

# THE TRIALS OF ALBERT STROEBEL

*Love, Murder and Justice at the End of the Frontier*



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# DEATH IN SUMAS

Ira Airheart peered out his cabin door, squinting into the darkness. A bank of leaden clouds slid over the moon and the last of the stars, and a light drizzle began to fall. Airheart muttered a curse: more rain. Since he had arrived two months ago, all it had done was rain. The trapper thought of home, back on the farm in Iowa, where the winters were harsh but the spring thaw came fast and fresh, and you could get onto your fields. Here it was the third week of April, a month past winter, and a penetrating chill hung in the air, cutting through your warmest clothes. A wood fire crackled behind him in the cabin, sending steam off the woollen clothes hung over it to dry.

Silence lay heavy and still over the prairie. Then the wind changed, and Airheart heard frantic barking from his neighbour's property, half a mile away. He thought it peculiar, because it was not like Marshall's dog to make a fuss, and he toyed with the idea of going to check. It could be a bear, caught in the steel trap he had set between his and Marshall's place, but Airheart shivered at the thought of venturing back into the night. He owned neither watch nor clock, yet figured it to be about nine o'clock. He had spent a long, frustrating day seeing to his traps on the northern fringes of Sumas prairie, had just sat down to a late supper when he first heard the dog's bark coming through the cabin walls, and had gone to the door to check. Now, standing at the threshold, he decided things could wait until morning. Damn the beast, he muttered again, as he turned back into his warm cabin, undressed and slipped into bed.

Just after dawn the next day, Airheart strode toward the property of his neighbour, John Marshall. His gumboots squished on the soggy



trail, and rain pelted off his rubber slicker as he approached his trap, Winchester rifle at the ready. Airheart saw the jagged jaws were empty, and he continued on to Marshall's, figuring he would get some milk for his own ailing setter. He rounded the corner of the house and was met by the barking of his neighbour's dog, which stood over a dark heap on the cabin veranda. The trapper frowned as he crept nearer, then stopped short with a gasp—the heap was Marshall himself, lying on his back. The farmer's head was propped up against the doorsill, and his feet dangled over the front of the veranda; his face was a mess, the nose smashed in, the forehead covered with cracked blood. He was, most certainly, dead.

Airheart staggered back, slipping in the heavy mud. He found his footing, turned and headed for the railway bed that ran in front of Marshall's property, then hurried down the line to Huntingdon station, two miles south, to raise the alarm. Within hours, scores of men had descended upon Marshall's farmhouse nestled among the scrub, trees, swamp and grassland of Sumas prairie. The authorities arrived soon after, and an autopsy, coroner's inquest and investigation followed.

Two days after the discovery of Marshall's body, a local handyman and part-time barber named Albert Stroebel was arrested for the murder. Stroebel was an unlikely killer; short, lean and crippled in the right leg and foot, those who knew him found him obliging and reliable, a harmless "boy" who seemed much younger than his twenty years. Likewise, John Marshall was an unlikely murder victim. A spare man with dark features, the Portugal native was generally respected for his hard work and thrift. With his halting, heavily accented English, Marshall was reserved with strangers, but the reserve dropped with those he got to know and a sociable, even jovial, side came out. He and Stroebel had known each other for years and the younger man was a regular visitor at his farm. Now, with Marshall dead and Stroebel charged with his murder, local residents tried to make sense of it all. Many were convinced a serious mistake was being made: the harmless, crippled boy they knew was not capable of murder, and he certainly could not have killed a man who welcomed him into his home.



Yet something went tragically wrong that gloomy night of April 19, 1893—unravelling the mystery would take nine months and two lengthy trials. The first trial ended with the jury hopelessly deadlocked, coming within a hair's breadth of releasing the accused; the second found him guilty and set an impending date for his execution. The drawn-out legal drama seized the attention of local communities on both sides of the Canadian-American border, splitting them into pro- and anti-Stroebel factions. Newspapers devoted page after page of coverage to the trials, providing their readers with detailed reports of the witnesses' testimony and lawyers' arguments. Throngs of spectators squeezed into the courtroom galleries, rubbing shoulders with reporters and members of the province's legal profession. The proceedings were conducted by the heaviest hitters of British Columbia's political and legal establishment: the two trial judges were former premiers and Attorneys General, the Crown counsel the current premier and Attorney General, the defence counsel an up-and-coming legal star and future Supreme Court justice.

