

Tobey Ward

This is one of the excerpts that was omitted from the final version of the book. It is an interesting side story about one of the defense witnesses in the Bond case. Tobey Ward was a young man who'd recently had his own run-in with the law. It illustrates a different father's reaction to a far less serious crime against his daughter and the resulting fallout:

Another defense witness who put in a Wednesday night appearance was Tobey Ward, a young man of twenty-two and a resident of Blue Mound. As such, he may have been called to testify about the gathering there on Friday, June 30 – although the press did not elaborate on his specific contribution. Despite the papers' knack for uncovering the obscure, none of them mentioned the trouble in Tobey's own recent past. It was a shooting which had occurred in Blue Mound, in the summer of '81: "The killing of Dr. Shaw at Blue Mound last evening by Tobey Ward makes the third killing that has been committed within three miles of that town within the past four years."ⁱ

Tobey, it seems, had taken a fancy to a young schoolteacher named Francis, the twenty year old daughter of a Dr. Roswell Shaw. The girl was described as "the pet of her quick-tempered father." Tobey had relentlessly pursued Miss Shaw but with less than honorable intentions, or so it was said. Rumors said that Tobey "had either betrayed her or circulated false reports as to her purity." Most likely, it was the former, since Tobey was said to have bragged to his closest friends that he had "robbed Miss Shaw of her virtue." When Tobey's friends and family learned of it, they all implored him to do the right thing and marry the girl; but, unfortunately, he had a stubborn streak and "refused to do so."ⁱⁱ

In time, the talk worked its way back to the girl's father. Dr. Shaw had never been known for the kind of restraint that Mr. Hill and Mr. Bond had exhibited in regards to their own daughters. In fact, Francis had been so concerned about her father's reaction that she had sent Tobey a letter, warning him of "the impetuous nature of her father," adding that "she knew not what he [her father] might do while in a violent temper."ⁱⁱⁱ That was all it took. Tobey took off for Ohio and did not return for several months.

Like Mr. Hill with Lee Pettus, Dr. Shaw had planned to bring seduction charges against Tobey. But upon learning that the lad had run off, Shaw then let it be known that if he ever laid eyes on Tobey again, the boy would have hell to pay for his actions. It wasn't long, however, before Tobey grew homesick for Illinois. Hearing that the doctor was no longer living in Blue Mound, he decided it was safe to return home. Unbeknownst to him, though, the girl's older brother still lived there. When Tobey reappeared in November, the brother fired off a telegraph to his father. It said, simply, "Come and get your bird. He is here."^{iv} Everybody in Blue Mound knew of the hostilities, but not a one could stop what happened next. Early on a rainy November evening, the doctor showed up in town, looking – above all – to do harm. Tobey happened to be in the Sprague and Spooner drugstore – buying a Lucky cigar and some Brown's expectorant to go with it – when he walked the incensed father. The two came face to face and in a flash, guns were drawn, bullets flew, and the doctor went down with a mortal wound to his groin. With his femoral artery severed, Shaw bled to death in a matter of minutes – right there on the floor, cradled in his son's arms. Meanwhile, Tobey escaped out the side door, later insisting that he had no idea that the doctor was dead. Friends succeeded in talking some sense into Tobey and escorted him to Decatur the next day – where he turned himself in to the Sheriff. He was charged with murder.

In December, he was brought before the bench to answer for the crime. One of the lawyers prosecuting Tobey was none other than Judge Anthony Thornton, the man now in charge of the defense for the Bond suspects. Ward encountered far less animosity than those three, however. After examining the caliber of the bullets (dug out of the drugstore walls), after hearing multiple testimonies about Shaw's repeated threats against the lad, after considering Mr. Sprague's eyewitness account of the shoot-out in his store, and after listening to Ward's own version of events, the Judge concluded that Tobey had indeed been stalked by the doctor and that he'd had no choice but to draw his revolver and fire in self-defense. Then, in a desultory attempt to appease the Shaw family, the judge declared: "It is evident that some grievous wrong had been done Dr. Shaw, and that there is something of a very serious nature behind the shooting, but Dr. Shaw could not be justified in his attempts to right his own wrongs by firing at Ward."^v Barely a month after the shooting, Tobey was pronounced a free man. He returned to Blue Mound and eventually took a bride, but it was not Miss Shaw. In fact, it was the hotel-keeper's daughter, Caroline Stumpf. Her father, John, was on the list of witnesses for the Bond case and was due to testify the next day.

ⁱ *Decatur Daily Republican*: 12 Nov 1881, p. 3.

ⁱⁱ *Ibid.* ("the pet . . . to do so.")

ⁱⁱⁱ *Ibid.*

^{iv} *Decatur Daily Republican*: 14 Nov 1881, p. 3.

^v *Decatur Daily Republican*: 07 Dec 1881, p. 3.

ⁱ *Decatur Daily Republican*: 12 Nov 1881, p. 3.

ⁱⁱ *Ibid.* ("the pet . . . to do so.")

ⁱⁱⁱ Ibid.

^{iv} *Decatur Daily Republican*: 14 Nov 1881, p. 3.

^v *Decatur Daily Republican*: 07 Dec 1881, p. 3.