

# Affidavit filed showing Fry first Express rider

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Staff Writer

The objection may be a little untimely, but a Springfield, Mo., attorney has come up with an affidavit dated July 10 of this year which he says should eliminate Billy Richardson and establish Johnny Fry as the first Pony Express rider 121 years ago.

It was April 3, 1860, that the first pony rider galloped out of St. Joseph for the 1,966 mile trip to Sacramento, Calif.

But almost since the start of the ride, people have been debating whether it was Fry or Richardson who charged into the sunset with California mail that evening.

Attorney John K. Hulston of Springfield got into the act recently after a Pony Express article was carried in the Reader's Digest. Johnny Fry is generally accepted to be the first rider, but some point to the April 4th issue of Daily West of 1860 which identified the rider as "a Mr. Richardson."

"Enclosed is an affidavit by Otto H. Kerkemeyer of this city which to my mind answers the question," Hulston explains in a letter to local historical groups.

He says Billy Richardson made a "declaration against interests when he said it was Johnny Fry who carried the first mail pouch, thereby producing great credibility."

Hulston's affidavit was given in sworn testimony by Otto H. Kerkemeyer July 10, 1981, in Springfield. He stated he was aware of the dispute over the first rider.

"The undersigned operates and has

*New Press 8-1-81*  
operated a barbershop in Springfield, Mo., continuously since 1929. In the early 1930s a customer of his was Billy Richardson who on occasion talked with the undersigned about the first Pony Express run out of St. Joe.

"Billy Richardson told the undersigned that some folks thought he was the first Pony Express rider out of St. Joe but that was in error because Johnny Fry was the first one. Richardson said he was only ten years old at the time and that he would hang around the livery stable in St. Joe and that he did ride from the livery stable with Fry down to the Missouri River on the first ride but that it was Johnny Fry who carried the mail pouch.

"This affiant is able to furnish other details as to the time that Billy Richardson lived with his daughter in Springfield, Mo., if needs be.

"This affiant feels that the record should be cleared and it is obvious that it is almost a declaration against interests for Mr. Richardson to disclaim being the first Pony Express rider, and thus it is conclusive that Johnny Fry should have that honor.

"Dated this 10th day of July, 1981." The affidavit is signed by a notary.

At the time the Pony Express started, Russell, Majors and Waddell did not publicly specify who was to be the first rider. Johnny Fry was a regular Pony Express rider out of St. Joseph and is generally believed to be the first.

Fry was killed during the early part of the Civil War. The late Mabel Loving, who wrote, "The Pony Express Rides On," did considerable research and claimed Fry was the first rider.

She said F. M. Posegate was publisher of the Daily and Weekly West at the time Richardson was listed as the first rider in 1860.

Mrs. Loving said in 1913, 53 years later, Posegate "corrected the error" admitting his newspaper had made a mistake when it first published the Pony Express story carrying Richardson's name.

There also has been some dispute as to which William Richardson, allegedly a former sailor, was believed to be that first rider. Richardson was never listed as a regular rider.

Mrs. Loving's research agrees with the Springfield barber on many aspects of the question. She cites a newspaper interview of William B. Richardson on his 91st birthday Oct. 31, 1941.

At that time he acknowledged he was "less than nine and one-half

years old" when the Pony Express started, but said he had a half-brother, Paul Coburn, who was the agent here. He claimed his brother "accidentally tossed the mail bag on the wrong horse," and that he carried the mail to the river where he turned it over to Fry.

Mrs. Loving's research indicated that Coburn was the Pony Express agent in August 1861, but not in 1860 when the Pony Express started.

Kerkemeyer and attorney Hulston's affidavit, coming from across the state, offers independent verification with other historical research and apparently helps build the case against Richardson.

As Hulston might argue, "a preponderance of the evidence" would tend to indicate, rather belatedly, that Johnny Fry was indeed the first rider 121 years ago.