When the second trial ended with a guilty verdict and death sentence, many in the public howled in protest, convinced that a young man had been condemned to die for a crime he did not commit. However, the dramatic events would not stop there. With the condemned man sitting on death row, the case would take more twists and turns as Albert Stroebel tried desperately to dodge the hangman's noose.



Sumas prairie is located forty miles east of Vancouver, just beyond the bedroom community of Abbotsford and south of the Fraser River. Its western edge is marked by a dramatic escarpment that rises more than a hundred feet above the prairie floor, the farthest limit of the last great ice sheet. To the north looms Sumas Mountain, a three-thousand-foot peak that separates the valley from the Fraser River; to the south, the prairie continues over the border into Washington state, stopping short of the Nooksack River. Until a century ago, the prairie spread east to the shores of Sumas Lake, a shallow body of water that



stretched from the international border at Vedder Mountain across the valley to Sumas Mountain. Every year, Sumas Lake expanded with the spring freshet, flooding much of the prairie.

In its natural state, the prairie's wet, temperate climate fed a cover of lush vegetation. Thick grasses flourished on the land flooded annually by Sumas Lake; west of this, stands of cedar, fir, maple and cottonwood alternated with dense bush, with openings of wet prairie and swamp squeezed in between. Multitudes of fish filled the streams and lake, waterfowl darkened the skies, while bears, wolves, elk and deer stalked the land.

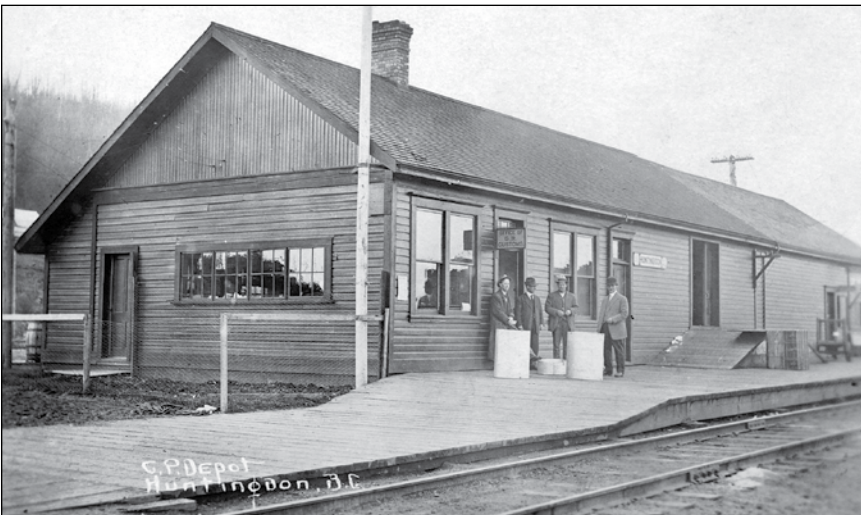
For countless generations, the prairie has been home to the Sema:th and Nooksack peoples—the former north of today's international boundary, the latter south. Sumas prairie, lake and mountain provided the first peoples with a wealth of resources, from edible plants to fish, waterfowl and game. The earliest White immigrants arrived with the Fraser gold rush, when thousands of prospectors made their way from Bellingham Bay to the Fraser River along the Whatcom Trail. In the wake of the gold rush, modest numbers of White settlers stayed on the land, grazing their herds of cattle and horses. The White population grew slowly through the nineteenth century, and by 1890, only a few dozen farmsteads dotted the landscape. As the newcomers took over the land, the Sema:th were dispossessed, pushed onto a pair of reserves at either end of the prairie.

At the beginning of the 1890s, as the Victorian era neared its end, Sumas was still a frontier settlement. Few of the White immigrants had been there more than a decade. They built their houses and barns from half-timbered logs or home-milled planks. They toiled on their quarter-section lots (160 acres, a quarter of a square mile), the closest neighbours anywhere from half a mile to a mile away. Roads and trails over the swampy ground were sparse, and the few that existed were rendered impassable by rain and flooding. Before 1891, nothing that could be called a town existed north of the border. South of the line, a settlement known as Sumas sported a handful of stores and services. When Canadians on the prairie needed to buy anything or required the services of a doctor, dentist or barber, they travelled to Sumas



town. The borderline was invisible for prairie residents; they travelled freely back and forth, often several times a day, giving little thought to the fact that they were moving from one country to another.

