



OCTLA President

Doug Vanderpool

VANDERPOOL LAW FIRM

Journal of Consumer Attorneys Associations for Southern California
ADVOCATE

August 2022

Summer in the high desert: Joshua Tree

“THE JURY TRIAL BEGAN ON A HOT DAY IN JULY 1943
IN THE RIVERSIDE COUNTY SUPERIOR COURT...”

I love July and August! It's hot. The kids are out of school. (This can be a good or bad thing, depending.) Opposing counsel are all taking vacations and the trial schedule seems to slow for the summer.

It is even hotter up here in the high desert in July. I like it in Joshua Tree in July and August. As I write this, it is 108 degrees outside. That's a lot hotter than I ever remember. But the heat seems to keep the hordes of tourists away. You can actually drive up to Pappy and Harriet's and take a seat at the bar. There is no long line of cars going into the “Monument” as I like to call it. See, I remember before the “Park” became the Park. In 1936, President Roosevelt signed a proclamation designating 794,000 acres of what is now Joshua Tree National Park – an area slightly larger than the state of Rhode Island – a national monument. It became a National Park in 1994.

Now check out this segue: “So Doug, what in the world do Joshua Tree and July have to do with the law?” I'm glad you asked. What I don't like to do is try cases in downtown Riverside during July. I've done my fair share and my armpit stains on my shirts would testify to that. But there was a very famous trial in the old historic courthouse in Riverside in July of 1943. I love the history of Joshua Tree, and this story has always fascinated me.

The story involves one of the most famous denizens of Joshua Tree – Bill Keys. Before coming to the high desert, Keys was involved with Walter “Death Valley” Scotty and the infamous Battle of Wingate Pass. Keys somehow wound up in Joshua Tree, and eventually worked as a superintendent of the Desert Queen Mine. In 1918, he took the mine for back wages when the owners filed for bankruptcy and he then built a 160-acre homestead.

On May 11, 1943, Keys got into a shoot-out with neighbor rancher Worth Bagley. Keys shot and killed Bagley in the “Park,” very close to the entrance of the Barker Dam. Interestingly enough, the shoot-out was right on the line between San Bernardino and Riverside Counties. Bagley, a former deputy sheriff in Los Angeles County, had been engaged in a long-running feud with Keys over a property-line disagreement and Keys's use of a road that was on the disputed land. Keys turned himself in to law enforcement in nearby Twentynine Palms, saying that he shot Bagley in self-defense.

Keys was charged with Bagley's murder, but only after there was much consternation about which county had venue over the shooting. Ultimately, it was determined that the shooting took place in Riverside County, and the trial took place in what is now known as the Historic Riverside Courthouse.

The jury trial began on a hot day in July 1943 in the Riverside County Superior Court before Judge George R. Freeman. The prosecution argued that Bagley was lying down when shot and that the gun found in his hand was placed there after his death. Keys testified that prior to the shooting, Bagley had posted a sign warning Keys not to use the road in dispute. Keys testified that as he approached this sign in his car, Bagley ambushed him, shooting, but missing him. Keys said he then grabbed a rifle from his car and fired three shots at Bagley, who fell over. Keys testified that he was afraid Bagley was tricking him by appearing injured, so he did not go over to see whether Bagley was hurt. Instead, he said, he went home and then, several hours later, surrendered to police. The jury found Keys guilty of manslaughter on July 23, 1943, and Keys was sentenced to 10 years in prison. He wound up in San Quentin State Prison.

While Keys was in prison, his wife contacted Erle Stanley Gardner, a famous crime writer involved in reinvestigating the cases of those he believed had been wrongfully convicted. Gardner featured these cases in his Argosy magazine column, “The Court of Last Resort.” Gardner was also a friend of Keys and a past guest at his ranch. He began working with California State Assemblyman Vernon Kilpatrick to review transcripts and documents relating to Keys's case.

On July 19, 1948, Bagley's ex-wife, Isabelle Clark, gave a sworn statement before Kilpatrick that supported Keys's claims of self-defense. Clark was married to Bagley until shortly before his death. She said that Bagley would often lie in wait for hours along the road, intending to ambush Keys if he drove past. At the time of Keys's trial, Clark had not been contacted to testify; she had resumed using her maiden name after separating from Bagley, and the defense could not locate her.

Paroled and released from San Quentin State Prison on October 25, 1948, Keys returned to his ranch to live with his wife, Frances, and their children. With the help of Gardner, Kilpatrick, and other supporters, Keys continued to pursue efforts to clear his name. In July 1956, Governor Goodwin J. Knight granted Keys a full pardon.

Keys died in June 1969, and his body was buried on the Keys Ranch. The Ranch then passed into the hands of the Park. Keys Ranch has been preserved as a national historic site within the Park, open to the public for guided tours. If you are ever in Joshua Tree, I highly suggest visiting the Keys Ranch, and taking the Barker Dam hike. You can also hike right to where the shoot-out occurred, and on to see a Mill Stamp site. Just don't do it in July! It is *hot*.