



### **RESOLUTION NO. 17-23**

#### **Resolution in Honor and In Memory of Chippewa County Sheriff Deputy James Sutton and Deputy Allen Scribner Killed in the Line of Duty June 6, 1913**

WHEREAS, President John F. Kennedy signed a proclamation which designated May 15 as Peace Officers Memorial Day and the week in which that date falls as Police Week, during which survivors and supporters of law enforcement gather to honor and remember those that have paid the ultimate sacrifice.

WHEREAS, the Upper Peninsula Peace Officer memorial Ceremony was held this past May here in Chippewa County, with a roll call including officers who have died in the Upper Peninsula of Michigan, those from Wisconsin counties bordering Michigan and those from Canadian agencies bordering the Upper Peninsula.

WHEREAS, during the preparation for the local Memorial, it was brought to the Sheriff Departments attention, that two former Chippewa County Sheriff Deputies; Deputy James Sutton and Deputy Allen Scribner were killed in the line of duty over 100 years ago.

WHEREAS, on June 6, 1913 while apprehending a murder suspect both Deputy James Sutton and Deputy Allen Scribner were both slain by the suspect. Deputy Sutton left behind his wife and eight children; Deputy Scribner left behind his wife and two children.

WHEREAS, we now pay tribute to Deputy James Sutton and Deputy Allen Scribner and their families for the Deputies ultimate sacrifice, we will hold these men with the highest regards, for their honorable service and dedication, as they are memorialized as members of the "Thin Blue Line" family.

NOW, THEREFORE, BE IT RESOLVED, by the Chippewa County Board of Commissioners that the Board of Commissioners, the Chippewa County Sheriff's Department, Chippewa County citizens to fully recognize and honor the memory of Deputy James Sutton and Deputy Allen Scribner who were killed in action on June 6, 1913.

BE IT FURTHER RESOLVED THAT these men will not be forgotten in the future as plans have been made for a Memorial Bell to be kept in the Chippewa County Sheriff's report room as a constant reminder of Deputy Sutton and Deputy Scribner's ultimate sacrifice.

September 11, 2017 RESOLUTION DECLARED ADOPTED

---

Scott Shackleton, Chairman, Chippewa County Board of Commissioners

# CHIPPEWA COUNTY SHERIFF'S OFFICE

**Michael D. Bitnar**  
Sheriff

**Gregory D. Postma**  
Undersheriff

325 Court Street  
Sault Ste. Marie, MI 49783

Ph: (906) 635-6355  
FAX: (906) 635-6336  
[www.chippewacountymi.gov](http://www.chippewacountymi.gov)

## OFFICIAL REQUEST FOR RECOGNITION – RESOLUTION IN HONOR OF DEPUTY SUTTON AND DEPUTY SCRIBNER KILLED IN LINE OF DUTY 1913

DATE: 06/21/17

TO: Chippewa County Board of Commissioners

FROM: Undersheriff, Greg Postma

I am submitting this letter in response to information that surfaced that was previously unknown to staff and administration here at the Chippewa County Sheriff Office regarding Line of Duty deaths of two of our Deputies from over 100 years ago.

Earlier this spring I was contacted by a Jim Dwyer who wanted to inquire as to why we had not included our two slain Deputies in the list of officers slain for the EUP Police Officers Memorial. My initial answer was that we did not have any slain officers that this office was aware of. This conversation turned into a long and lengthy correspondence with several people confirming what Mr. Dwyer had told me about our slain Deputies.

On June 6, 1913, Deputy James Sutton and Deputy Allen Scibner were killed in the line of duty while attempting apprehend a murder suspect. The following account is based on information located and obtained by both myself and Jim Dwyer regarding this incident. Attached are items associated with this discovery and submission.

On June 6<sup>th</sup>, 1913 a male subject, who reports indicate that was identified as a Joseph Tobias got into some sort or an altercation with a male named Joseph Teeple while on a train to Brimley from the Sault. The stabbing occurred in Brimley after they exited the train. During this altercation, Tobias stabbed Teeple multiple times before fleeing west bound on the tracks towards the Otto Schoals logging camp through which he was employed.

After being made aware of the incident, Deputy James Sutton was ordered to attempt to locate and making the arrest of Joseph Tobias. Deputy James Sutton did contact Deputy Allen Scribner, who was a neighbor in Brimley and requested assistance with this task. After leaving their homes and families, the Deputies did arrive at the camp. Once there, a camp supervisor directed them to the bunk house that Tobias was sleeping in. There are two separate accounts about what may have happened after this. Both accounts ending in the violent death of both Deputies.