These, though, were the last days of the frontier on Sumas prairie, although the end was slow to come. In 1891, the Canadian Pacific Railway (CPR) extended a spur line from Mission, across the Fraser River, to a newly built station at the border it named Huntingdon. At the same time, the Bellingham Bay and British Columbia Railroad was built, linking the Canadian spur line to a terminus in Bellingham. The railway boom sparked both a population and an economic boom. The American town of Sumas was incorporated as Sumas City, and an influx of people was accompanied by the frenzied building of hotels, saloons, real estate offices, banks and brothels. The city itself had much of the Wild West about it, with a locally appointed marshal dispensing rough justice to an unruly population. On the Canadian side, the town of Huntingdon's growth was much more modest. It gained a post office but, aside from the railway station, the



The Canadian Pacific Railway station at Huntingdon, erected when the line was built in 1891. The building housed the offices of Bosnell McDonald and James Schofield, along with the telegraph office. Passengers used the raised boardwalk in front to board and detrain, and freight was loaded and unloaded here. Reach Gallery Museum, P8262: "Canadian Pacific Railway Depot"



only other major building was the Huntingdon Hotel, a three-storey structure with covered verandas running the width of its façade on each storey. Meanwhile, the law was a distant force, the closest police and court in New Westminster, a three-hour train ride away.

By 1893, when our story unfolds, the boom years had given way to bust as a global depression took hold. The frontier remained, as did the CPR line that ran directly in front of John Marshall's farmstead, continuing due south past Albert Stroebe's hotel two miles away. That rail line would play a central role in the drama surrounding Marshall's death: it was the main highway for locals, as well as for countless transients travelling through. And it linked together the tragic events that would lead Stroebe to the shadow of the gallows.

## UNLIKELY FRIENDS

If it were not for the violent death of John Marshall, his name and that of Albert Stroebel would have passed unnoticed into history. The two men lived ordinary lives on the edge of a closing frontier, different in the details but not in the generalities of those lived by millions of others. Only on such a frontier could the fates of these two men come together. Both were very far from home and largely on their own. One was a middle-aged Portuguese farmer who spoke only rudimentary English, and who had been born on a small dot of an island in the east Atlantic Ocean. The other was a young American from the Midwest, the fourth of eight children whose restless parents had brought them to the very edge of the continent. Despite their differences, the pair shared the belief that the frontier land they now called home—a world still in the making—offered them the chance of a better life, more prosperous and secure than the one they had left behind.

Of course, the reality of the frontier often failed to live up to its promise. For many, dreams of prosperity and security were dashed by the realities of poverty, broken lives and violence. This was true of the frontier on both sides of the border. Our cherished myth of the peaceful Canadian frontier—so different from the violent American one—was and is a fable, smug, comforting, but false. The murder of John Marshall was just one of a string of violent homicides that took place in southwestern BC during the late Victorian era. The crime that bound together the fates of Marshall and Stroebel can be seen as many things—sad, tragic, monstrous—but it was no exception to a rule.





Some of the most basic facts of John Marshall's life remain a mystery to us. For one, we do not know the name he was born with—John Marshall was the name he adopted as a young man upon his arrival in North America. From the documentary fragments we do have, we know that Marshall was born in 1855 on the tiny island of São Jorge in the Azores archipelago, a thousand miles off the coast of Portugal. Although protected by the same patron saint as England—São Jorge is Saint George in Portuguese, and the saint slayed a dragon in both languages—the tiny Azorean island possessed little of England's wealth. Most Azoreans were poor, and many found it necessary to emigrate, something that was relatively easy to do since the islands were a port-of-call for ships travelling to the Americas. Sometime in the 1870s, Marshall joined a small wave of islanders who set out for the United States.

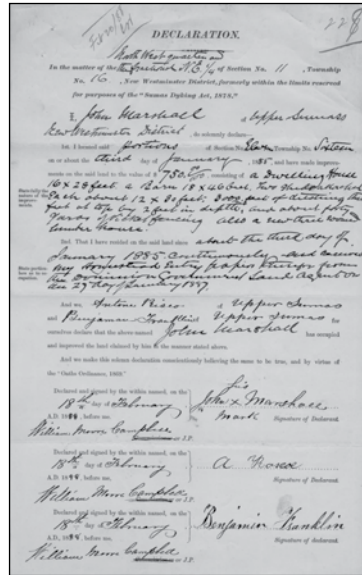
By 1880, the newly christened John Marshall had made his way to the gold mines of Esmeralda County, Nevada, midway between Las Vegas and Reno on the edge of Death Valley. Through hard work, thrift and some luck, Marshall pulled together a modest pool of capital. Tiring of the punishing heat and dizzying altitude, Marshall moved north in search of a more temperate climate, somewhere he could realize his dream of buying some land and starting a farm.

