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Warren J. Sonne is a retired New York City police detective who later became a private eye. He is the author of "Criminal Investigations for the Professional Investigator," and writes extensively on investigative issues. The president of Pinnacle Protective Services in New York, Sonne and his family in 2003 moved to St. Lucie County, where he also owns the Florida private investigation firm Sun State Investigative Services.

The Ashley Gang:
What *really* happened.

A gumshoe follows the trail of the Ashley Gang 83 years after their shooting deaths to reveal who did what at the Sebastian Bridge and why.

By Warren J Sonne

Ed Register was just 7 when he was walking one morning with his father to the family's barrel factory in downtown Fort Pierce and saw a crowd gathering outside Will Fee's Hardware and Mortuary. The image has seared his memory for more than eight decades.

"I wish my father never brought me there," says Register, now 90. "I was only 7 years old, but I remember seeing those dead bodies laid out on the sidewalk."

Register, who spent his professional career running chambers of commerce in Fort Pierce and Boca Raton, is surprised to hear from me. But as far as I can tell, he is the only living person who remembers that November morning in 1924 in which the four bodies of the Ashley Gang were laid out after being shot by lawmen at the Sebastian Bridge the night before.

Nearly 83 years later, Register meets us outside the building on Second Street and Avenue A where Will Fee sold hardware and caskets, a commodity that made running a funeral parlor a natural side business. Today, a decorating store occupies the space. As if it were that very Sunday morning, Register tells us how the bodies were positioned on the sidewalk, like quarry displayed after a big hunt.

On the cold slab of sidewalk lay the one-eyed John Ashley, the leader; his nephew, Handford Mobley; and fellow gangsters Clarence Middleton and Ray "Shorty" Lynn.

"I can picture one [of the bodies] in particular," Register recalls. "He was very young, late teens or early 20s, out on the cement sidewalk, uncovered and looking pale because all his blood had settled. They were all uncovered, lying on their backs with their arms at their sides. It scared the tar out of me."

I asked Register the question that has been the center of controversy since their deaths. Was the Ashley Gang shot while trying to escape from St. Lucie County Sheriff J.R.

Merritt and his posse of lawmen? Or, were they summarily executed while handcuffed that night on the Sebastian Bridge?

“No, no handcuffs in sight” was Register’s answer.

THE STORY LINE

While the Ashley Gang’s exploits never caught the national media’s attention like Bonnie and Clyde or Al Capone, they nevertheless captured the imagination of pre-television South Floridians and their newspapers.

The Ashley Gang legend, built over more than a decade, had all the elements for a headline-grabbing story line: a handsome ringleader who wore a patch over his eye, family loyalty, romance, Robin Hood-like anecdotes of kindness, bootlegging, an Everglades hideout, bank and train robberies, shootouts, escapes and betrayal.

And like Al Capone’s feud with the original G-Man, Elliott Ness, John Ashley had his own feud with two consecutive Palm Beach County sheriffs, George Baker and his son Robert C. “Bob” Baker. Ashley and the Bakers had been playing cops and robbers for years but the killings of Ashley’s father, Joe, and Palm Beach County Deputy Fred Baker, kin to the Bakers, in a shootout in the months before Sebastian Bridge elevated it to the next level: a deadly family feud.

COLLECTIVE SIGH

The deaths of the Ashley Gang in 1924 brought a collective sigh of relief from Florida lawmen, as witnessed from the countless telegrams Merritt received. Today, those telegrams are laminated for posterity in a scrapbook kept by J.R.’s grandson, Edwin “Hap” Merritt, 69, at his Fort Pierce real estate office.

A photo of J.R. Merritt hangs on the wall of the office, north of Midway Road on U.S. 1 on the same property his grandfather had his homestead and Hap later ran a monument business. Underneath the photo hangs the Winchester 25/35 rifle that J.R. took from John Ashley the night of the shootings.

Hap Merritt, who lived with the sheriff until the age of 11, won’t speculate on the legal evidence available. But knowing his grandfather and the concerns he had for the safety of his family if the Ashley Gang members survived, he believes his grandfather and posse of lawmen had no intention of bringing the gang members back alive.

“The Ashley Gang were murderers, bank robbers, and smugglers with a long history of jailbreaks and killing law enforcement officers,” he says. “No way my granddad was going to put them in the little Fort Pierce jail.”

HISTORY OF CRIMINALITY

The Ashley Gang's history of criminality on what is now known as the Treasure Coast began shortly after the arrival of Joe Ashley and his wife and nine children in 1904 from Fort Myers.

