

CHAPTER 1

Doc Baggs and Some Kindred Spirits

Over all the years, even during the nineteenth-century heyday of flamboyant scam and fraud, no confidence man worked more smoothly and survived more ably than Charles Baggs. He was called “Doc” in the trade, a long-faced, dark-bearded, dignified sort who simply oozed respectability, courtesy, and reliability. Like many other con men, he started out as a steerer for other people, then graduated to running operations himself.

Doc did not waste his time with multiple-victim, small-time cons. He looked for the big money and milked it, one victim at a time. Baggs professed to be disappointed in Soapy Smith, successful as Soapy was, because he had swindled for what to Doc were nickels and dimes. According to one history of Soapy’s Denver days, Doc put it this way:

It’s as easy to make big money as little money . . . In my profession, a hundred dollars is just chicken feed. We think in thousands, not tens . . . It is as easy to separate a sucker—the right sucker—from five thousand dollars as from fifty.¹

Nobody could even take a look at Doc without trusting him. In addition to the dignified face and beard, Doc was given to wearing the best of clothing under his stovepipe hat; who could distrust a man in a cutaway coat and striped trousers, a man who carried a silk umbrella?

He was well known in Denver, and his appearance was so impressive that the *Denver News* published a neat bit of doggerel about him. It appeared on the occasion of the Denver visit

of famed Irish poet Oscar Wilde. It seems that Wilde's favorite expression of delight was, "too, too, divine." A long, anonymous poem in the *News* responded thus:

If thou dost boast of being too, we will/Produce Doc Baggs, M.D.,
who is as too/As thou are, and a durned sight tooer.²

Doc was proud of his profession, especially his well-known reluctance to swindle the ordinary man. "I defy the newspapers," he said,

to put their hands on a single man I ever beat that was not financially able to stand it. I am emotionally insane. When I see anyone looking in a jewelry store window thinking about how they would like to get away with the diamonds, an irresistible impulse comes over me to skin them. I don't drink, smoke, chew, or cheat poor people. I pay my debts.³

All of which was probably true, although it did not keep the law from dogging Doc's footsteps from time to time. At one point—in about 1892—Doc told a reporter in Denver that he had been arrested "about a thousand times"—presumably a pardonable exaggeration—but said he was never convicted, which may also have been true. If so, it was quite a record, since Doc had worked all over the West, including a time in Omaha working with John Bull, another legendary con man.

There is a tale that Doc once defended himself and won a dismissal of the charge, arguing that there was no such statutory crime as "bunco-steering," the charge on which he had been arrested. There was not even such a phrase in the dictionary, he said, and according to legend, that ended the case. Well, maybe.

Doc Invents the Gold Brick Con

Legend credits Doc with inventing the Gold Brick con, which had the potential to turn a very large profit with a single sucker. And that was Doc's philosophy. What point was there in swindling little guys out of their little stashes of money, when there were folks around with pockets full of dollars, and even whole banks

crammed with legal tender? The Gold Brick was just the sort of scam he liked best, and with it he trimmed Tom Fitch and L. B. Howard, powers in something called the Cedros Island Mining Company. The outfit was based on the West Coast, and whether Fitch and Howard had a real mine or not, they surely had money. They fell victim to a variation of the Gold Brick fraud, this time the “Mexican” variation, talked about below.

The Gold Brick con was basically quite simple. All the grifter had to do was sell this wonderfully valuable thing to somebody for lots of money. Trouble was, of course, that the brick wasn’t gold at all, but instead some base metal or even a real brick, coated with a film of gilt or some other facsimile of the real thing. Nobody with enough money to buy such a thing lacked the sense to make sure what they were buying was the real McCoy. What better way to satisfy the buyer than an assay by a reputable assay office? “Sure,” the grifter said, as he took customer and brick to a phony assay office, which pronounced this chunk of metal genuine gold.

