

INTRODUCTION

Back in the days of the Old West, vigilante justice was not uncommon. Vigilante committees were organized in towns and regions with no or extremely limited governmental services and law enforcement. These committees took it upon themselves to enforce their interpretations of the laws of the land. Any deviation away from these interpretations often resulted in an untimely demise. The “justice” that vigilante committees served was often done with rigged trials or, more often, no trial at all. Many innocent men were murdered by these committees.

Vigilante committees made their first appearance in the west during the California Gold Rush. Between 1847 and 1870, the average murder rate for the California gold fields was 158 deaths per 100,000 people. This equates to an average of slightly more than one murder per month.¹ Vigilante committees were essentially criminal in and of themselves, violating several provisions of the United States Constitution, most notably the right to a fair trial. Even the larger cities such as San Francisco weren't immune to this type of “justice,” as the San Francisco Committee of Vigilance was organized twice, once in 1851 and again in 1856.²

Other states were not immune. Montana's gold fields had the Montana Vigilantes; formed in 1863, they followed the model of the aforementioned San Francisco Committee of Vigilance.³ Another vigilante committee was formed in Helena in 1865.⁴ During the Civil War in Texas, many Union sympathizers were hanged, most without trial, in what is known as the “Great Hanging at Gainesville,” which may have been the largest single act of vigilante justice that ever occurred in the United States.⁵

Most people do not associate Utah with vigilante justice; however, incidences did occur, particularly during Utah's first couple of decades as a United States Territory. Utah's vigilante justice was never like that of California, Montana, or Texas. No records of official vigilante committees like those in San Francisco and Montana exist; if such a group did exist, they did not last long. One of the earliest recorded instances of vigilante justice occurred in October 1857, when Private George W. Clark of the United States Army was hung by several people whose identities will never be known. This occurred during the Utah War conflict and only served to further sour relations between the Mormon settlers and the federal government.⁶

By 1870, however, vigilante justice had begun to die down in Utah. The Utah War was long over, more people were entering the territory, and formal law enforcement was established in most cities and towns. During this time period, the railroad and mining industries, two industries with strong ties to vigilante justice, were prospering, and while minor incidences occurred, nothing of major consequence did, and again, no records of substantial groups exist.

One town that almost became a major problem for law enforcement was Silver Reef, a mining community located 15 miles north of St. George. Though the overall crime rate was relatively low here compared to similar mining settlements, one particular murder that did occur sparked a controversial enactment of vigilante justice. Had this group of vigilantes formed an official committee, Silver Reef could very well have become Utah's Gainesville. This is the history of that event.

¹Monkkonen, Eric. “Western Homicide: The Case of Los Angeles, 1830 – 1870” *Pacific Historical Review* V. 74 No.4, pp. 603-618 [p. 609]

²Hine, Kelly D. “Vigilantism Revisited: An Economic Analysis of the Law of Extra-Judicial Self-Help or Why Can't Dick Shoot Henry for Stealing Jane's Truck?” *American University Law Review* 47 (5): 1221-1255 [p. 1225]

³Dillon, Mark C. *Montana Vigilantes 1863 – 1870 Gold, Guns and Gallows* pp. 119-134

⁴Ibis, pp. 194-230

⁵Texas State Library and Archives Commission. *Under The Rebel Flag: Life in Texas During the Civil War*

⁶Thomas, Scott K. *Violence Across the Land: Vigilantism and Extralegal Justice in the Utah Territory*, p. 54

THE CARBIS-FORREST AFFAIR: VIGILANTE JUSTICE IN FRONTIER UTAH

Early history of Silver Reef

Silver Reef was established as Bonanza City near the end of 1875 following the discovery of silver deposits in the nearby sandstone rock formations, or “reefs.” Prospective residents were initially skeptical of the profitability of Silver Reef’s mines; it was generally understood at the time that silver could not occur naturally in sandstone. Many people labeled Silver Reef’s mines as a hoax.⁷ However, when valuable shipments of silver were sent to Salt Lake City and Pioche, Nevada, many of the skeptics became believers.