Though patriarch Joe started out working for the railroad, the family soon developed a reputation for bootlegging. But it wasn't until 1911 that the family was thrust in the headlines. That's when John Ashley was accused in the shooting death of DeSoto Tiger, a Seminole Indian, over \$1,200 in hides. John Ashley fled the state, taking jobs in New Orleans and then Washington state before returning homesick to Florida to face a murder charge in 1914.

His first trial resulted in a hung jury. A jailbreak before a second trial then fanned the family's flames of infamy. While on the lam, John and his gang attempted a train robbery that was botched when an alert porter locked them out of the car doors. Two weeks later they held up the Bank of Stuart. This time, the robbery was successful, with a take of \$4,500, though John lost an eye when confederate Kid Lowe shot him in the jaw, either by accident or perhaps angered over what he considered a paltry take.

The shooting required John to receive medical attention, which led to his subsequent arrest. John, whose eye was replaced with a glass ball and began wearing a patch, was tried again in the killing of DeSoto Tiger. He was found guilty and sentenced to death by hanging.

While John was being held in the Miami jail his brother Bob went to an off-duty jailer's home to steal a key but in the process ended up killing the jailer. A wild shootout followed between Bob Ashley and Miami Police Officer John Reinhart Riblet, putting an end to this botched jailbreak and leaving both Riblet and Bob Ashley dead from gun shot wounds. As it turned out, Riblet was the first city of Miami police officer to be killed in the line of duty.

John's verdict in the Tiger case was eventually reversed. Avoiding another death sentence, he pleaded guilty and received a 17-year sentence at Raiford Prison.

While John was in prison, his nephew, Handford Mobley, and Roy Matthews took turns leading the gang. With Mobley dressed as a woman, the gang robbed the Bank of Stuart again. Also during John's imprisonment, two of his brothers, Julius and Frank Ashley, disappeared, presumably lost at sea, while on a rum-running mission to the Bahamas in 1921.

Placed on a road gang for good behavior, John escaped and spent three years running "Stills" in Palm Beach. But he was imprisoned again when caught in Wauchula while on a rum-running mission. He is put on a road gang again and escapes for the last time.

Through escapes and prison releases, the gang – John Ashley, Mathews, Mobley and Clarence Middleton – reunite. And their clash with the law escalates.

"In one of their last bold crimes, gang members in 1923 rob the Pompano Bank of \$5,000 in cash and \$18,000 in securities. Perturbed at the defiance of the gang and taunts, Palm Beach County Sheriff's lawmen descend upon the Ashley's Everglades "Moonshine Camp" and kill family patriarch Joe Ashley. In retaliation, Deputy Fred Baker, cousin of the sheriff, is shot and killed by John Ashley, who then flees into the Everglades."

The Ashley Gang, perhaps feeling the pressure placed on lawmen to capture them, apparently were heading north to hideout when they met their fate that night on the Sebastian Bridge. John Ashley's mother would later say they intended to begin lives free of being on the run from the law.

ASHLEY LANDMARKS

Of all the Ashley landmarks along the Treasure Coast, perhaps the most visited is the site once occupied by the Bank of Stuart. Now occupied by the Ashley Restaurant, the business is a celebration of all things Ashley, from photos hanging on the walls to tabletops that sport news clippings of the Ashley days, to reproductions of bank windows that separate dining areas.

Travel just a few miles north on U.S. 1, and motorists who can get through the guard gate at Mariner Sands Country Club can visit the Ashley Family Cemetery, between the club's 18th hole and the community's chapel near the old Ashley home site. There, headstones mark the resting places of John Ashley, Ray Lynn and Handford Mobley.

It is some 60 miles north, on Dixie Highway crossing the Sebastian River, that the Ashley Gang met their literal dead-end. Today, the old highway is grown over with grass, though sabal palms still mark its pathway. The old wooden bridge where the shooting occurred is gone now, replaced by a concrete bridge in another location.

WHAT HAPPENED THAT NIGHT?

Ada Coats Williams, a teacher turned unwilling historian to the Ashley legend, believes she knows the ultimate truth of what happened on the bridge that night. Her truth, she says, comes from a deputy who was party to the killings and who told her he killed John Ashley.

Williams was hosting a radio for Padrick Chevrolet on WARN radio in the late 1950s on early St. Lucie settlers when she was urged by the station's management to feature a story on the Ashley Gang because of demand for the topic by listeners. A local attorney, Thad Carlton, heard Williams was planning the show and told her he knew one of the deputies who was on the Sebastian Bridge that night.

Williams visited the deputy and eventually coaxed the story out of him. But he extracted a promise. "He said I'm going to tell you what happened on the bridge that night but you have to promise me that you'll not repeat what I'm telling you until after the last deputy dies."