In 1884, he found what he was looking for just north of the US-Canada border, on Sumas prairie. The lush grassland of the prairie was ideal for livestock, and while a handful of dairy operations were up and running, much of the land had not yet been claimed by White immigrants. He and a partner settled on a lot two miles north of Sumas town. The unnamed partner left a few months later, but the Azorean continued to work the land. By the time he officially registered the property in early 1888, his holdings had grown to two hundred acres. On this he had built a two-room house, a fifty-foot barn, a dairy shed and various solid outbuildings; the buildings alone were valued at \$750. He also had begun the back-breaking work of clearing and draining the soggy ground, and sowing small parts of it with vegetables and feed crops. By the early 1890s, Marshall had paid what was owed on his land, a



\$260 investment (only a handful of Sumas farmers had paid what they owed). His herd of dairy and beef cattle had grown to some twenty head, he owned half a dozen horses for ploughing and riding, and a large flock of chickens provided meat and eggs for himself and for sale. Thus, as he looked forward to his fortieth birthday two years away, Marshall found satisfaction that his dream of a better life was coming true: his own land, a productive farm. A lean man of modest height with ropy, work-hardened muscles, he had the dark eyes, dark hair and olive skin of an Azorean. His spare look, dark complexion and decades of outdoor labour made him look years older than he was. After his death, his neighbours described a “jovial” and “hospitable” man, on good terms with everyone. No doubt, those neighbours felt the natural impulse to speak well of the dead; passing comments slipped through that he had a temper and could act the braggart on occasion.

Despite living in Sumas for nearly a decade, though, no one seems to have known him very well or to have become a close friend. Part of this was due to Marshall’s own personality: affable on the surface, the Azorean preferred keeping himself to himself and keeping others at a safe distance. And part was due to the temper of the times: most of Marshall’s neighbours were even more recent arrivals than he was, and they were Anglo immigrants—British, American or Canadian—who claimed whatever new land they settled as their home. To them, Marshall was a “foreigner,” a dark-skinned Portuguese with no family who spoke only halting English.



In this declaration dated February 18, 1888, John Marshall recorded an official claim to his 200-acre lot, describing the improvements he had already made to the property. His house, barn, outbuildings, fences and ditching were valued at \$750. Portuguese by birth and unable to read or write English, Marshall signed the document with an 'X'. Royal BC Museum and Archives, BGR 312



The person who saw Marshall the most in the years before his death was the man who would be arrested for his murder. Albert Stroebel was born on January 12, 1873, in Evansville, Indiana, into a relatively comfortable working-class family. His father, George Sr., was a master baker from Bavaria who had been swept up in a wave of German immigration to the United States in the 1850s; his mother, Elizabeth, was a farmer's daughter from neighbouring Illinois.

At the outbreak of the American Civil War, George Sr. enlisted in the Union Army, one of many German immigrants who hoped signing up would provide a swift path to American citizenship. After three years of war, George Sr. returned home to marry Elizabeth, and the new couple moved to Evansville, where George opened a bakery with his brother. The bakery prospered, and the family grew over the next decade, but even as the war receded further into the past, George found it increasingly difficult to settle into civilian life. Risky business ventures, alcohol abuse and restlessness plagued the Stroebel patriarch.

In 1877, hoping for a new start, George moved the family out west to Petaluma, California, a small town forty miles north of San Francisco, where he worked as a hotel manager. The family was on the move again two years later, this time to LaConner, Washington. It was here that Elizabeth gave birth to their eighth and final child, Louis, in 1881. At the time, the Stroebel children included August (fifteen years old), Amelia (twelve), George Jr. (ten), Albert (eight), Ida (six), Hattie (three) and William (one). Over the next few years, Elizabeth kept the family together in LaConner while George Sr. continued his wandering ways, seeking opportunities north of the border in BC.