Or, if the mark insisted on an appraisal, the con man readily agreed. “Tell you what we’ll do,” he said. “Here, I’ll dig a chunk out of the brick, and we’ll take it to be assayed.” And they did. What could be fairer than that? Surely that should satisfy any buyer, and it usually did. Trouble was, the con man knew precisely where to dig out his sample. After all, it came from a plug of real gold carefully incorporated in the brick for just such a contingency.

Doc got some \$15,000 out of Howard and Fitch, and he did even better with Leadville, Colorado, entrepreneur H. M. Smith, whom he took for some \$20,000. The con had the “Mexican” wrinkle both times: the owner of the brick was a Mexican, Baggs said, living in a shack and anxious to sell a gold brick stolen in a robbery. A confederate played the “Mexican,” and Doc was the “interpreter.”

Doc Employs the Policy Shop Con

Along the way, using still another con, in about 1882 he bilked Miguel Otero (1829-82), a Las Vegas, New Mexico, businessman,

earlier the governor of his state, who had come to Denver to attend a lecture by the Irish poet Oscar Wilde. Otero was taken in a sort of “policy shop” racket. Denver in those days had a number of policy shops for access to the state-run lottery. This one was a phony.

Baggs sent a bunco steerer to “accidentally” meet Otero. The steerer asked Otero to go to the policy shop with him to see if he held a winning ticket. Otero did so, and the scam was on. The shop operator was Doc Baggs, of course, and the party was joined by still another steerer, a “friend” of the first. The first man did not win, but the friend did, and revealed that he had a surefire system. When he won again and ran his stake up to \$2,400, he asked Otero to bankroll him on still another bet, fifty-fifty, and Otero agreed.

The next step was easy. When the steerer bet the whole stake, Baggs said he could not deliver that much cash without evidence of the bettors’ ability to pay if they lost. Otero ponied up his note for \$2,400, about \$53,000 today—according to another account it was a check—which was promptly discounted, completing the scam. The man who tried to negotiate the note was arrested and the note confiscated, but he promptly sued for the value of the lost property.

The deception would have produced an even better haul had not Otero in the nick of time stopped collection on a \$5,000 check he had also put up as part of the scam. Doc was entirely unrepentant over swindling Otero. “I am a poor man,” he said to a local newspaper, “and Otero is rich . . . Has served several terms in Congress and is afraid of publicity. I need the money and he can afford to lose it. He dares not complain.”⁴

But Otero did complain, and the Denver police searched for Doc, according to the *Denver News*, even staking out the offices of Baggs’ lawyer, “industriously examining the water closets, hanging around the back stairs and patrolling all parts of the building.”⁵ Doc apparently was arrested for this one, but he had read his quarry aright. Otero did not appear to testify against him, perhaps because his son ultimately managed to recover the note. At least, that is how the *Denver Republican* told the tale.⁶

Doc Operates Mostly in Denver

Doc shared the Denver stage with the Blonger boys, sometime rivals of Soapy Smith and longtime scam kingpins of the city. Sam and Lou Blonger had been around. In earlier days, around Council Bluffs, Iowa, the Blongers had been in “business,” as had Baggs, Canada Bill Jones, George Devol, John Bull, and Frank Tarbeaux—as thoroughly crooked a collection as ever fleeced a mark.

Doc did, however, have his good side. He apparently was a dutiful family man, and he had a certain loyalty to the steerers and cappers who worked for him. And he professed to be astonished and angry when any con man turned to violence. As he delivered himself of that pious sentiment, a Denver newspaper described Doc as “this distinguished . . . disciple of Aesculapius,” the ancient god of medicine.⁷ It was a neat phrase, and perfectly accurate.

Like a good many of his colleagues, Doc was given to moving around a lot. When a con man swindled important folks out of large amounts of money, it paid to depart as quickly as possible thereafter. Sometimes, however, the victims of the con were too embarrassed to complain to the police or anybody else, and in such cases the con man could remain in town and carry on. Some grifters even became well-known celebrities, regarded as a species of local hero, especially those who limited their dirty work to visitors from out of town.