One account indicates that Deputies Sutton and Scribner entered the bunk house to find Tobias asleep. Deputy Scribner rolled Tobias over to make the arrest and Tobias pulled a gun from under the pillow and shot Deputy Scribner. Deputy Sutton then attempted to grab Tobias and he shot him as well.

The other account indicates that Tobias was already in hand cuffs and being escorted between the two officers when he broke from the cuffs and pulled a gun from his pocket and immediately shot both of them.

Official death certificates obtained from Chippewa County show that:

Deputy Sutton was shot in the face and was killed instantly. He left behind a wife and 8 kids.

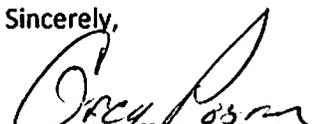
Deputy Scribner was shot in groin and died an hour later due to blood loss. He left behind a wife and 2 kids.

A large manhunt did occur and lasted several weeks. Joseph Tobias escaped. Many years later the Sault City Police were contacted by a Police agency in Canada who informed that a male named Joseph Tobias, made a death bed confession, that prior to fleeing to Canada he had killed to police officers in Brimley, Michigan.

I make this request in an effort to memorialize and bring back to light the ultimate sacrifice paid by Deputy Sutton and Deputy Scribner on that tragic day. It saddens me and my fellow officers that this incident was forgotten. As a part of the "Thin Blue Line" family we take very seriously and deeply the death of our own. Private individuals have already made donations to assist in creating a Memorial Bell to be kept in the Deputies report room to act as a constant reminder of Deputy Sutton and Deputy Scribner ultimate sacrifice. Additionally plans are in the works to have a plaque(s) displayed in the public vestibule at the Sheriff Office.

I respectfully request that the Chippewa County Board of Commissioners join the Chippewa County Sheriff Office in recognizing these two men for their ultimate sacrifice. Should the board agree to make the resolution, it is my intent to find surviving family member of the Deputies and present them with the resolution and notification that their names will be added to the list of fallen both locally and nationally.

Sincerely,

  
Undersheriff, Greg Postma

PLACE OF DEATH

County Chippewa  
 Township Superior  
 or  
 Village  
 or  
 City \_\_\_\_\_ (No \_\_\_\_\_ St.: \_\_\_\_\_ Ward)

STATE OF MICHIGAN  
 Department of State—Division of Vital Statistics

CERTIFICATE OF DEATH

JUL 10 1913

Registered No. 7

(If death occurred in a hospital or institution, give its NAME instead of street and number.)

FULL NAME Allen Scribner ✓

PERSONAL AND STATISTICAL PARTICULARS

1 SEX Male 2 COLOR OR RACE White 3 SINGLE, MARRIED, WIDOWED, OR DIVORCED Married  
 (Write the word)

4 DATE OF BIRTH Nov 26 1886  
 (Month) (Day) (Year)

5 AGE 26 yrs. 6 mos. 10 ds. OR 10 mos. 7 yrs.  
 If LESS than 1 day

6 OCCUPATION Laborer  
 (a) Trade, profession or particular kind of work  
 (b) General nature of industry, business, or establishment in which employed (or employer)

7 BIRTHPLACE (State or country) Mich.

8 NAME OF FATHER J. D. Scribner

9 BIRTHPLACE OF FATHER (State or country) Maine

10 MAIDEN NAME OF MOTHER Not Known

11 BIRTHPLACE OF MOTHER (State or country) Not Known

MEDICAL CERTIFICATE OF DEATH

12 DATE OF DEATH June 6 1913  
 (Month) (Day) (Year)

13 I HEREBY CERTIFY, That I attended deceased from June 6, 1913 on June 6, 1913, that I last saw him alive on June 6, 1913, and that death occurred, on the date stated above, at 11:00 m.

The CAUSE OF DEATH\* was as follows:  
Hemorrhage from <sup>gun shot</sup> wound made by prisoner, while helping to arrest. Shot in groin. 1 hour.

Contributor 1875 (Duration) \_\_\_\_\_ yr. \_\_\_\_\_ mo. \_\_\_\_\_ ds.  
Restocker M. D.  
June 7, 1913 (Address) Brumley Mich

\*State the DISEASE CAUSING DEATH, or its death from VIOLENT CAUSES, state (1) MEANS OF INJURY; and (2) whether ACCIDENTAL, SUICIDAL or HOMICIDAL.

