

## Rufus "Climax Jim" Nephew

**N**o! No! Take those thoughts out of your mind. That nickname has nothing to do with what you were probably thinking when you read his name. He earned that nickname because he always had a mouth full of Lorillard Tobacco Company's Climax chewing tobacco.



He was born Rutherford Nephew on November 17, 1876, in the District of Columbia. He was named after Rutherford B. Hayes who at that time was awaiting the outcome of a contested presidential election. He was the last child born to French Canadians Octave and Cécile (Denault) Nephew. He had two brothers and two sisters. His father had moved the family from New York to Vermont prior to the Civil War. Octave joined Company B of the 11<sup>th</sup> Infantry Regiment of the Vermont Volunteers July 19, 1862. His unit was assigned to protect Washington D.C., and his family joined him there. After Confederate General Jubal Early's failed assault (July 11-12, 1864) on the nation's capital, Octave was admitted to a Washington, D.C., infirmary with a serious lung disorder. He spent the rest of the war in and out of the hospitals there. After the war he and the family remained in Washington, D.C.

On Independence Day of 1877, at almost eight months old, Rutherford Nephew obtained his first alias when the St. Joseph's Catholic Church erroneously baptized him as Rufus Nephew. Apparently that was the name that would stick with him. Octave's health continued to fail as did his marriage. The family was separated before Rufus was born and Octave died on February 22, 1881.

Not a lot is known about Rufus in his early years. In a 1902 interview he claimed to have reached Arizona in 1890, but evidence shows that he was still with his mother in D.C. in 1890. Sometime during the 1890s, Cécile moved to Chicago and it is not known if Rufus was with her. He definitely reached Arizona in the early 1890s and he either had, or soon acquired, a new name. He was now Jim Thomas and since he was still in his mid-teens he was called "Kid" Thomas.

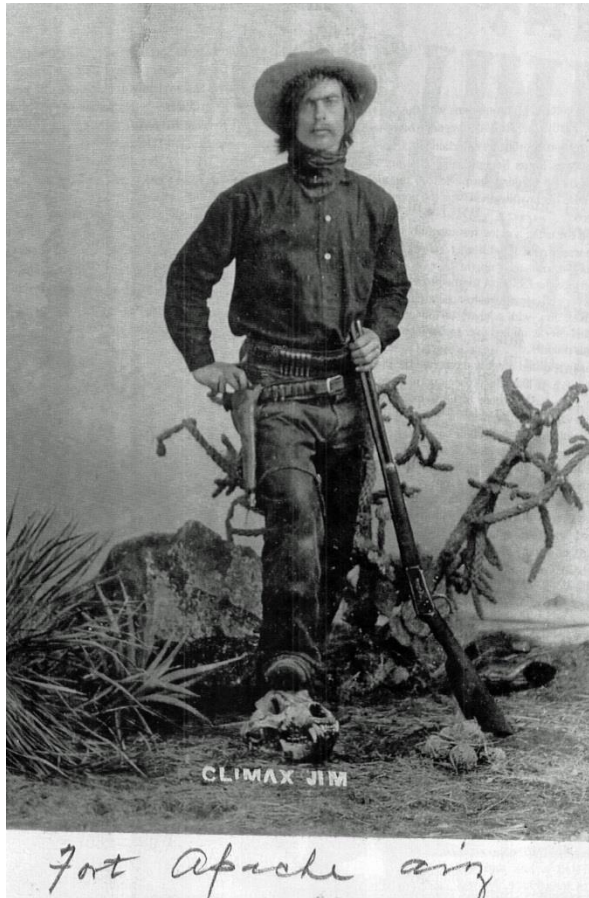
The same 1902 interview with the Los Angeles Herald told how he acquired his nickname. "You see," he said, "I used to like tobacco right well, and when I was just a kid I lit into the camp of the Hashknife outfit in Northern Arizona and was going on the roundup for a month. So I just laid in a supply of tobacco—twelve pounds of Climax tied in a gunny sack and a full bar tied to my saddle, handy as a rifle in deer country. At the end of the twenty-five days, when I had chewed every leaf of that tobacco, there wasn't a puncher in their outfit that wasn't calling me Climax Jim."

Soon after reaching Arizona he would begin a career that would lead him to become the most famous rustler and escape artist in Arizona history. And he would also be one of the most likeable characters of his era.

His first arrest came in 1894 when he was only 17 years old. He was sent to jail for selling a dozen cows to a slaughterhouse in Winslow, Arizona. The night of his arrest he was able to dig his way out of the adobe jail with a pocket knife. A short while later, on Independence Day of 1894, he stole a horse and was captured By Gila County Sheriff John Henry "Rimrock" Thompson in Pleasant Valley. While camped overnight on their way to the Globe jail Sheriff Thompson chained Climax to a post. The sheriff woke up the next morning to find that Climax had broken a link in the chain and fled on foot. He made it almost to Globe before he was recaptured and taken to jail.

This time it was almost two months before he used his spoon to remove the mortar from enough bricks for him to crawl through. He stole another horse and rode it south until it was played out. He stole another horse and made it almost to Benson before he was captured again. This time he was sentenced to a year in the Yuma Territorial Prison. It is reported that years later he claimed it was the only jail in the territory from which he never escaped. One newspaper reported he had been arrested about forty-seven times and always succeeded in getting in the clear.