Much of Doc’s best work was done in Denver, where he fleeced Otero, Smith, Howard and Fitch, and no doubt a host of others. Doc knew that the more imposing the façade of the scam, the more likely it was to succeed. And so, said a *Denver Times* story in 1915, he created an “office,” complete with adjoining doors bearing glass panels marked “manager,” “attorney,” and so on. Clerks (shills, of course) labored diligently at nearby desks, apparently working on ledgers that befitted a master of finance.

The furniture was high-quality, but better yet, the huge safe was exactly what the dupes would expect to see in the office of a grand financier. The thing was fully seven feet square, very imposing, and full of the usual pigeonholes and documents, its door labeled with the maker’s name and red-and-blue lines by way of decoration.

Only the safe—pigeonholes and all—was silk, painted carefully

in perspective; or, according to others, it was made of wood, carefully painted to show its interior, its pigeonholes, and so on.

Whatever it was made of, the “safe” sat behind Baggs’ desk, away from any minute scrutiny by the visitor. If trouble threatened and it was high time to disappear, Baggs simply tore the “safe” from the wall, rolled it up, and walked off with it; or, if the tales about it being wood were correct, he folded the thing up so that it disappeared with him, disguised as a sort of suitcase.

Meanwhile, his “clerks” got rid of the phony ledgers and pushed the marked connecting doors into the false partitions that had doubled as office walls. Although that sounds like too much work to do quickly, remember that practice makes perfect, and preparation for flight was accelerated by the certain knowledge that an angry, disgruntled dupe might soon appear at the “office” door, brandishing a revolver or, more often, bringing a couple of policemen with him. Some of them did.

By the time the coppers and the vengeful mark arrived, of course, the “office” was gone—lock, stock, and barrel. The room was, instead, a lady’s bedroom, complete with an agitated Chinese servant to say “Missy was out.” In Denver, at least, the constabulary may well have known they would find nothing, and a pretty accurate notion of who had turned something into that nothing and departed. However, many of the police were on the payroll—like many city officials—and all of the officers could at least honestly say later under oath, “Your Honor, we responded promptly, but we just couldn’t find a thing.”

Despite the gambling temptations rampant in the towns of the booming West, Doc seems to have held on to at least some of his spoil. His fellow swindler Frank Tarbeaux claimed that at ninety-three, Doc Baggs was still living happily “on an estate” in New York.⁸ Perhaps.

Dick Clark: An “Honest Gambler”

In Doc’s time Denver was full of con men, and many of them worked for Soapy Smith. These included disbarred attorney and

champion jury-fixer “Judge” Van Horn, and “Reverend” Charley Bowers, who, in a time when fraternal societies such as the Freemasons were highly popular, knew all the lodge grips and passwords. So much the better for Bowers, since lodge brothers often tended to trust even a stranger in those innocent days.

Some of the swindlers were members of the gambling fraternity, in their own way as crooked as the men who ran the great confidence games. Take Dick Clark, for example, who was as famous as Soapy Smith, Doc Baggs, or the Blonger boys in his time. Clark spent years in Tombstone, Arizona. He considered himself an honest gambler since he did not use marked decks; still, he saw nothing wrong with reversing a cut or stacking a deck while he was shuffling it. He never stooped to hiding an ace in his sleeve, since he considered that sort of pedestrian trick dishonorable.

Nor did Clark see anything wrong with using his big diamond ring to read the cards as he was dealing; he would hide the thing among his stacks of chips, to reflect the faces of the cards as they flashed past. He is said to have actually been able to read and remember the lay of the cards around a table. To Clark, that wasn't cheating, but only using his manual dexterity and his prodigious memory to help his game along. It was a curious distinction.

