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The *Tall Wall* is published quarterly for Museum members. If you have comments or are interested in having information published in the *Tall Wall*, please send articles, pictures, and/or correspondence to the above address.

# TALL WALL



December 30, 2019  
Issue 4/2019

## TO THE MEMBERSHIP

Hello Everyone!

I hope everyone had a safe and happy holiday season. We're sending a very special and heartfelt "Thank You" to Brendan Pardue for once again hosting our Christmas Party in his beautiful historic home.

**Welcome 2020!!** Here's to a new year! We are looking forward to big things for our beloved museum this coming year.

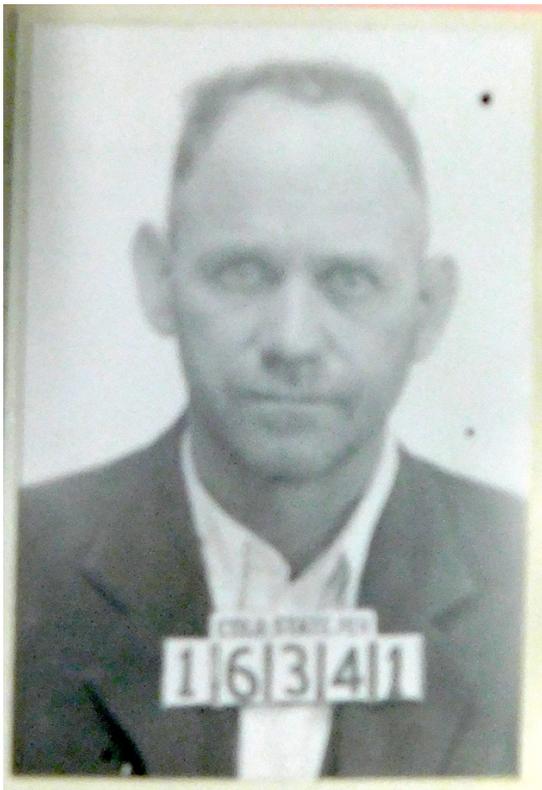
If you haven't visited us in a while, please stop by, say hello, and check out our ever-changing exhibits. There's always something new to learn.

As always, Thank YOU, our members, for your continuing generous support.

Maureen Sheridan, Chairman

**"Life is like riding a bicycle. To keep your balance you must keep moving."**

- Albert Einstein



**James Foster #16341**

By Paula DeCook, Editor

From her hospital bed just before she died, 12 year old Mildred Foster said “Daddy woke me up and poured gas in our face and set fire to us.” It was the morning of May 5, 1931.

At the trial where Foster’s plea was “not guilty by reason of insanity” Fire Chief Carl Anderson testified about arriving at the blazing Foster home and seeing Mrs. Foster sitting in the doorway calling for “Jim.” He asked her “Who is Jim?” She said, “Jim did it. He is my husband. He threw gasoline on us, then he lit a match and set us afire.”

Mrs. Myrtle Foster, daughter Mildred, 12, her younger sisters Geraldine, 4, and baby Darline, 19 months, all died as a result of the fire. James V. Foster was arrested two days later and charged with four counts of premeditated murder.

During his confession he kept repeating “the awful grind, the awful grind.” The “grind” was all his work and little pay

to show for it, his wife’s dissatisfaction, the fact that his wife cried so much because she could not work as much as she wished to. So he started looking for a way out.

Foster’s confession is full of comments about the devil. “The devil lit the match”, “the devil took hold of me. It was the devil’s work.” During his confession to Sheriff W. W. Wyatt Mr. Foster said, “I went crazy. I can’t tell for the life of me what I was doing. No man couldn’t do it unless he was crazy.”

Foster’s background is rather bleak. When a young unmarried man of 22 living with his parents on a farm near Hartville, Missouri, he accidentally shot his brother Ira while cleaning guns. Not long after that he left for Colorado. In twenty-seven years, he only visited his mother twice.

He married and started a family, but fortune did not smile on Jim. Records indicate an infant son died in 1913 and an infant daughter died in 1926. Then, in 1928 two daughters died in the diphtheria epidemic that swept through northern Colorado. Ruby was 12 years old and her sister Leola Belle was 4 years old at the time of their deaths.

Foster’s confession was in no chronological order. He jumped back and forth. When questioned, he explained about buying iodine and muriatic acid as much as a month before the fire.

Quoting from the Greeley Daily Tribune of May 7, 1931, Foster confessed: “A month ago this came into my mind. It was the grind, the grind. I thought I would smother the children and give her the acid and make it look like she killed them and then committed suicide. Foster added: “The devil’s been working on me, but I’m clean this morning. It was the grinding work, the grinding work, the grinding work.”

Foster's confession finally included the specifics about what happened that night. "Then I took the gasoline and threw it on the children first and then on my wife. It took two sloshes. I made a trail out to kitchen door with gasoline. My wife said, "Jim, what in the world are you doing." Then I lit the match. Mildred came running out and said, "O, Papa, Papa,"

"First I had struck one match and dropped it at my feet. It didn't burn very well, (meaning that the flame failed to follow the stream of gas from his foot to the beds of his wife and children.) Then I struck another match and the whole room burst into flames.

"Then I went out and started the engine and got into my car and went to Ault."

C. C. Townsend was Foster's defense attorney. Assistant District Attorney E. T. Snyder was the prosecutor. Snyder asked each juror if he objected to voting for the death penalty. Each one answered no. Snyder's plan was to convince the jury Foster was not insane but had deliberately planned to do away with his family for weeks before the fire of May 5<sup>th</sup>. Foster's attorney tried to convince the jurors the man was insane at the time of the crime.

