

“Shoot-Out” in a Bourne Tavern

by Gary Dielman

Budd Douglas is in an ugly mood as he heads for the Hallam and Probasco saloon in the mining town of Bourne on Sunday morning, September 24, 1888. With grim determination he pushes through the swinging doors of the small frame building—just sixteen feet wide by twenty-four feet deep—intent upon collecting on a couple of debts, so he can leave town the next day. He has business with two men inside, saloonkeeper Arthur Hallam and Hallam’s partner, George Probasco. It appears that Douglas and Hallam are, or were, partners in an unproductive gold mine and Douglas wants Hallam to buy him out. He also wants to get paid for some carpentry work he did for Probasco. He’s anything but optimistic of success, since earlier attempts to collect these debts have already failed.

As Douglas enters the saloon, Hallam is behind the bar and Probasco, his brother Charles, and fiddle player William Balesty are sitting at a table playing cards. Douglas walks straight over to the card table and demands of George Probasco that he settle up with him for the carpentry work. Probasco refuses. Stinging from the rejection, Douglas’ mood turns even darker as he approaches the bar and demands settlement from Hallam.



Bourne, Oregon

Hallam is ready for any trouble he might have with Douglas. Behind the bar lies a pistol he’s borrowed from Homer H. Hindman (grandfather of Dick Hindman of Baker City) after recently hearing someone prowling around his place at night. Standing opposite Hallam on the customer’s side of the bar, Douglas demands payment for his share of their mine.

Getting the same negative reaction as he had from Probasco, here’s what happened next, according to Balesty at a coroner’s inquest held three days later. Douglas says to the bartender, “I’ll make you settle. Go to pumping you (censored profanity) s...o...b...” as his hand moves toward his pants pocket.

Hallam, so he later told the coroner, fearing that Douglas is reaching for a pistol, grabs Hindman's weapon from under the bar and leveling it at Douglas fires twice. The first bullet strikes Douglas in the muscles of the neck causing him to spin around so that the second bullet slams into his back above the hip traversing through several internal organs.

As Douglas staggers through the swinging doors and collapses on the stoop, a defiant Hallam shouts after him, "No one can come in my house and abuse me." Lying bleeding on the porch, the still-conscious Douglas is no longer in a condition to abuse anyone. Taking pity on the seriously wounded miner, the Probasco brothers carry him down the street to his room and lay him on his bed. Then, although suffering tremendously from a mortal wound to his midsection, Douglas still has the strength to angrily order the brothers out of his sight.

The next day Douglas is dead, but not before telling a physician called to attend him, "I didn't have a gun about me nor make any motion as if to draw a gun." With Douglas dead, Hallam, realizing he's in big trouble, gives himself up to Homer Hindman, who delivers him that same day to the Baker County sheriff in Baker City.

At a coroner's inquest three days later, the jury hears two very different versions of the shooting. Douglas went for a gun and, just the opposite, he made no move to draw a gun. One fact the jury has no trouble establishing beyond a doubt based on uncontroverted testimony is that no weapon was found on or near Douglas.

District Attorney John L. Rand, long-time Baker City attorney and later justice of the Oregon Supreme Court, armed with Douglas's death-bed statement that he made no attempt to draw a weapon, supported by the absence of a weapon, has no trouble convincing a jury to convict Hallam of manslaughter. The court sentences him to seven years in prison and a \$500 fine.

(The facts and quotations of this story come from criminal and coroner records on file in the Baker County Clerk's Office. The article was first published July 1, 1983.)

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