

UNDER A  
KANSAS MOON

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*The Final Chapter*

TOMMY & HILDE WILKENS

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*The Final Chapter*  
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TOMMY & HILDE WILKENS

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## DEDICATION

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We would like to dedicate this book to the late author/poet Paul Foreman of Austin, Texas. Without Paul's years of friendship and encouragement and guidance and his ever-dedicated support to our writing, this work would never have been possible. We would also like to thank Ken Dixon of Deltona, Florida for his professional editing skills and his friendship. And we offer this book in loving memory of Frans Vanrenterghem and Huguette Snoeck of Avelgem, Belgium.



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# INTRODUCTION

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**I**n this book, we detail the true story of how convicted murderers Richard Hickock and Perry Smith spent their last years on death row trying to avoid their execution at the Kansas State Penitentiary (now the Lansing Correctional Facility) – often referred to as the Kansas death house. Our extensive research has revealed many new and intriguing facts regarding the killers’ capture, the highly-publicized murder trial, the many desperate attempts to have their convictions overturned, and – finally – the day they paid the ultimate price.

Much of this information has never before been compiled and published. It’s a fascinating tale – one that explores in great detail both the workings of the criminal mind and the many ways in which our legal system can be used to delay and deflect the best efforts of society to exact rightful punishment for even the most heinous of crimes.

**Tommy and Hilde Wilkens**

# CHAPTER 1

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**H**olcomb, Kansas, a mere 70 miles from the Colorado border, was a small town born near railroad tracks that ran through the western wheat plains. Incorporated in 1909, it was named for a local rancher, D. C. Holcomb. A sugar beet processing plant provided much of the local employment. Further growth soon brought a new U. S. Post Office to town, followed in 1912 by the establishment of the Holcomb State Bank at the corner of Main Street and Douglas Avenue.

Like residents of so many other small farm communities that dotted the Midwestern states, Holcomb's citizens took great pride in their heritage. Most lived according the Christian faith, building a strong tradition of deep family ties and good, hard, honest work. The town was thriving by 1949 - but with just 270 residents, it was still barely on the map.

Soon, wheat farming and cattle ranching were playing a major role in keeping Holcomb afloat. With new prosperity came several churches, a hardware store, a market, and Bess Hartman's cafe. The Hartman Cafe quickly became a meeting place for locals. It wasn't



much – just four small tables and a counter that developed worn and rounded edges over the years from the regulars pushing up against it.



### **Hartman Cafe**

You could smell the freshly brewed coffee as soon as you walked in. That, plus soft drinks, sandwiches, and 3.2 beer were pretty much the whole menu, and it never changed. At the Hartman Cafe, you'd sit and sip and hear the local gossip. It was simple, innocent, small-town America. Crime was almost nonexistent.

The bank had been robbed, of course. In fact, it happened twice – in 1917 and again in 1930. Both times, the notorious Fleagle gang was responsible. Brothers Ralph, Fred, Little Jake and Walter got \$1500 the first time, but the amount of their second take has been lost to antiquity. They were outsiders, and most people who resided in Holcomb knew and trusted one another. During their evening walks, windows were left open and doors remained unlocked. Life in Holcomb was good.

On a cold November night in 1959, everything changed. Like a biting winter wind sweeping across the prairie, evil in its very darkest form invaded the peaceful little town under a Kansas moon, spreading horror and terror the likes of which could not have been imagined even one day before.

That fateful night, four members of Holcomb's most beloved family – the Clutters - were brutally murdered.



### **The Clutter Family**

Herbert Clutter was a highly-respected community leader. In 1954, he'd been appointed by President Dwight D. Eisenhower to serve on the Federal Farm Credit Board, and he was the founder of

the Kansas Association of Wheat Growers. He'd been the President of the National Wheat Growers Association, a Sunday school teacher, and the successful owner and operator of River Valley Farms.

“Herb” Clutter, his wife Bonnie Mae, daughter Nancy Mae, and young Kenyon Neal Clutter were known to be kind and gentle folk, loved and respected by their neighbors. Within hours, the horrible news had spread like a flood and genuine fear gripped the people. Doors that normally stood open were now shut and windows were latched tight. Suspicion ran wild. Local and national media were converging on the town, hungry for information. Life as residents had known it was suddenly lost forever.