Seven weeks before his release from Yuma a Federal grand jury returned an indictment for stealing a horse on the Indian Reservation. When he walked out of Yuma, a sheriff was waiting to escort him to the Florence, Arizona jail. He was sentenced to six months in the Pinal County jail and apparently there was no escape attempt made and he was released in the spring of 1896.



**Rufus "Climax Jim" Nephew**  
**Circa 1890**  
**Courtesy Robert G McCubbin Collection**

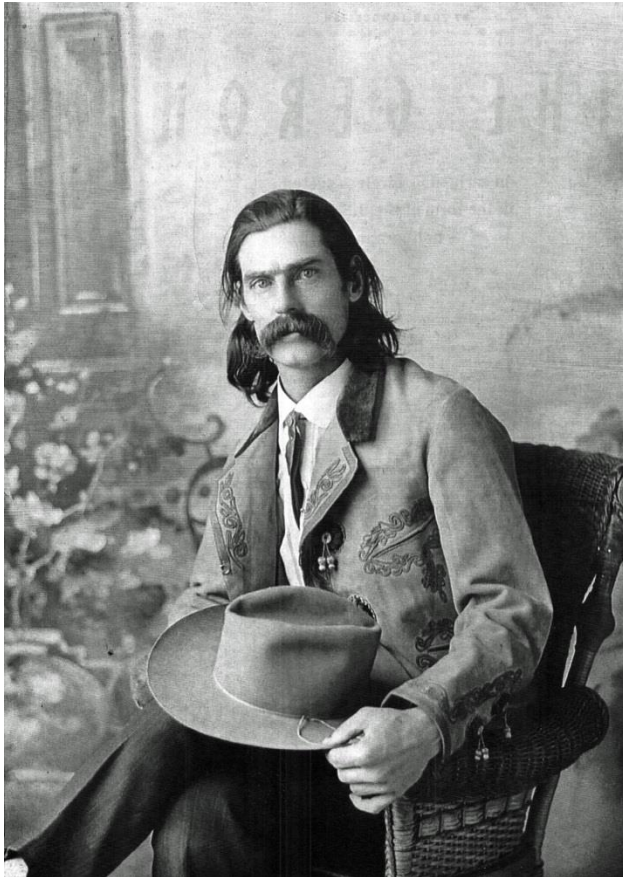
It appears that he went two years before being arrested again. In June of 1898, Burt Mossman, manager of the Hashknife outfit, and Deputy Joe Bargeman arrested him for stealing cattle and took him to the St. Johns jail. While Mossman and the deputy were

dining, Climax Jim sprang the lock on the jail door and allegedly stole Bargeman's horse and escaped once again.

On New Year's Day, 1899, the Graham County sheriff arrested Jim Thomas (Climax Jim) again for burning brands. On Washington's Birthday he and three others escaped on foot. After a few days they were all captured and returned to jail. On March 6<sup>th</sup> the local blacksmith fitted Climax Jim with a set of leg shackles. Two days later the shackles were broken and he scaled the wall. Freedom would only last a few minutes and he was back in jail. But the legend of the escape artist was growing.

A friend posted bail and Climax Jim immediately stole a small herd of cattle from the Chiricahau Cattle Company. He said he was just being a good neighbor and herding them along until he found the owner. He herded them all the way to New Mexico without finding the owner. He was arrested and placed in the Springerville, Arizona jail. Allegedly the law officers in Springerville decided that he needed a bath. They removed his clothes, gave him a bar of soap and a brush and led him to a horse trough. He spotted a horse near the trough and did one of his two Lady Godiva impersonations as he left town.

Time and space prevents relating all of his arrests and escapes in Arizona. One of his more famous episodes with the law occurred in 1907 when he was on trial for altering a check. While the lawyers were in a heated argument, Climax Jim picked up the check unnoticed and placed it with his chaw of Climax tobacco. When the judge asked for the evidence, it couldn't be found. The jury found him "not guilty" for lack of evidence, and it was said that he spit the check into the judge's spittoon as he left the court.



**Rufus "Climax Jim" Nephew**  
**Circa 1898**  
**Courtesy Robert G McCubbin Collection**

In 1907 he married his longtime sweetheart Virginia Gonzales. But going to jail for the above charge delayed the honeymoon. The marriage soon ended for unknown reasons. On January 15, 1910, he married a relative named Gertrude Nephew. On October 18, 1911, the couple's only son, Stanley, was born. Stanley was an unhealthy child and the family moved to the San Diego area where two daughters would be born.

Climax Jim was in the well digging business in San Diego County. On September 28, 1921, one of the wells collapsed while he was in it. He is buried in the Mount Hope Cemetery in San Diego.



**Sources:** *Climax Jim: The Tumultuous Tale of Arizona's Rustling Cowboy* by Karen Holliday Tanner and John D. Tanner, Jr.

*True West Magazine, The Outrageous Life and Legend of Climax Jim*, December 2012 by Marshal Trimble