Clark moved to Tombstone after the heyday of the railhead towns was past, and there he and his partners opened the Alhambra. It was quite a place, according to the *Epitaph*:

Last night the portals were thrown open and the public permitted to gaze on the most elegantly furnished saloon this side of the favored city at the Golden Gate.⁹

The article waxed poetic about the furnishings of the new gambling palace, even describing the lighting. The paper's enthusiasm may have minor overstatement, perhaps, but at least the much-touted—and expensive—grandeur of the place gave evidence that Clark and his partners had come to town to stay.

Like so many other gamblers and con men, he was generous to charities and scrupulously honored his debts. On one occasion—with other businessmen—he stood as a bondsman for the county treasurer. And when that bureaucrat defaulted, Clark was the

only one to pay his share of the bond—\$5,000, about \$110,000 today—with the same good grace he displayed when he had a bad night at the tables.

Clark was popular in Tombstone and the other towns he occasionally visited. He was courteous, urbane, and a fine figure of a man. Clark carried himself erect, perhaps a legacy from his days of soldiering during the Civil War. He had served his gambling apprenticeship in the Kansas cow towns—Newton, Abilene, Dodge City, Ellsworth, and the rest—moving with the “hell on wheels” collection of brothels, saloons, and rude gambling houses that followed the railhead west. He gambled with such luminaries as Wild Bill Hickok (who was also the city marshal of Abilene), and deadly Texas gunman Ben Thompson.

Business was good for Clark and other professional gamblers who flocked to collect those cowboy wages. In 1871 and the next year, Newton had as many as eight gambling houses and twenty-seven saloons, hunting grounds for an estimated eighty professionals, not counting the eager amateurs.¹⁰ Nobody closed, night or day. Any trouble was either ignored or summarily dealt with by the town police, who in Newton were paid by the local gamblers.

Clark was a peaceful sort, unlike some other cardsharps and con men. He did not get drunk and throw his weight around, like Soapy Smith, nor did he ever fire a shot in anger, like dapper Luke Short, so far as is known. In his only recorded incident of violence, a man tried to hold up Clark's Alhambra gambling hall at 4:00 A.M., as Clark and an assistant were closing up. The assistant grabbed the man's gun hand, and Clark drew his own weapon and creased the malefactor's head with it. And this was a time when nobody would have thought twice about ridding the world of another criminal.

Clark and his partners—including Wyatt Earp—also leased the gambling hall at the Oriental. When their lease ran out, the owner, a friend of crooked sheriff and Earp rival John Behan, would not renew. After learning somehow that Behan was undercapitalized, Clark and Earp “bucked the tiger” one night at Behan's faro bank, long enough to win some \$6,000; they demanded payment, and that broke Behan's bank. Behan managed to stay in business, but his enterprise never flourished.

Among other veterans of Clark's standing was Lucky Bill Thornton, one of the premier thimblerriggers the West ever saw. He headquartered in Sacramento, California, and gambled in several places, including The Stinking Tent. Thornton worked hard at his trade, carefully keeping his fingernails well-trimmed and long, for they were his tools in scooping up the "pea"—generally a little cork ball—and like most professionals he cut a suave, elegant figure. He was a master of patter, the sort of gambler lingo that pulled men into the game and incidentally tended to distract the players from what Thornton was doing with the shells and pea.

The Stinking Tent was dirt-floored and tiny. While customers passed to and away from the gambling tables inside, Thornton ran his swindle near the door of the tent. His operating costs were minimal, since the table on which he performed his legerdemain was just a wooden tray that hung from a strap around his neck. His only other gear was the "pea" and the three shells, generally three tiny cups shaped like walnut shells. It was all Thornton needed, and he prospered: at one point he had made \$20,000 or so in just a couple of months, real money in those days.

Life as a grifter had its own hazards though. Once Thornton shared a coach with several passengers, and one turned out to be the brother of a man Thornton had fleeced. The other man pulled a wicked-looking Bowie knife and swore he would use it to dissect Thornton. The coach stopped to let the two men fight it out, and both ended up needing a doctor: Thornton with a knife wound in his side, his opponent with a slug in the shoulder. It had been a long day for Thornton, for he was on the coach to escape angry miners from Hangtown, tough, hard-working men Thornton and a partner had taken for some \$2,000.