Pioche was also a silver mining town, and its mines were starting to falter at this time. Upon hearing of the discovery of silver in Southern Utah’s sandstone formations, hundreds of miners and businessmen flocked to the new region. Finding high lot prices in Bonanza City proper, most of these settlers preferred a rocky spot north of Bonanza City and closer to the center of the mines. This rocky spot, initially known as “Rockpile,” grew faster than its sister city and the two were merged in 1876 under one name: Silver Reef.⁸

By 1877, Silver Reef was developing well. Over one hundred potentially rich mining claims had been located, hundreds of people called the fledgling town home, and a substantial Main Street was forming.⁹ Because most of Silver Reef’s residents, both miners and businessmen, were formerly of Pioche, the town was often regarded as Pioche’s sister city. A sense of brotherhood among former neighbors existed which was uncharacteristic of other mining towns and was one of the factors in the town’s relatively low crime rate.

Though crime rates were fairly low compared to similar mining towns, they were still much higher than those of the surrounding communities, which were predominantly made up of Mormon settlers. Several violent crimes took place in the town. The first violent crime that was reported by an outside newspaper was the 1878 shooting death of Henry Clark, a gambler, by Charles “Sykes” Griffin who acted as the dealer of a game of Faro with Clark.¹⁰ The incident was recorded in the *Deseret News*. According to the article, Griffin was quickly disarmed and shot to death by James Clark, Henry’s brother.¹¹

One could argue that this was the first instance of vigilante justice in Silver Reef, though it was more of a spur-of-the-moment act of vengeance rather than an organized effort. Most other incidences of crime were not dealt with in this way; usually, the perpetrator was caught and incarcerated in Silver Reef’s small jail on East Street.¹² The sheriff of Washington County, Augustus P. Hardy, would then either oversee the release of the prisoner or transfer them to the larger Washington County jail in St. George. In one instance, however, two men exchanged shots in the street and killed each other.¹³

In April of 1878, Silver Reef petitioned the territorial government requesting incorporation. The “Act to Incorporate Silver Reef City” was passed, almost unanimously, by both the House of Representatives and the Senate. When it passed to Governor George Emery for his signature, it was passed with amendments.¹⁴ Silver Reef was granted the right to hold a few sessions of District Court

⁷Massey, Peter; Wilson, Jeanne. *Backcountry Adventures Utah*, p. 43

⁸Proctor, Paul Dean; Shirts, Morris A. *Silver, Sinners and Saints: A History of Old Silver Reef, Utah*, p. 39

⁹Beal, Wilma. *My Story of Silver Reef*, p. 5

¹⁰Leeds Area Historical Society. “Saloon Shootout Leaves Two Dead” *Washington County Historical Society Newsletter* (spring 1997): 2

¹¹“Local and Other Matters” *Deseret Evening News* V.45 No.27, p. 1

¹²Proctor & Shirts, p. 134

¹³Beal, p. 9

¹⁴Utah Legislative Assembly. *Journal of the Legislative Assembly of the Territory of Utah, of the...Utah Legislative Assembly* (1878), p. 329

and the right to elect a formal town constable and Justice of the Peace. The citizens of Silver Reef were grateful for the acquisition of these provisions.

A town constable was elected later that year. Joseph Hoag, already a well-respected citizen and mine owner, was chosen as constable *pro tem* and was later formally elected.¹⁵ Hoag was responsible for maintaining law and order within the town's boundaries. Though there are no official records of him having deputies, it is safe to assume that he had some kind of support. Silver Reef had grown to have almost 1,500 permanent residents by this time, which was much too large for one man to manage. Federal marshals also passed through the town following the passage of the Edmunds anti-polygamy bill.¹⁶ The county sheriff made regular visits to Silver Reef for aforementioned reasons.

It's difficult to believe that a town with a relatively stable law enforcement entity could produce any instance of vigilante justice. However, there's only so much law enforcement can do to handle potential acts of vigilance. Silver Reef's major act of vigilance was fueled not necessarily by a false sense of justice, but by a town's thirst for vengeance.

Bitter Feelings

The chain of events leading to Silver Reef's unique instance of vigilante justice began when Thomas Forrest, a Scottish immigrant, was hired on at the California mine in 1880. Forrest immediately became problematic; the extent of these problems is not known, but he was apparently aggressive and tended to cause problems, especially among fellow Scottish and Irish immigrants. People generally did not enjoy Forrest's company, and he was not one to enjoy the company of others. The problem was eventually escalated to management.¹⁷

Another theory postulates that Forrest was discriminated against by Colonel Washington Allen, the superintendent of the mining company that operated the California mine, who was said to prefer miners from England. While this may be the case, it's important to note that the majority of Silver Reef's residents were faithful Catholics, and firing Catholics in favor of Protestants would be impractical for business.¹⁸ There is also no official record of any other instance of discrimination by this company.