The cold-blooded killings were a shock to America's national innocence regarding such matters. Until then, it had been accepted as gospel that such things happened in large cities and densely populated areas. Now, the worst of the worst had come to little Holcomb, Kansas. There was no way to process an event of that magnitude without having a basis for comparison, and none existed. The country now had to accept a new reality – that unspeakable evil could strike anywhere at any time, targeting even the innocent. The murders changed everything, and they would have a long-lasting impact.

The effect on Holcomb was profound. Those who viewed the aftermath of the slaughter found that details replayed in their minds like a film they couldn't stop watching. Because of the sheer violence and brutality of the killings, the Clutter murder scene would go down in history as one of the worst in the history of both Kansas and the United States. Now, decades later, people all over the world can view

for themselves what the cameras' lenses captured and form their own thoughts. The macabre images, preserved for all time, leave an inescapable message for all who choose to look: It could happen to you.

After a two-month-long nationwide manhunt by agents of the Kansas Bureau of Investigation and the FBI, the suspected killers of the four Clutter family members were finally apprehended. They had fled across the country and slipped into Mexico, only to return to Las Vegas and be captured there. Now the state of Kansas was prepared to see that justice was done. And in the minds of most that meant - after a trial - death by hanging.



## UNDER A KANSAS MOON

NAME <b>Hickock, Richard Eugene</b>		NO. <b>P-11728 #19719</b>		CLASS	
ALIAS		COLOR <b>White</b>	SEX <b>Male</b>	REP'S	
CRIME <b>1 Counts 1st Degree Murder</b>	DISP.	HAIR <b>Brn</b>	EYES <b>Blue</b>	BUILD <b>Slender</b>	
AGE <b>28</b>	HT. <b>5-10 1/2</b>	WT. <b>165</b>	COMP. <b>Med.</b>		
BORN <b>6-6-31</b>	PLACE <b>Kansas City, Kansas</b>				
PLACE ARR. <b>Las Vegas, Nevada</b>	DATE <b>1-11-60</b>				
RESIDENCE <b>Edgerton Kansas.</b>					
MARKS AND SCARS <b>Numerous Tattoos Both Arms and Both Sho</b>					
MODUS OPERANDI					
		PRISONER'S SIGNATURE <i>Richard E. Hickock</i>		DATE <b>1-11-60</b>	
		PRINTED BY <i>H.D. Roberts</i>			
BUREAU OF IDENTIFICATION, POLICE DEPARTMENT, GARDEN CITY, KANSAS					

The crime and the subsequent trial would be described in great detail by author Truman Capote in his non-fiction novel In Cold Blood. It covered the quadruple murders and the capture and trials of the accused and went on to become one of the greatest non-fiction books of modern times, selling more than a million hard copies and over 11 million more copies in paperback. In Cold Blood was published in 32 languages and sold well around the world, with over 700,000 copies purchased in Germany alone.

We'll dig deeper here, unearthing new information about the five years convicted killers Richard "Dick" Hickock and Perry Edward Smith spent on death row trying to appeal their convictions. The book is based on our research at the Kansas Historical Society's state archives, Kansas State Penitentiary official records, and other related historical documentation preserved for review.



Our story begins the morning of March 22, 1960, at the Finney County Courthouse in Garden City, Kansas. The trial of Richard Hickock and Perry Smith would be like none other held there since it was built in 1928. It was the case that would put the town and the state on the front pages of newspapers throughout the United States. Garden City was the center of the action.

Barber shops, little cafes, hotels and other local businesses accustomed to serving only locals were now overflowing with people from all over Kansas and around the country. On the first morning of the trial, the crowd in the courtroom included 150 potential jurors and representatives of both regional and national news media. The trial would be presided over by the honorary Judge Roland H. Tate. There were only four women in the large jury pool: Mrs. Kathleen Bruchy, Miss Amy Gillespie, Mrs. E. Mearl Hutton, and Violet McElroy. None of them was chosen to serve.



