

Patrolman Benjamin Franklin "Frank" Duncan | Latonia Police Department



Age: $59\frac{3}{4}$
Served: 3 years
ABT 1905 to June 19, 1908

OFFICER

Frank was born on or about September 10, 1849 in Gallatin County, Kentucky to Benjamin Franklin Duncan I and Moaning Duncan. He grew up in and around Glencoe.

After 1870, Frank moved from Gallatin County and began a family with his new wife, Mary, who, by 1898, gave birth to ten children. Frank made a living as a house painter. About 1905 he joined the Latonia Police Department.

By 1908, Patrolman Duncan and his family were residing at 140 Oakland Avenue in Rosedale. His brother was a minister of the Latonia Christian Church. His oldest daughter, Grace, was a schoolteacher. Frank Duncan was a respected and well-liked member of the community, known to be a "splendid officer and a kind-hearted and courteous gentleman." In the brief time he worked for the Latonia Police Department, he had been one of its most efficient officers.

MURDERER

I life-long friend of Patrolman Duncan, also from Glencoe, Scott W Doc Hopkins operated a saloon at 741 Main Street (now DeCourcy Avenue) with his brother Ed Hopkins. There were occasional problems at the bar, including a murder with a cue ball in 1907. But there were no criminal actions involving Hopkins to our knowledge.

There was also a general complaint about saloons remaining open past the midnight closing time, and that fights and gambling were common. Eventually, a group called the Latonia Law and Order League, made up of congregations from multiple churches, called for strict enforcement of liquor laws and the dismissal of police officers who failed to enforce those laws.

INCIDENT

Between midnight and 1 a.m. on the morning of June 19, 1908 Patrolman Duncan went into his old friend Doc Hopkins' saloon, apparently to close it down.

An argument ensued and Hopkins pulled a Colt .41 caliber revolver from under the bar and shot at Patrolman Duncan five

times in the back and chest. The first shot killed him with a fragment going through his heart. The second struck him in the side of the head. The third went into his abdomen. The other two missed and struck a wall.

Hopkins, or his barkeeper, ran to Patrolman Duncan's body, removed his pistol, cocked it, and laid it on the floor near his hand.

Hopkins then ran up the stairs to a room and barricaded himself inside. Alerted to the sound of gunshots, several people responded to the scene. Dr. T. B. Winnes was called, but Patrolman Duncan was dead before the doctor arrived. He was one of the first people inside the bar and found Patrolman's gun cocked and laying on the floor about three inches from his hand.

The news of the patrolman's murder spread through Latonia like wildfire. It soon became a mob of 500 looking to lynch Hopkins. Word was sent to the Latonia Police Department and Chief John Hamlin and his force responded. The crowd threatened to burn the building to force him out. Unable to control the situation, Chief Hamlin called for assistance from Kenton County Sheriff George H. Davison. Sheriff Davison took with him Deputies Jack O'Meara and Charles Rothenhoefer and Special Deputies Jesse Sheets and Walker in a Covington patrol wagon.

Two of Patrolman Duncan's sons arrived soon after the murder and conducted the remains of their father to their home.

Hopkins was still barricaded in the room and threatening to shoot anyone who tried to enter. The Latonia officers had already fired several shots through the door, but they missed Hopkins. Hopkins finally allowed Deputy O'Meara to enter and O'Meara talked him into surrendering. Hopkins, either "drunk or overly excited," told the sheriff that he would not let anyone tell him what time to close his saloon. He was put in a patrol

wagon and taken to the Kenton County jail amid hoot and jeers of the crowd but guarded by 25 deputies and officers.

Later, about 4 a.m., he was determined to be safe to transfer him to the Covington jail.

FUNERAL

Patrolman Duncan was survived by his wife, Mary D. (Norman) Duncan; nine children, Grace L. Duncan (30), Norman O. Duncan (27), Florence M. Duncan (24), Benjamin F. Duncan III (22), Mona Eyre Duncan (21), Frank Duncan (20), Sallie O. Duncan (18), Edward P. Duncan (16), and Forrest B. Duncan (10); and siblings, Mrs. J. D. Lindsey, Mrs. Mary Brown, Mrs. Lou Taylor, Mrs. Mattie Poland, and Rev. P. H. Duncan.

Visitation was held at the Duncan home on Oakland and conducted by Rev. H. C. Runyan on Sunday afternoon, June 21, 1908. Many wreaths from police officials, the fire department, and individual friends surrounded the body. The pallbearers were C. W. Craycraft, David Noel, Peter Nolan, Frederick Twenty, Samuel Eckler, and James Sath.

On Monday morning, June 22, 1908 the remains were taken to Glencoe, Kentucky. A large contingent of former neighbors and friends, in a lengthy line of vehicles stretching 1½ miles, took Patrolman Duncan's remains to the Ellis Family Cemetery at Sayresville and Dry Creek Roads in Sparta. He was buried next to his parents.

JUSTICE

A coroner's inquest returned a verdict of Murder and that it was

unjustified and unprovoked. He found one bullet had entered the lower edge of Patrolman Duncan's left shoulder blade, went through both lungs, and out his right side. One had entered in the breast and came out near the lower edge of the right ear. These indicated that he was shot once from the side and once in the back. Two other bullets lodged in the wall behind where Duncan was standing.

Hopkins said, "I am sorry I had to kill Duncan, as we were best of friends and knowing that he was a good marksman, and that he would use the gun if he started after it, I just beat him to it." Joe Baker, a witness, asserted that the discussion was in regard to Hopkins serving alcohol to Patrolman Duncan's son.

Jim McCullough, the first man into the bar after the shots, saw Patrolman Duncan on the floor and there was no firearm on the floor with him. He went back out to call for help and when he went back in, the gun was on the floor. D. R. Singer, a sidewalk lunch merchant, looked in the window twice and asserted also that there was no gun the first time, but that there was the second time. Obviously, that had been quickly staged by Hopkins or his barkeeper.

Hopkins was arraigned in front of County Judge Stevens and bound over to the grand jury. He was defended by Attorney B. F. Grazinani.

The Kenton County Grand Jury indicted Hopkins for Murder the next day and the judge refused to allow Hopkins out on bond.

A court date of July 6, 1908 was set for the trial, but the prosecution's key witness could not be found. On August 5, 1908 the judge set a bond and Hopkins was released. Those 42 days would be the only debt he paid.

The Duncan children sued Hopkins on September 25, 1908 for

wrongful death. On October 22, 1908, Hopkins failed to show. The family asked for a summary judgment, but the judge refused.

After numerous delays, the trial was again set for June 23, 1910. The key witness, Mr. Singer, again failed to appear because he was threatened with death if he testified against Hopkins. On December 13, 1912, without the witness having been found, both the criminal and civil cases were dismissed. Hopkins was never prosecuted.

EPILOGUE

Within a year of the murder, before the disposition of the case, the 13-year-old town of Latonia was annexed by Covington.

If you know of any information, archives, artifacts, or images regarding this officer or incident, please contact the Greater Cincinnati Police Museum at Memorial@Police-Museum.org

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