

MCATEER, PATRICK

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MCATEER, PATRICK, born in Ireland, December 5, 1832; never married; came to Arizona from Albuquerque, New Mexico, in December, 1863; listed, Territorial Census, April, 1864, 3rd District (Yavapai County) age 32, occupation - Stonemason, resident in Arizona 5 months, property valued at \$50; was a member of King Woolsey's second expedition against the Apaches in April, 1864; the following account of the defense of the stage station at Fort Rock on the road between Prescott and Hardyville, based upon the recollection of "A. Pioneer" who went by there after the fight, was printed in the Prescott Courier a number of years later:

Fort Rock took its name from a rock house built upon an elevation and used as a station in 1864 and 1865. Early in the fall of 1866, the station was occupied by J. J. Buckman and his son, Thad, and one Charley May. A day or two before the fight, Thad, in play, built himself a rock play-house out of the abundant square faced rocks which were plentiful there, in the shape of a semi-circular wall about 18 inches high, extending from one corner of the rock house to the opposite one. That same night, or the one following, the mail carrier, W. G. Poindexter, accompanied as escort by Pat McAtear and a soldier from Fort Whipple, on their way to Hardyville stopped for the night at the station.

Early the next morning, while making preparations to leave, the Indians, (Wallapais) opened fire upon them from several directions. At the first fire Mr. Buckman was shot in the groin and fell inside Thad's play-ground wall, where he laid all day upon his back. McAtear and the little soldier also dropped inside the wall, as the volley of shots precluded a retreat inside the house.

Thad Buckman was shot in the leg and he and Poindexter and May, being near the door, retreated inside the house. The battle waged continuously, with^{out} cessation, all day long. Poindexter and May

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loading the guns for Thad and holding him up to the portholes to shoot, as he was the only one who had good eyesight and a steady nerve. Outside the house McAtcer and the soldier kept up the battle and shot at every Indian that exposed any portion of his head or body, they shooting from different corners of the wall and covering opposite directions.

Out in the valley some 300 yards was a reef of rocks, behind which was a battle kept up all day long, with McAtcer, by Indians armed with a Henry rifle. Several times during the day McAtcer silenced the gun, but the dead Indian was replaced by another and the battle resumed until again silenced and another took up the gage of battle. This was kept up all through the day. Thad from his porthole was doing good service and preventing an approach from his side, while McAtcer and the little soldier covered the other approachable parts.

While the battle was waging, the little soldier said, "Mac, I see a big Indian on a black horse way down the valley approaching, giving orders to others who are some six or eight hundred yards off and thinks he is out of range, but I think I can raise my sights and get him." "Shoot away", says Mac. The soldier was armed with one of the old fashioned needle guns which were then used by the army, and at the crack of the gun down went the Indian. "I got him, Mac," says the soldier. "Bully for you," says Mac.

The writer of this, while on his way to California in a party consisting of Governor R. C. McCormick and wife, a mail contractor and Ben Block, visited the battle ground and were shown the positions occupied by the different parties. A block about ten inches square placed up the wall by McAtcer as a protection to his head while shooting, was still in the position placed and showed the marks of many bullets as evidence that the Indians made many close calls upon him for his scalp.

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Listed, U. S. Census, 1870, at Kirkland Valley, Yavapai County, A.T., age 38, born in Ireland, occupation - Stonemason; on November 16, 1877, the Prescott Arizona Miner stated:

The first two ranches located in this County, and cultivated, are those now owned by Patrick McAtteer and Jacob W. Kelsey. The McAtteer place was located by Tatman, and transferred to Mr. William Kirkland, who abandoned it. In 1866 it was jumped by John Roberts, who sold it to Mr. McAtteer.

John H. (yes)

Messrs. Richard Bell & Edward G. Blodget located the place where Mr. Kelsey now resides, at the same time the McAtteer place was located. Mr. Bell was subsequently killed by Apaches in what is now known as Bell's Canyon, the place, consequently, went to his partner, who afterwards sold it to "Uncle Rob", John Robinson- and he in turn sold it to the present owner, Mr. Kelsey. Thus, it will be seen, that the place has changed hands several times, but never has been abandoned or jumped, but the title dates back to the year 1864.

Member, from Kirkland Valley, Yavapai County, House of Representatives, 10th Territorial Legislature at Prescott, 1879; what happened in the Yavapai Court House on December 1, 1883, is as described by a reporter for the Prescott Arizona Journal:

The case of Kelsey vs. McAtteer was this morning brought to a very abrupt termination by one of the most bloody scenes ever enacted in a court room. The case is one in equity, in which certain water rights in Kirkland Valley are involved, and to which McAtteer lays claim. Although Mrs. Kelsey appears as plaintiff, other settlers are equally interested, among whom is James M. More, who owns land along the creek.

Charles W. Beach, son-in-law of Mrs. Kelsey and late of the Miner, took an active interest in the case, in fact, managing it outside of the counsel. Between the Beach and Kelsey family and McAtteer bad blood seems to have existed for some time, and it is claimed that last night Beach was warned by McAtteer that he intended to do him harm.

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This morning Court was opened at 9 o'clock with Chief Justice Charles G. W. French presiding and the case proceeded with Moses D. Langley, of Kirkland Valley, was on the stand to testify in behalf of the plaintiff and his direct examination was closed. On cross-examination, Chas. D. Rush, District Attorney, who is counsel for McAtcer, asked him if he had not, on a certain previous occasion, sworn to a certain matter, at the same time reading a portion of an affidavit to which the witness had subscribed his name some years previous.