George Devol: Hard Head, Soft Heart

Not all the swindlers were shy, retiring, and dignified. One of the pioneers of dirty tricks was tough, grizzled George Devol. He started out as a riverboat cabin boy and bootblack, learned the swindler's trade a little at a time, and graduated to full-time



George Devol (Library of Congress)

gambler, working the Mississippi steamboats. Devol survived a whole series of brawls and gunfights and several wrecks.

He claimed to be present during the ghastly explosion and sinking of the *Princess*, which killed some “one hundred souls . . . and among them were fourteen preachers.”¹¹ Most of the gamblers survived in the barbershop. He also wrote about an

endless series of confrontations with angry marks and jealous rivals. Devol was a smooth, able, and joyful fighter.

He was a strong man, with a big reputation, hard fists, and an extraordinarily thick head, perhaps the product of some abnormality. His famous head-butts could knock the biggest man unconscious. Devol also carried a pistol, and he was not shy about pulling it.

Devol was proud of his hard head and reputation, and wrote in his memoirs of a good many riverboat fights. After one of them his opponent died, and Devol hastily left town until he learned that the dead man had been found to have the “d.t.s [the shakes from alcoholism], and could only have lived a short time.” Devol claimed that he later gave money and property to the dead man’s wife,¹² an act of gallantry like the one in which he returned jewelry to a woman whose husband had lost it to Devol gambling.

And in at least one instance, his charitable disposition was Devol’s undoing. He spotted a likely mark closely watching him play cards, and then walked over to talk to the bartender. He asked who Devol was, and then commented that one of the cards had a “little spot” on it. As usual, when he finally sat down to play, Devol milked him of his money. And then the dupe went into his act:

Mr. DeVol, I am a poor man, with a wife and four little children. That money I lost was all I had in the world, and it was given to me by friends to start me a little business . . . If I don’t get that money my wife and little children will starve to death for I will never see them again.¹³

And much more of the same. Devol wrote later that he took pity and gave the man \$500, only to hear the mark laugh as Devol turned away. He looked back to see his dupe grinning at him, brandishing a hand full of \$100 bills. “I haven’t got no wife nor no four children,” said the dupe, at which Devol started after him. The man fled, and Devol bought himself a whip, “but I never had the nerve to use it.”

Well, maybe, and maybe it never happened at all, for Devol was a great self-inflater. He even went so far as to include a final chapter in his memoirs purporting to quote someone saying wonderful things about Devol to the *Cincinnati Inquirer*. The quote begins, “There goes the most remarkable man in the country . . .” and is

followed by much more of the same. Maybe it did come from the *Inquirer*, but it sure sounds like vintage Devol.

He knew the conventional gambling trade well, but as a youngster he dabbled in keno and something called “rondo.” He also gambled ashore, and used some of the booty to buy real estate and build houses. Before the Civil War he also won several slaves gambling.

Frank Tarbeaux: The Rube Act

Frank Tarbeaux was another tall-tale egoist, and also an accomplished three-card Monte shark; he too worked the railroads. Doc Baggs, George Devol, and John Bull were steerers for Tarbeaux the Monte master. Bull shot and killed a couple of gunfighters along the way. Tarbeaux’s system depended on another passenger, his steerer, to rope in a victim. His success was due in part to his hick appearance. Tarbeaux dressed and talked like a farmer—a “rube” in his words—flashing a fat roll and boasting about the big deal he had just pulled off; selling a herd of cattle, for instance.

The steerer raised his hat to signal Tarbeaux that they had a live one. Tarbeaux, speaking like a country boy, would drawl a tale about his time in the big city. He would genially tell the mark he had been fleeced at Monte once, but had paid his fleecer for the deck he was using. He had been practicing, he said, so that he could now choose the winning card himself. His clumsy dealing led the victim to believe Tarbeaux was a farm boy who did not know what he was doing.

