Oklahoma until his death in 1934. Alf's nightmare had ended and justice was finally served.**