14 LENGTH OF RESIDENCE (FOR HOSPITALS, INSTITUTIONS, TRANSPORTS, OR RECENT RESIDENTS)  
 At place of death \_\_\_\_\_ yr. \_\_\_\_\_ mo. \_\_\_\_\_ ds. In the \_\_\_\_\_ State \_\_\_\_\_ yr. \_\_\_\_\_ mo. \_\_\_\_\_ ds.  
 Where was disease contracted, if not at place of death? \_\_\_\_\_  
 Former or usual residence \_\_\_\_\_

15 THE ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE  
 (Informant) \_\_\_\_\_  
 (Address) \_\_\_\_\_

16 PLACE OF BURIAL OR REMOVAL Bay View Cemetery DATE OF BURIAL June 9 1913

17 FILED June 9 1913 Joel Draper REGISTRAR

18 UNDERTAKER J. Vanderhook ADDRESS Sault Ste Marie Mich.

PLACE OF DEATH

County Chippewa  
Township Superior  
or  
Village  
or  
City

STATE OF MICHIGAN  
Department of State—Division of Vital Statistics

CERTIFICATE OF DEATH

JUL 10 1913

Registered No. 6

[If death occurred in a hospital or institution, give its NAME instead of street and number.]

FULL NAME James Sutton

PERSONAL AND STATISTICAL PARTICULARS

SEX Male COLOR OR RACE White SINGLE, MARRIED, WIDOWED, OR DIVORCED Married  
(Write the word)

DATE OF BIRTH June 13 1866  
Month Day Year

AGE 47 yrs. 11 mos. 23 ds. If LESS than 1 day, hrs. or min?

OCCUPATION (a) Trade, profession or particular kind of work Farmer  
(b) General nature of industry, business, or establishment in which employed (or employer) Deputy Sheriff

BIRTHPLACE (State or country) Canada

NAME OF FATHER George Sutton

BIRTHPLACE OF FATHER (State or country) not known

MAIDEN NAME OF MOTHER Not known

BIRTHPLACE OF MOTHER (State or country) Not known

THE ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE

(Informant) (Address)

Filed June 9 1913 not Craper REGISTRAR

MEDICAL CERTIFICATE OF DEATH

DATE OF DEATH June 6 1913  
Month Day Year

I HEREBY CERTIFY, That I attended deceased from June 6 1913 to 1913 that I last saw him alive on June 6 1913 and that death occurred, on the date stated above, at 9P m.

THE CAUSE OF DEATH\* was as follows:  
one month  
shot by prisoner while making  
an arrest.

Contributory (SECONDARY) (Duration) yrs. mos. ds.

Signed E. Estabrook M. D.  
June 7 1913 (Address) Grand Haven Mich

\*State the DISEASE CAUSING DEATH, or its death from VIOLENT CAUSES, state (1) MEANS OF INJURY; and (2) whether ACCIDENTAL, SUICIDAL, or HOMICIDAL.

LENGTH OF RESIDENCE (FOR HOSPITALS, INSTITUTIONS, TRANSIENTS, OR RECENT RESIDENTS)  
At place of death yrs. mos. ds. In the State yrs. mos. ds.  
Where was disease contracted, if not at place of death?  
Farmer or usual residence

PLACE OF BURIAL OR REMOVAL St. Mary's Cemetery DATE OF BURIAL June 9 1913

UNDERTAKER J. Vanderhook ADDRESS Sault Ste Marie Mich.

# CERTIFIED COPY OF RECORD OF DEATH



STATE OF MICHIGAN  
 County of Chippewa  
 Chippewa, Michigan } ss.