Over the summer of 1885, it appeared that George had found what he was looking for when he moved onto an empty 160-acre lot in Aldergrove that straddled the Yale Wagon Road eleven miles northwest of Sumas. His family joined him there a year later. In August 1887, George Jr. staked out his own claim on Sumas prairie, a quarter-section sitting midway between the border and John Marshall's property. George Jr. was only sixteen at the time, too young to



stake a legal claim, so the Stroebels were trying to bend the law to get their hands on another property. While Elizabeth remained in Aldergrove with the younger children, George Sr. divided his time between Aldergrove and Sumas. George Jr. and Albert stayed in Sumas, working on their claim and hiring themselves out to local farmers.

As had been the case at several points in the past, prosperity seemed within reach for the Stroebels. But then the ties keeping the family together frayed to the breaking point. The eldest daughter, Amelia, married and left; consumption took the life of son August; and, most devastating of all, mother Elizabeth died in the New Westminster hospital in autumn 1889. No official record of her death has survived; however, it was most likely consumption that struck Elizabeth down, the same disease that had already killed one son and would later take another. The Stroebel matriarch had been the family's linchpin. With her death, grief and the burden of single parenthood were added to the demons George Sr. already carried within; he became a fleeting presence in the children's lives, absent more often than he was present.

This left George Jr. and Albert—eighteen and sixteen years old in 1889—with the daunting task of providing for the family and keeping it together. The four younger siblings moved into the brothers' Sumas cabin, but the elder Stroebels struggled to bring in enough to support the family. Seduced by the profits others seemed to be making from rising property values, George Jr. borrowed against his Sumas claim to play the real estate market in Vancouver. George's dreams quickly turned sour: he lost the Vancouver and Sumas properties in 1892 and the siblings were forced to move, scattering in different directions. Albert stayed nearby, moving on his own into the City Hotel in Sumas City.

During his years on Sumas prairie, from 1887 until his arrest in 1893, Albert's limping gait and off-kilter grin were common sights in the small farming community, on both sides of the border. He was obliging and respectful, a "good boy" always willing to lend a hand, whether he was paid or not. He and Marshall struck up an unlikely friendship during this time, and even after Stroebel moved from the family cabin to Sumas City, he continued to visit his Portuguese



friend, helping with domestic chores and on the farm. The Portuguese farmer's tidy house became a second home for the young man, yet the relationship between the two was never one of equals: it was more like one of nephew and favourite uncle.



The only photograph we have of Albert Stroebel, taken in the Victoria Gaol on January 9, 1894. Stroebel wore a faded tuxedo jacket, lent to him by one of the guards, over his regulation prison uniform. Royal BC Museum and Archives, F-08396



Even as Stroebel passed his twentieth birthday, the hard-working farmers of Sumas continued to think of him as “the boy.” The young man’s unassuming, ungainly appearance contributed to this. In the one photograph we have of him, taken while he was in prison, Stroebel’s mousy hair, grey-blue eyes and light skin give him an oddly washed-out look. From a distance, his expression appears good-natured, a slight smirk on his open face; but moving in, we see a tension about his mouth and a look of apprehension in his wide-set eyes.

Stroebel’s prison warders recorded his height at 5’4”, which was short even for that time, and a crippled right leg made him shorter. We do not know the cause of Stroebel’s disability, which a doctor told him was an “inflammation of the bone”—it may have been rheumatoid arthritis or one of a number of degenerative bone diseases causing osteomyelitis. The inflammation caused him pain daily, his knee was permanently bent and his foot turned out, and he used a blackthorn cane to walk. Despite his disability and modest stature, he was a hard, adept worker, and he had the broad hands of a working-man to prove it.

The abiding impression of Stroebel as a boy was due to more than his physical appearance—his intellectual and emotional growth also seemed delayed. He did not receive much formal schooling. As a working-class youth and the son of an absent father, he was thrown into the labour market at an early age by the necessity to provide for his family. Stroebel was able to read and write, though with difficulty, but numbers and higher concepts eluded him. He could be clever within his own limits, as we shall see, but he found it difficult to see the larger picture, to realize the significance of events or the gravity of a serious situation.

The first two decades of Stroebel’s life contained more than its fair share of trials and tribulations. A broken family, lack of material resources and a meagre education left him ill-equipped to navigate these trials. His biggest asset was an offbeat optimism: again and again he tried to escape the life he seemed destined to live, but too often his actions and decisions would only make matters worse.