For years, Williams carried the secret, never writing about it. Then, in 1983, she was urged to speak about the Ashley Gang for the annual meeting of the Florida Historical Society. The topic? "Florida's Bad Boys." The meeting's organizers had known about her radio show on the Ashley Gang.

After giving the talk, she was urged by two publishers to write a book. The result was "Florida's Ashley Gang," published by the Florida Classics Library in Hobe Sound. The year she gave the talk and published the book coincided with the death of former St. Lucie County Deputy O.E. "Three-Fingers" Wiggins in a Bartow nursing home. He was the last of the living deputies on the bridge that night.

Before her involvement in the Ashley story, Williams was perhaps best known for "Along These Waters," a series of outdoor dramas about St. Lucie's more law-abiding settlers.

"I never wanted do that radio program on the Ashleys, I never wanted to speak about them and I never wanted to write about them because my joy is in telling about the good people who helped settle this place, and we had far more good people here than the Ashley Gang," Williams said. "But so many people said they wanted to know about the Ashleys, too. I didn't want to be known for writing about the Ashleys."

Williams, now 87, has never revealed the identity of her informant and still refuses to do so. In her charming southern manner, she simply deflected my questions with a pause, a smile and a slight turn of her head.

"This deputy was one of the deputies who raided the still where Joe Ashley was killed, and John had threatened that he'd kill every one of the deputies when he got the chance," she says.

According to a book by Hix Stuart, Palm Beach County Sheriff Bob Baker got word of the gang's intention to travel to Jacksonville, apparently to hide out and rob a bank along the way. Baker, fearful that if he made the trip to follow them friends of the Ashleys would tip them off, telegraphed Merritt and asked him to set up a roadblock at Sebastian Bridge. Merritt brought two of his deputies, including O.E. "Three Fingers" Wiggins, and Baker sent four of his: Elmer Padgett, Henry Stubbs, L.B. Thomas and O.B. Padgett.

In her book and an interview, this is the account she one of the deputies gave her:

Knowing that the Ashley Gang would be driving over the Sebastian Bridge, the law officers set up a chain to stop them and then hid from view. But first another car carrying two men stopped. When the Ashley Gang pulled up behind the first car, the law officers came out of hiding and surrounded the members of the Ashley Gang.

The four gang members – John Ashley, Ray Lynn, Handford Mobley and Clarence Middleton – had their hands in the air. The deputy who became Williams’ informant handcuffed John Ashley and told him not to move and to keep his hands over his head, while the other deputies were off to the side putting handcuffs on the rest.

Meanwhile, Merritt asked the two men in the other car – who arrived at the scene by happenstance -- to give him a ride over the bridge to get his car so that he could transport the prisoners back to Fort Pierce. “Merritt was not the one who ordered it done,” Williams says. “Some people thought he did, but he had gone to the end of the bridge where his car was.”

Perhaps it was the slightest movement that caused the demise of the Ashley Gang. “The deputy was afraid John might have had a gun hidden, and he was known to be a sharp shooter and quick actor,” Williams said. “He had warned [John] not to drop his hands and said that if he did he’d shoot him.”

In her book, Williams writes: “Suddenly John Ashley took a quick step forward and started to drop his handcuffed hands, and the deputy guarding him fired. He said that he supposed the other prisoners tried to break, or that the deputies feared that John had fired on him, for suddenly there was a lot of shooting, and they were all killed.”

Of her secret deputy, Williams wrote: “He did not credit Sheriff Merritt with any of the shooting. He also did not apologize for his act. He made good a threat to John Ashley, and said that John had promised to kill all of them if he had a chance.”

“It was them or us at that point,” Williams quotes the deputy as telling her.

The deputy then scooped John Ashley’s eye out of his head to give to Sheriff Bob Baker, who once threatened John Ashley that he’d wear it as a watch fob. The deputy eventually had to give it back so that it could be buried with Ashley. “He said if he’d have known that he’d have crushed it under his heel,” Williams recalls the deputy telling her.

INFORMANT’S IDENTITY

In my review of the available evidence, I have concluded that the deputy who shot John Ashley and was Williams’ informant was Elmer Padgett.

Why Padgett?

Padgett was one of the deputies who raided the Ashley still where patriarch Joe Ashley was killed. His life had been threatened by the Ashley Gang, as evidenced by a quote from Baker in which he told Stuart Hix, author of the 1928 “The Notorious Ashley Gang,” that gang members “had planned to come into the courthouse to kill me and my deputies, Elmer Padgett and Henry Stubbs.”