The steerer won a bet or two from Tarbeaux, who promptly started to fold his game and depart. The next step closed the trap: the steerer urged the “rube” dealer to try it just one more time, and he agreed, but the steerer told Tarbeaux he would only play for all the money Tarbeaux had. Tarbeaux would produce a fat roll of bills, and when the sucker matched it, in the best old Monte fashion the confederate winked and told the victim about the tiny crease in the winning card. Of course, the victim took the bait and chose the wrong card. Tarbeaux and his boys had won another small jackpot. Sometimes they could swindle a couple of marks in the same night.

When he wasn't using his "rube act," Tarbeaux pretended to be the same sort of genial, cultured, well-dressed gentleman as Doc Baggs. Tarbeaux was dignified, and had just the sense of humor to lure the unwary into a sense of security. He was, as one writer put it, a "striking, clean shaven, good looking man . . . I never met a man with greater social gifts."¹⁴ He was also a consummate inventor and creator of his own mythology.

Canada Bill Jones: An Idiot Savant

William "Canada Bill" Jones was English by birth, coming to the United States by way of Canada. He won a fortune at his specialty, three-card Monte, but like many of the other professionals, he could not resist other games. Like Soapy Smith and a good many other masters of the con, he loved faro, and gambled away most of his suckers' money "bucking the tiger."

Jones turned passenger trains into gold mines, from which he and others extracted millions until the railroads shut them down. One tale says that riverboat gambler George Devol triggered the closing of the mines by choosing the wrong mark. George won more than \$1,000 from a fellow traveler, who turned out to be a director of the Union Pacific and who promptly banned gambling and threatened to fire any conductor who permitted it. Supposedly, Canada Bill wrote the Union Pacific, offering to pay \$10,000 for the exclusive right to run a Monte game on their trains, "promising to limit his victims to commercial travelers from Chicago and Methodist preachers," and was refused.

Much of Canada Bill's success depended on his appearance. He was a slight man, given to a shuffling gait and scruffy clothing several sizes too large, who, as his longtime colleague George Devol later wrote, "when his countenance was in repose, resembled an idiot . . . he had a squeaking, girlish voice and gawky manners, and a way of asking fool questions and putting on a good-natured sort of grin."¹⁵ No wonder he drew potential marks like flies to honey.

Canada Bill has been portrayed as a sort of villain, a swindler without conscience, an evil man. One "converted gambler," as

Devol called him, described Bill as a big man, with a “nose highly illuminated by whiskey and heat . . . he drank himself to death.”¹⁶ This disparaging portrait was written by one Mason Long, a less-than-successful gambler by his own admission. He did catch the essence of Canada Bill’s appearance and manner:

A rustic looking creature munching a huge piece of pie, which he ate with palpable relish. He was . . . dressed in coarse clothes, with sunburned countenance . . . and an expression of indescribable greenness and “freshness” about him.¹⁷

George Devol had a different view of Canada Bill’s appearance and character, writing that his longtime friend and partner was a small man, and never touched whiskey at all. His tippie was, said Devol, “Christian cider.” Devol added this to Canada Bill in his own memoirs of life on the shady side:

There never lived a better hearted man. He was liberal to a fault. I have known him to turn back when we were on the street and give to some poor object we had passed. Many a time I have seen him walk up to a Sister of Charity and make her a present of as much as \$50.¹⁸

The good sister could make better use of it to help the poor, said Canada Bill—at least according to Devol. No doubt. Still, charity is easiest with somebody else’s money. Bill died broke, like so many of his colleagues, and his old friends raised enough money to pay the cost of his burial and erect a stone to his memory.

Con Men Long Gone

And so passed a few of the more successful of the con men. Some actually survived the years of dealing with angry victims and retired in comfort; some of them bragged a little and produced a volume of memoirs, like Devol and Tarbeaux; some of them never made it past the booze and the faro banks. But all of them shared a common quality.

They made life interesting.