I, **Catherine C. Maleport**, Clerk of the County of Chippewa, and of the Circuit Court thereof, the same being a Court of Record having a seal, do hereby certify that the following is a copy of the Record of Death of **Allen Scribner** now residing in my office, and of the whole thereof, viz:

**1913 - 318**  
 LOCAL FILE NUMBER

**July 8, 1913**  
 DATE RECORDED

**On file with State**  
 STATE FILE NUMBER

<b>DECEDENT</b>	DECEDENT'S NAME <i>(First, Middle, Last)</i> <b>Allen Scribner</b>			DATE OF BIRTH <b>Not Recorded</b>	DATE OF DEATH <b>6/6/1913</b>
	SEX <b>Male</b>	MARITAL STATUS <b>Married</b>	RACE <b>White</b>	AGE (Years) <b>26</b>	(Months) <b>6</b>
	CURRENT RESIDENCE - STREET AND NUMBER <b>Not Recorded</b>			CITY	STATE
	BIRTHPLACE <b>Michigan</b>			OCCUPATION <b>Laborer</b>	
	PLACE OF DEATH <b>Superior Twp.</b>			CAUSE OF DEATH <b>Gunshot Wound</b>	

<b>WIFE</b>	SURVIVING SPOUSE'S NAME <i>(First, Middle, Last)</i> <b>Not Recorded</b>
-------------	---

<b>MOTHER</b>	MOTHER'S NAME <i>(First, Middle, Last)</i> <b>Not Recorded</b>
	MOTHER'S Residence <b>Not Recorded</b>

<b>FATHER</b>	FATHER'S NAME <i>(First, Middle, Last)</i> <b>J. D. Scribner</b>
	FATHER'S Residence <b>Superior Twp.</b>

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Circuit Court, the **8th** day of **May 2017**.

{SEAL}

Catherine C. Maleport, Chippewa County Clerk

By: *Steve Woodgett* Deputy Clerk

SP02344812

# CERTIFIED COPY OF RECORD OF DEATH



STATE OF MICHIGAN  
 County of Chippewa  
 Chippewa, Michigan } ss.

I, Catherine C. Maleport, Clerk of the County of Chippewa, and of the Circuit Court thereof, the same being a Court of Record having a seal, do hereby certify that the following is a copy of the Record of Death of **James Sutton** now residing in my office, and of the whole thereof, viz:

1913 - 317

LOCAL FILE NUMBER

July 8, 1913

DATE RECORDED

On file with State

STATE FILE NUMBER

<b>DECEDENT</b>	DECEDENT'S NAME <i>(First, Middle, Last)</i> <b>James Sutton</b>			DATE OF BIRTH <b>Not Recorded</b>	DATE OF DEATH <b>6/6/1913</b>
	SEX <b>Male</b>	MARITAL STATUS <b>Married</b>	RACE <b>White</b>	AGE (Years) <b>47</b>	(Months) <b>11</b>
CURRENT RESIDENCE - STREET AND NUMBER <b>Not Recorded</b>			CITY	STATE	ZIP CODE
BIRTHPLACE <b>Canada</b>			OCCUPATION <b>Farmer</b>		
PLACE OF DEATH <b>Superior Twp.</b>			CAUSE OF DEATH <b>Gun Shot Wound</b>		

<b>SPOUSE</b>	SURVIVING SPOUSE'S NAME <i>(First, Middle, Last)</i> <b>Not Recorded</b>
---------------	---

<b>MOTHER</b>	MOTHER'S NAME <i>(First, Middle, Last)</i> <b>Not Recorded</b>	SURNAME BEFORE FIRST MARRIED, IF DIFFERENT
MOTHER'S Residence <b>Not Recorded</b>		

<b>FATHER</b>	FATHER'S NAME <i>(First, Middle, Last)</i> <b>George Sutton</b>
FATHER'S Residence <b>Superior Twp.</b>	

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Circuit Court, the 8th day of May 2017.

{SEAL}

Catherine C. Maleport, Chippewa County Clerk

By: Steven Woodgate

Steven Woodgate, Deputy Clerk

SP02344811

VRHDS11 (12/12) Authority: MCL 333.2682

**VOID WITHOUT WATERMARK OR IF ALTERED OR ERASED.**

Soo Evening News Headlines

June 17, 1913

2 MEN KILLED: 1 WOUNDED

As they attempted to place Joseph Tovens\* a Russian, under arrest for stabbing Joe Teepil at Brimley, Deputy Sheriff Alfred\*\* Scribner was shot through the thigh, bleeding to death in an hour, and James Sutton, who was assisting in the arrest, died instantly from a bullet wound through the mouth. The tragedy occurred last evening at 8 o'clock at the camps of Otto Schoals at Wellsburg., where Tovens had gone after the stabbing fray at Brimley. When the two deputies had been disposed of, Tovens left for the woods, where he is still hiding.

A posse of 50 men heavily armed are searching the woods for the murderer.