In either case, on October 2, 1880, Colonel Allen instructed the mine foreman, Michael Carbis, to fire Forrest. Carbis, a native of Cornwall, England, was a well-mannered and respectable individual with a wife and two children.¹⁹ He was well aware of the problematic Forrest, and was more than willing to discharge the troublemaker. Prior to the start of Forrest's shift, Carbis advised him that his employment was being terminated effective immediately.²⁰ Forrest did not take this news well; there may have been a heated verbal confrontation between the two men, but if this did occur, it was not documented.

It is known that Forrest was visibly upset over his termination, and he freely expressed his discontent with Carbis to whomever would listen. Initially, Forrest's complaints sounded no different from the complaints of other miners who had been discharged before him. However, Forrest then began stating his intentions to kill Carbis.²¹ Still thinking that he was just a disgruntled worker and wouldn't follow through with his word, nobody was concerned over Forrest's threats. Forrest eventually retired to his home and began sharpening his knife in preparation for the sinful deed.

Forrest awoke early the next morning. He grabbed his knife and tucked it into a sheath on his

¹⁵ "Local Intelligence." *The Silver Reef Miner* V.1 No.93, p. 3

¹⁶ Proctor & Shirts, pp. 97-98

¹⁷ Florin, Lambert. *Ghost Towns of the West*, p. 392

¹⁸ Proctor & Shirts, p. 133

¹⁹ Information regarding his family was taken from the 1880 United States Census.

²⁰ "Murder at Silver Reef." *The Salt Lake Tribune* V.19 No.150, p. 4

²¹ "Local and Other Matters." *The Deseret News* V.29 No.36, p. 9

belt. He also grabbed a revolver and loaded it with ammunition. Once everything was prepared, he set out for the road that Carbis followed every day to the mine. He waited at the side of the road, just outside the Buckeye Boarding House, patiently awaiting Carbis's arrival.

The precise details behind the crime that subsequently took place are not known. *The Salt Lake Herald* gave the most detailed account of the incident:

*Yesterday Mr. Carvis [sic]...discharged a man named Tom Forrest. This morning, as Mr. Carvis [sic] was passing towards his business at the mine and near the Buckeye Boarding House, he found this discharged man sitting near the road, who...asked him to stop as he wished to talk with him. Mr. C. said he had no spare time and must hasten on. At this the man jumped up and sprung after him with a huge sheath knife which he held in his hand and plunged it into his side....This was witnessed by several at a small distance and as it happened the constable [Joe Hoag] was near and attempted to arrest the murderer, but as the assassin drew a pistol the officer wisely abandoned the idea and ran for help. Meantime several hastened to take up the wounded man and...conveyed him home to his family near the Catholic Church. Two physicians were called to dress the wound, but found little hope for life, and at sunset he calmly breathed his last, amid the agonizing sorrows of his wife and children and many friends...*²²

While the doctors fruitlessly attempted to save Carbis's life, Hoag organized a large posse of approximately one hundred individuals to locate Forrest. This posse included a couple of the witnesses and a couple Native Americans. Hoag hoped that the Native Americans, who lived in an encampment just north of Silver Reef, would be able to track Forrest's movements and lead the posse to him.²³ They were able to do this successfully; Forrest was found hiding in an idle shaft of the Tecumseh mine.²⁴ Hoag placed him under arrest, and incarcerated him in the Silver Reef jail.

Almost immediately, there was talk of breaking Forrest out of jail and hanging him for the murder. Hoag kept a constant watch for anyone who might choose to carry out this threat. Sure enough, Michael Carbis's oldest son, Michael Carbis Jr., paid a visit to Forrest. He entered the small jail building with a loaded pistol and sneered, "You [Forrest] have killed my father and I will kill you."²⁵ Hoag was able to diffuse the situation and convinced Carbis to leave. After this confrontation occurred, Hoag determined that it wasn't safe to keep Forrest in Silver Reef. Transportation to St. George was arranged and Forrest was transferred to the Washington County jail in St. George for his safety.²⁶

With his father dead and Forrest out of town, Carbis Jr. had no intention to give up on bringing Forrest to justice his way. Just as the local law enforcement had predicted, a group of people that may have included Carbis Jr. met together to discuss how best to proceed. After all, the crime was witnessed by Constable Hoag. What was the point in going through a lengthy trial when Forrest's guilt was already apparent? It is not known whether Carbis Jr. was the leading force behind this lynch mob. In fact, his exact involvement is unknown. However, given the threat he had issued to Forrest prior to the prison transfer, it's likely that he was at least partially involved.