Padgett was one of the lawmen on the Sebastian Bridge the night of the shooting Nov. 1, 1924. Padgett, who died in 1964 at the age of 56, also was cited in footnotes of Williams' book as having been interviewed by her in 1958.

Williams solved another mystery in her book. How did the lawmen know that the Ashley Gang would be heading north on Dixie Highway that night? Williams said the deputy was told about the trip by John Ashley's longtime girlfriend, Laura Upthegrove. Widely referred to as "The Queen of the Everglades" Upthegrove apparently was upset that John was heading north to hide out without her.

SCANT EVIDENCE

There remains today little corroborating evidence for what the deputy told Williams. Our search for primary source information yielded few clues.

While the St. Lucie County Sheriff's Department (St. Lucie's jurisdiction extended to Sebastian in 1924) has no surviving record of the Ashley Gang or their deaths on the Sebastian Bridge, it has two Thompson sub-machine Guns in its armory, purported to belong to the Ashley Gang.

A search of the St. Lucie County Circuit Clerk's Office also yielded no official transcripts. Newspaper clippings are all that remain:

FORT PIERCE, NOVEMBER 6, 1924 -- An inquest into the killing of John Ashley, notorious east coast bandit, and three companions by Sheriff J. R. Merrit and a force of St. Lucie and Palm Beach County deputies at the Sebastian River Bridge last Saturday night came to a sudden halt Wednesday afternoon.

The unexpected adjournment of the inquest came after four hours of startling testimony by T.R. Miller and S.O. Davis, two Sebastian young men, whose evidence tended to show that the four desperadoes might have been shot down while handcuffed and defenseless.

This story describes how Will Fee, the Fort Pierce undertaker who prepared the bodies, had been called as the first witness. He testified that there had been no marks on the bodies to indicate that they had been handcuffed. This was contradicted by the later testimony of Miller and Davis, both of whom were in a car that had come to a stop at the chain across the bridge, directly in front of the Ashley's car. They claimed to have witnessed the arrest, and testified that when they last saw the prisoners they were all alive and handcuffed. Both Miller and Davis had left the bridge before the shooting started.

Another story gave the following account of the 2nd Coroner's Jury:

FORT PIERCE - NOVEMBER 8, 1924 - Justifiable homicide was the unanimous verdict of the second coroner's jury empaneled Saturday to investigate the killing of John Ashley, bandit leader, and three companions by St. Lucie and Palm Beach County officers at the Sebastian Bridge on the night of Nov. 1.

Sheriff Merritt and the deputies who assisted in the capture of the Ashley gang all took the stand and refuted the testimony given by previous hearing to the effect that they saw Ashley and his companions handcuffed before they were shot.

EPILOGUE

As a boy, Hap Merritt remembers the stories of frontier justice he and his grandfather and friend and O.E. "Three-Fingers" Wiggins would swap on the porch of Merritt's home on Saturday night. Hap Merritt says the two had been marshals in Bartow, Florida, a lawless town after the turn of the century, and remembers them saying, "We cleaned up that town in six months. There were a lot of funerals."

J.R. Merritt himself experienced the other side of the law. In 1915, St. Lucie's sheriff-to-be was himself convicted of assault and attempted murder in Avon Park, and served six months at Raiford.

"He was railroaded," Hap Merritt says. J.R. later received a full pardon from Gov. Cary A. Hardee, who appointed J.R. sheriff of St. Lucie County on Nov. 7, 1922.

In later years, Hardee was among the many visitors to J.R.'s home. The sheriff, who later became a county commissioner, died in 1949.

Hap Merritt doesn't discount theories that his grandfather and the deputies exercised a form of frontier justice.

"I think the last thing he told his posse on the bridge that night was that if they moved to shoot them," he said. "Even before they left Ft. Pierce that night I believe granddad told Three Fingers that they would not be bringing any prisoners back to the Ft. Pierce jail that night. Remember, the Ashley's had a history of killing policemen and breaking out of jails, and granddad and Three Fingers knew how they cleaned up Bartow."

"They were both good men, and good lawmen for their time. "

LAST OF THE ASHLEYS

As far as he knows, Albert Ashley, 67, says he and his sister may be the last of the Ashley family around this part of Florida. Albert's grandfather was Frank Ashley, who was lost at sea in 1921.

Ashley says his father, Hugh Ashley, who was just a toddler when Frank Ashley was lost, never talked about the family history. "My dad didn't have anything to do with them," says Albert, who lives in Fort Pierce.

Albert's knowledge is basically what he's read in the books by Hix and Williams and a few chance encounters he's had with people who said they knew the family or had some connection to the case. But in his family, it was pure silence.

"I never heard anyone mention anything about it. They were people who came a long time before me."