The first quarrel, which led to the stabbing of Joe Teepil, was started on the South Shore train while the men were enroute from the Sault to Brimley. After arriving at the station at 6 o'clock, Teepil proceeded up the street but was followed by the Russian, who drove a knife into his back three times. Tovens then escaped up the track to the camps at Wellsburg, while the injured man was taken care of by citizens of Brimley. Grave hopes are held for his recovery.

Immediately after the stabbing, Deputy Alfred Scribner, accompanied by James Sutton, left for

Wellsburg to place the man under arrest. They found Tovens at the camps of Otto Schoals, where he was employed and immediately arrested him. Tovens allowed the handcuffs to be placed on him, and the trip back to Brimley was begun. The deputies neglected to search the man. When the trio was a short distance from the camps, Tovens worked one hand from the handcuff, pulled a revolver from his pocket and shot Sutton in the mouth. The man moved but a few feet when he fell dead. A bullet was put through the thigh of Scribner, who dropped in his tracks. Tovens released his other hand from the handcuffs and took into the woods. Dr. Stalker was called to Wellsburg shortly after the shooting, but pronounced both men dead.

Very little is known of Tovens, who did the shooting, other than that he was new in this part of the country. Where he came from is not known, except he was born in Russia and spoke the English language very brokenly.

James Sutton was one of the best known farmers in Chippewa County, residing on a large farm a few miles from Brimley. He had served several terms as supervisor and in other county offices. Sutton is survived by a wife and five\*\*\* children.

Alfred Scribner is the son of Supervisor Scribner of Brimley. He resides on a farm near Baragon Corners, a short distance from Brimley. A wife and two small children survive him. Teepil is single and resides in

Bay Mills.

\* name was determined to be Tobias

\*\* name was Allen

\*\*\* survived by 8 children, 5 sons and 3 daughter

Soo Evening News Excerpt

June 9, 1913

At a double funeral, which was largely attended, held this afternoon from the first Methodist Church of Brimley, services took place over the bodies of James Sutton and Alfred Scribner. As a tribute to the dead men all business houses in the town were closed and the place was garbed in mourning.

Joseph Teeple who was stabbed by the Russian is at the point of death, with but grave hopes of his lasting through the night. A knife wound near the heart will probably prove fatal to the man.

A posse composed of Thomas J. Green, Edward Bayliss and Peter Vocovitch left this noon in Frank McGovern's car for Weller's Siding where Tobias is said to be in hiding.

The articles went on for a couple of weeks, detailing the pursuit. Tobias was never captured.

## **SAULT EVENING NEWS**

**DATE: June 13, 1913**

### **MURDERER STILL FREE**

**Man Hunt in Chippewa County**

**for Desperate Murderer is Still**

**Unsuccessful**

Although pursued by bloodhounds and a posse of fifty armed men, Joseph Tobias, wanted for the murder of two deputy sheriffs, has managed to elude all searchers and is still at large in the wilds of Chippewa County.

Tobias stabbed an Indian named Teeples at Brimley Saturday after a quarrel.

Sheriff Bone, who was notified at once, ordered deputies at Brimley to make the arrest. These were James Sutton and Albert Schribner. At midnight they found Tobias asleep in his room. Upon their entering Tobias was awakened. Before the officers could make a move to defend themselves, Tobias has whipped out a revolver from beneath his pillow and shot both men dead. Five shots entered their bodies at vital points. The murderer escaped easily and has not been seen since.

Special officers have since been scouring the woods in search of the desperado but have been unable to round him up. Orders have been issued to the deputies to take no chances, but to shoot the fellow on sight.

# REWARD

A reward of \$500.00 will be paid for the capture of Joe Tobias, who shot and killed both deputy sheriff James Sutton and Allen Scribner who was called to assist in the arrest of Tobias for stabbing an Indian. Description as follows:

Name, Joe Tobias; nationality, Russian Pole or Austrian; height about 5 feet 6 inches or 5 feet 8 inches; weight 140 to 150 lbs; small round face, small black eyes, very dark complexion. Had small black moustache when last seen, but may have shaved since. Has habit of looking down when spoken to. Was dressed in dark blue suit; had on a soft black hat. Stoops slightly when walking and toes in a trifle. Has the appearance of a laboring man, somewhat slouchy and careless in dress and manner. Some say he has scar on back of one hand caused by being grazed by bullet.

JOHN H. BOWEN