

Have you heard that the west's last stagecoach robbery occurred in Jarbidge Canyon in northern Elko County in 1916? It's true except for one thing. The robbery actually involved a small, mail stage wagon pulled by two horses, and not a stagecoach drawn by a four or six-horse team.

According to Howard Hickson, former Director of Elko's Northeastern Nevada Museum, in his on-line article "Case Number 606 Makes History," the embellished robbery story converted "a buckboard-like wagon" into a stagecoach the likes of the Overland Stage. Western writer Nell Murbarger did much to popularize the Jarbidge "stagecoach" robbery in the 1950s, stimulating her readers to envision the Wild West stagecoach robberies produced for the movies and television. The Jarbidge stage robbery just didn't happen that way.

On the snowy evening of December 5, 1916, Fred M. Searcy was the lone driver of the mail stage on its last leg between Three Creek, Idaho, and the remote town of Jarbidge, Nevada, when he was robbed and murdered. A search party found the wagon, horses, and Searcy's body on the outskirts of the mining town of Jarbidge. An estimated \$3,000 was missing from the stage that carried the U.S. mail and cash from Robertson, Idaho.



Evidence hidden near the scene of the crime implicated Ben E. Kuhl, a drifter who had been living in and around Jarbidge for a few months. Ben Kuhl was known as a troublemaker and was awaiting trial after being arrested on trespassing charges. Following Kuhl's arrest for the stage robbery, a background check uncovered a criminal record. He had served four months in the Marysville, California, jail for petty larceny in 1903 and time in the Oregon State Prison for horse theft.

Kuhl's associate, Ed Beck, was linked to the crime by a mutual acquaintance, William McGraw, who agreed to turn state's evidence. The three men were transported to Elko and incarcerated.

Kuhl's trial began on September 18, 1917 with Elko County District Attorney Edward P. "Ted" Carville prosecuting the case. The evidence linking Kuhl to the killing of Searcy, including his black overcoat with torn sleeves and the murder weapon, an ivory-gripped .44 caliber handgun, was circumstantial.

However, what made the Kuhl trial so distinctive in the annals of American criminal justice was the palm print evidence from the crime scene. Two California fingerprint experts testified that their forensic analysis linked the bloody palm print found on a torn letter near the mail stage to Ben Kuhl.

The jury found Kuhl guilty of first-degree murder after only two hours of deliberation. District Judge Errol J. L. Taber sentenced him to death and Kuhl entered the State Prison in Carson City on October 19, 1917. He was offered the choice of being hanged or shot. Kuhl chose to be shot, a form of execution used only once before in Nevada in 1913.

Ed Beck was found guilty of providing the murder weapon and sentenced to life in prison. He served slightly more than six years and was paroled on November 24, 1923.

Challenging the admissibility of the palm print as evidence, Ben Kuhl's case was appealed to the Nevada Supreme Court, but to no avail. However, a week before the execution date the Board of Pardons met in executive session on December 13, 1918 and voted three to two to commute his sentence to life. Kuhl had admitted to the killing. However, he argued that it was the result of a quarrel between Fred Searcy and himself when they disagreed over splitting the booty, the stage robbery having been planned as an insider job.

Ironically, in 1945 Governor "Ted" Carville, the prosecutor in the Kuhl murder case, and Supreme Court Justice Errol Taber, the district judge in the case, as members of the Nevada Board of Parole, voted to release Ben Kuhl from prison. Kuhl, then 61, had served more than twenty-seven and one-half years and

## **Myth #95: Staging a Robbery Without a Coach by Guy Rocha, Former Nevada State Archivist**

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was a model prisoner. At the time of his release on May 16, 1945 he had served time longer than anyone else in the State Prison. Kuhl reportedly died in San Francisco of tuberculosis.

Thus, Ben Kuhl made his place in history by engaging in the last horse drawn stage robbery in the nation (Yellowstone National Park historians lay claim to the last stagecoach robbery in 1915) and by being the defendant in a court case that for the first time used palm prints as evidence.

Guy Rocha, November 2003

Nevada State Prison "mug shot" of Ben Kuhl courtesy of Nevada State Library and Archives

(Published in *Sierra Sage*, Carson City/Carson Valley, Nevada, December 2004)