Michael Carbis was buried in the Protestant Cemetery on October 5. Every miner from the California mine was given the day off with pay.²⁷ Carbis was one of the most popular men in Silver Reef, and his passing affected not only his family, but the entire town. People who were once peaceable were now thinking of exacting revenge on the man responsible for Carbis's death.

A few short hours after Carbis's funeral, a large posse gathered in Silver Reef. Over one hundred

²² "The Assassin's Knife." *The Salt Lake Herald* V.11 No.104, p. 3

²³Ibis

²⁴ "Local and Other Matters." *The Deseret News* V.29 No. 36, p. 9

²⁵ "The Assassin's Knife." *The Salt Lake Herald* V.11 No.104, p. 3

²⁶ Thompson, George A. *Some Dreams Die: Utah's Ghost Towns and Lost Treasures*, p. 27

²⁷ "The Assassin's Knife." *The Salt Lake Herald* V.11 No.104, p. 3

masked men gathered together with one mutual goal: to bring Thomas Forrest to justice by any means necessary. Unable to control the crowd, Hoag and his officers stayed out of their way; every man was armed to the teeth and rode on horseback. The small army departed for St. George after midnight on October 6, arriving in St. George by two o'clock.²⁹

Sheriff Hardy heard the large group of people approach and feared the worst. He alerted the one other guard that was present and the two men tried to think of a way to shoo the lynch mob away. While most of the party remained on horseback, an unknown number of individuals entered the prison. They attempted to peacefully request the keys to Forrest's cell from Sheriff Hardy. When Hardy refused, they resorted to brute force. Hardy and his guard fought back against the men, but their efforts were futile and they were subdued. The posse took custody of Forrest, who had just woken up, and fastened a rope around his neck.²⁹

Forrest was led a block to the east, and the party attempted to hang Forrest on a telegraph pole. The pole was unable to hold Forrest's weight for long, however, and its wooden arm snapped off. Undeterred, the party led Forrest to the home of George Cottam, a local farmer, where they hung him on a much more sturdy cottonwood tree in Cottam's front yard. Once Forrest died of asphyxiation, the lynch mob retreated back to Silver Reef, leaving his body hanging on the tree.³⁰

When the sun rose later that day, a grisly sight met the eyes of St. George's citizenry. St. George's residents were not used to seeing sights such as the hanging body of Tom Forrest. This sight was not well received, though one man allegedly remarked, "I have observed that tree growing there for the last 25 years. This is the first time I have ever seen it bearing fruit!"³¹ Forrest's body was taken down by Sheriff Hardy and interred in an unmarked grave in the St. George cemetery. Its exact location has long since been forgotten.³²

Many people saw the lynching party leave Silver Reef; with one hundred horses, it's impossible to be stealthy. Several people were even able to identify the friends they knew who participated in the lynching. However, nobody was ever tried for Forrest's murder.³³ Today, Silver Reef is a shadow of its former self. People are starting to come back into town, but few know its true history. It's well understood that Silver Reef was a mining town, but hardly a soul knows the darker side of Silver Reef's story. The only record of the Carbis-Forrest incident in Silver Reef is the still standing headstone of Michael Carbis. The following epitaph is etched on Carbis's grave:

*Sacred
to the memory of
Michael. Carbis.
departed this life
October 3, 1880
AGED
48 yrs. & 9 Mos.
Native of Cornwall
England.
Dying is but going home.
Death thou art, but another birth,
freeing the spirit from the clogs of earth.
Erected by his son, MICHAEL.*

²⁸ "Carbis' Assassin Lynched." *The Salt Lake Tribune* V.19 No.152, p. 4

²⁹Pendleton, Mark A. "Memories of Silver Reef" *Utah Historical Quarterly* V.3 No.4 pp. 99-118 [p. 117]

³⁰Mariger, Marietta. *Saga of Three Towns: Harrisburg, Leeds, Silver Reef*, p. 100

³¹Florin, Lambert. *Ghost Towns of the West*, p. 392

³²Proctor & Shirts, p. 134

³³Ibis, p. 135