**Judge Roland H. Tate**

Everyone who entered was checked by the Kansas State Police, and once the space was filled to capacity the doors were closed and then guarded. Inside, District Court Clerk Mae Purdy, in a loud, commanding voice, called out the names of the twelve jurors and two alternates. Each of them stood to be recognized and stepped forward. Judge Tate laid out his rules: No smoking or standing in the aisles. Seats designated for the press were to be used only by the press. No cameras or recordings of any kind would be permitted. There would be no interviews within the courtroom. And the proceedings would be conducted in an orderly fashion.

At 10:04 AM, Richard Hickock was brought in, handcuffed to Sheriff Wendle Meier. The defendant was dressed in brown trousers, a white shirt with a brown tie and highly polished brown shoes, and white socks. Moments later, Perry Smith arrived, similarly handcuffed to Deputy Sheriff Micky Hawkins. With his coal black hair neatly combed, the five-foot, three-inch Smith was dressed in blue

dungarees with the pants cuffs rolled up, a white shirt open at the neck, and white socks and spit-shined black shoes.



### **Perry Smith**

Seated at the prosecution's table was County Attorney Duane West. A lifelong resident of Garden City, West had graduated from Garden City High School and Washburn College. Assisting in the prosecution would be Logan Green. Originally from Kentucky, he had served as Finney County Attorney from 1935 to 1943.

At the defense table was Hickock's representative, Harrison Smith. A local attorney, Smith had worked in the Finney County court system for over ten years and was a graduate of the University of Kansas Law School. He had served in the United States Navy and was originally from Racine, Wisconsin. Perry Smith would be represented by Arthur Fleming, a local Garden City resident and the town's former Mayor. He had also been President of the local school board. Fleming had never attended college, but he had challenged the Kansas Bar and was admitted on examination. Both attorneys were court-appointed and paid \$10.00 per day.



By the late afternoon of March 22, the twelve jurors were seated and ready to hear the case. They were all local men and would be charged with both determining guilt or innocence and deciding what punishment would be meted out. The ones chosen were: Pete Merrill, a farmer; Otto Bader, a well water driller; Claude Harkness, a farmer; William Turrentine, a farmer; Albert Shackleford, Jr., a gas pipeline worker; Ralph McClung, a pharmacist; Dean Hart, a refining company salesmen; Jacob Dechant, a farmer; Ray Shearmire, a bowling alley manager; William Lewis, a nursery manager; N.L.Dunnan, an airport manager; and W. P. Bryant, a farmer. Each of them would be paid \$5.00 per day and seven cents per mile for driving to and from the courthouse.



### The Jury

In the gallery, Walter Hickock, father of Richard Hickock, was heard to say he thought that the process of selecting the 12-person jury had transpired very quickly. Many had expected it to take at least two or three days.

Also among the spectators were Herbert Clutter's brother Albert and his wife. As he walked out, he told a reporter for the Garden City Telegram that he came because he wanted to see the two men who had murdered the members of his family. He went on to say, "My attitude on this thing is awfully bad and I could tear them both apart."

Awaited by so many, this had long been publicized by newspapers across Kansas as "The Clutter Mass Murder Trial", and now - finally - it was about to begin.

## CHAPTER 2

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On the morning of March 23, 1960, there was a brisk wind blowing out of the north. The weather in Garden City had been the coldest recorded in March since 1898. That day would begin early for many. The sun had barely risen before the county courthouse was abuzz with activity. A line of Kansas State Police cars flanked both sides of the large old building. It seemed that each person moved with a certain urgency. As mid-morning approached, it was noted that a smaller number of spectators had arrived than for the first session. Many may have felt that they would be turned away once the seating space was filled to capacity.

The courtroom was located on the third floor. Additional wooden benches had been brought out of storage to help accommodate the expected overflow of curious attendees. Janitor Louis Mendoza had taken great pride in helping to prepare for the big trial. The spectator chairs and wooden pews, along with Judge Tate's bench and chair, were all hand-polished to a high sheen. They would be in the spotlight as the historic proceedings got underway.

Now that the jury had been selected and the defense and the prosecution were both ready for trial, the attendees and the world