To this, Attorney General Clark Churchill, counsel for the defendant, objected, and insisted that the entire affidavit should be submitted in evidence, and referred to taking a portion of it only as a garbled statement. To this charge of being a garbled report, Mr. Rush made a very sharp and curt reply, denying it, and Mr. Churchill insisting that selecting a portion of the affidavit was only making a garbled statement, and if any at all was admitted he was willing to admit the entire affidavit.

Acrimonious words passed between them. Mr. Rush picked up an inkstand and threw it at Mr. Churchill's head, and at the same time grabbed him at the throat. This was the commencement of the row, and from this time out it was a scene of confusion. It was all done so quickly it was impossible to get any connected particulars. At the same time Rush struck Mr. Churchill, his partner, J. C. Herndon, rose in his seat and struck him from behind, some say; he says, however, he struck him in the face.

Chairs, inkstands and all available articles were used. Mr. George Tinker, the Attorney General's Secretary, and W. O. O'Neill, the Court Reporter, seeing the odds against Mr. Churchill, came to his rescue, and at the same time McAtcer drew a large double-edge knife and commenced to cut in every direction. His first victim was Uncle Jimmy More who received a very serious cut in the arm and one which may prove fatal. The blade entered the top of the arm passing clear through it, severing an artery and entering the left breast under the arm.

Chas. W. Beach was next cut on the left side of his neck, and W. G. O'Neill, in attempting to separate them, received a cut on the left hand between the first two fingers. While McAtteer was attempting to cut him again Mr. Beach pulled his pistol and fired, shooting him in the neck under the left shoulder.

Mr. More immediately went out of the court house and started for Dr. Kendall's drug store, leaving a trail of blood *behind* him. On reaching the door he fainted, and fell from loss of blood, and was conveyed to St. Joseph's hospital where Dr. Ainsworth, and assistant surgeon McGroery were summoned to attend him. Mr. Beach was conveyed to a lower room of the court house, and afterwards to his residence, where the wound was dressed by Dr. Ainsworth.

McAtteer lay on the south side of the court room, and was afterwards conveyed to the residence of Joseph Ehle, where he had been rooming, and was attended by Dr. McCandless, who pronounced his wound as almost certain to prove fatal.

Mr. O'Neil, the gardner, who was a spectator in the court room, also received a cut from McAtteer's knife across the back of the left hand. Mr. Churchill received some very severe blows on the head with some kind of missiles, as the bruises and bumps on that member bear witness. When the melee closed he was lying on the floor, his feet upon a chair, and an incipient chair factory piled on him.

Lawyers, and all present, presented a remarkably sad and dilapidated condition. The floor of the courtroom and the stairs leading thereto were covered with blood; the tables occupied by the attorneys, and all of the papers on them, as well as many of the participants of the struggle, were covered with ink, the whole place looking as if an ink cyclone had struck it and expended its fury on the spot.

This afternoon Attorney General Churchill and District Attorney Rush were called into court by Chief Justice French and each fined \$500 for contempt of court.

The following items appeared in the Prescott Courier:

December 8, 1883, page 3 -- Pioneer physician, J. N. McCandless is working hard to save life of Patrick McAteer, while Dr. Answorth is doing everything for Uncle Jimmy More. It is a great pity that these two men should be brought to death's door by actions of mischief makers. *He*

December 8, 1883, page 4 -- Patrick McAteer is resting easier. James M. More is better. Both men have made wills. McAteer gives the proceeds of his estate to Maggie Logan, his niece, New York City.

January 5, 1884, page 2 -- About the last words spoken by P. McAteer were as follows: "How is Uncle Jimmy More?" When informed that Mr. More was recovering, McAteer appeared pleased and said something about "the poor old man."

January 5, 1884, page 3 -- Died in Prescott, January 2, 1884. Patrick McAteer, a native of Ireland, about 52 years of age. The funeral will be from the Catholic Chapel. Before dying McAteer forgave all who had injured him and deplored his action in having hurt James More.

SOURCES OF INFORMATION

- Parish, T.E. - History of Arizona, 1916, Vol. 4, pp. 133-134.
- Kelly, G.H. - Legislative History, Arizona, 1926, p. 87.
- 10th Arizona Territorial Legislature - Journals, 1879.
- Probate Court of Yavapai County - Docket No. 185.
- The Arizona Journal, Prescott, December 7, 1883, 1:2.
- The Arizona Miner, Prescott, November 16, 1877, 3:2.
- The Prescott Courier, January 8, 3:5, December 1, 2:3, December 8, 3:5 and 4:2, and December 15, 1883, 3:3; January 5, 1884, 2:3 and 3:2-3-6; undated clipping re Fort Rock fight.
- The Phoenix Herald, December 3, 1883, 3:2; January 4, 3:2 (Reprint from the Courier) and January 5, 1884, 3:2 (reprint from the Journal).

WANTED

1. Other references to him in the Miner, including the account of the Fort Rock fight in November or December, 1866, the Court House affair and his obituary. ✓
2. Any additional mention of him in the Journal, including his death and burial. none
3. The Courier report of the Court House affair and his obituary. The data that I have from that newspaper is just notes on cards which I had to amplify. ✓
4. What/^{was}the given name of Mrs. Jacob W. Kelsey? Clarissa
mother of Cora Beach
5. Where was McAteer buried?

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No 1883 papers -
Only Jan 25 & Oct 18 papers in '84