When the trial was over and the jury adjourned to vote, it only took three hours and thirteen minutes of deliberation to return a verdict of guilty and they recommended Foster should be condemned to death on the gallows.

Foster made a brief statement as he was led from the courtroom. "The jury was wrong," he said.

"You understand the verdict, don't you, Jim?" he was asked. "The jurors said you were guilty of first degree murder and must die for it."

"Yes, I understand it but I say the jurors was wrong. No man could do what they say I did and be in his right mind. Nothing with a heart and soul could do such a thing knowingly and willingly," Foster said.

Foster's attorney immediately filed a motion for a new trial; the district judge, C.C. Coffin, approved the order for the further proceedings. During the next trial, Foster was again found legally sane and guilty. The jury again recommended the death penalty. That was the end of July. By the end of August Foster had been under observation at the Weld County Jail and at the state hospital for the insane at Pueblo. Neither the sheriff's office nor the attorneys' offices received any information from Pueblo as to Foster's mental condition.

On September 4, 1931 Foster was escorted to Canon City by Deputy Sheriff Mack Mean with Joe Kem as guard. The officers wanted to get Foster to Canon City as soon as they could; they suspected the prisoner may commit suicide and didn't want anything like that to happen on their watch.

James V. Foster was hanged the night of December 12, 1931, at 8:46 p.m. He was accompanied by Rev. John L. Spargo, Methodist minister, who had visited the prisoner daily for several weeks. According to a reporter from the Greeley Daily Tribune he began at daylight singing hymns and saying prayers and did so for hours in a one-man religious service not witnessed before in the deathhouse. He ignored the other condemned prisoner who expressed a desire to join in the prayer. A few hours before the execution, the three other prisoners in the deathhouse were removed to another

cellhouse. When the time arrived, Foster calmly walked to the gallows. Rev. Spargo said Foster “was more calm than he had been for several weeks.”

Foster was buried with his family in Linn Grove cemetery in Greeley, the last and oldest member of the family of ten. He was 49 years old.

*Information for this article was taken from the Colorado Museum of Prisons archives The Greeley Daily Tribune and Newspapers.com*

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## The Annual Membership Christmas Party



Catherine Norman, Elaine Greenlee, and Mary McBroom



The Annual Christmas party is one of the wonderful benefits of becoming of Member of the Colorado Museum of Prisons.

This year was a lively party enhanced by the music of the Richard Clark Trio.



Vice-Chairman of the Board of Directors Malacha Hall

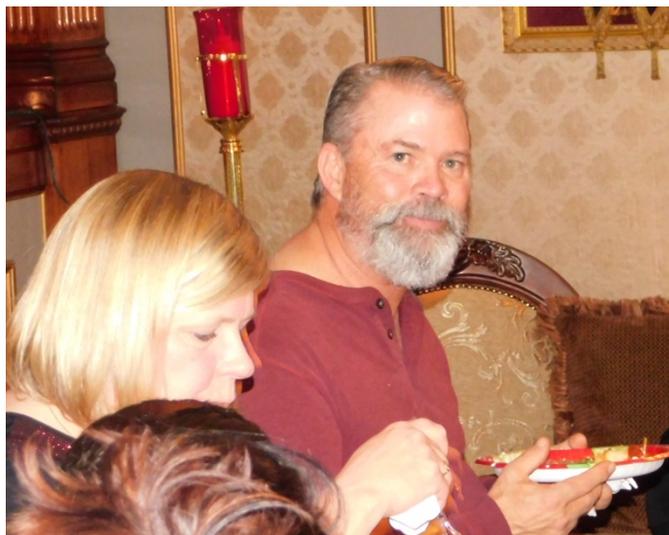
The delicious meal was catered by Beyond Madness Pizza Madness) and included a terrific lasagna, a large mixed salad, a cheese platter, and a selection of deserts. The evening started with members getting to know one another and friends greeting each other. The musicians could play any requests expressed by the members and encouraged them to sing along.



Director Stacey Cline and Kathleen Kennedy



Rusty Black and Board Member Kelly Black



Martha Pardue, Board Member Jim Jacobs



Staff member Taylor Ford with Advisory Board Member Benny Johnson



Advisory Board Member Sandy Dexter with guest Sonny Neal



Kathleen Kennedy and Susan Cantrell



Susan Jones with Catherine Norman and our host Brendan Pardue

## FUN FACTS!

The Museum of Colorado Prisons has had a banner year for receiving visitors. As of 12:54 p.m. on Saturday, December 28, 2019, there have been 14,618 people who came through our doors and explored our Museum. ( Physical year being June 1 through May 31.) That number is 890 higher than the number of visitors in 2018.

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**"Colorado abolished the death penalty in 1897 and reinstated it in 1901"**

**"In 2009, the Colorado House of Representatives passed a death penalty abolition bill by a 33-32 vote. The bill failed in the Senate by a 17-18 vote."**

**"There are currently about 1,400 unsolved murder cases in Colorado, but the Colorado Bureau of Investigations cold case unit has only one staff member."**

-taken from the DOC website, State of Colorado

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Board Member Frank Martinez and Mrs. Martinez



The Martinez's and Mary McBroom



Sonny Neal and Chairperson Maureen Sheridan share a conversation about the paranormal. (Ceasar seems to be eavesdropping in the background.)

**HAPPY NEW YEAR  
TO ALL THE  
MEMBERS OF THE  
MUSEUM OF  
COLORADO PRISONS!!**