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In Search of the Wild West: A Depiction of the Historical Gunfighter

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Final Draft

There is perhaps no place or period in American history more romanticized than the American West of the late nineteenth century. The Wild West, as it has come to be known, stirs up a plethora of images, ranging from that of the rough and tumble cowboy, to the high noon showdown in the streets of dusty frontier towns. The West conveys both danger and romance, with the gun as the key ingredient to both. But who exactly was the man behind the gun? The popular image of the gunfighter has become just as romanticized as the dominion he roamed. Following in the tradition of the dime novel, modern film and fiction have portrayed the gunfighter as a figure of mythical and heroic proportions, as the shining knight who has traded his armor and sword for spurs and a six-shooter. Given this highly commercialized image, it is no wonder that a number of misconceptions about the gunfighter's place in the Western frontier have emerged. It is only through close inspection of the historical record that the dust of decades of misrepresentation begins to clear, allowing a more accurate image of the gunfighter to appear.

To accurately portray the gunfighter and his environment a number of questions must be addressed. First of all, what were the conditions that constituted and created the Wild West, and who were the people who inhabited it? Since in the period of early settlement, certain types of communities often experienced violence, what caused this conflict and who was responsible? In the popular imagination the gunfighter has been the main culprit of Western unruliness, but who exactly were the gunfighters, and what role did they actually play in shaping the American frontier? And most importantly, were there significant similarities and differences among these men, and if so, do they help to identify any governing factors, whether generated in the community or within

the individual, that would explain this most notorious manifestation of frontier violence? By attempting to answer these questions, and through the analysis of a number of specific case studies, this paper hopes to succeed in offering a clear and accurate image of the gunfighters of the American West.

Review of the historical record quickly reveals that the image of the Wild West is by no means undeserved. Newly established mining towns, cowtowns, and railroad heads were in most cases hubs for drunkenness, gambling, and prostitution. Violence of all sorts often accompanied the highly transient populations of these settlements.¹ The promise of fast and easy money as well as geographical isolation from efficient law enforcement created an atmosphere that beckoned an influx of undesirables.² These were some of the conditions that allowed for the Western frontier to obtain its wild reputation.

To fully appreciate frontier lawlessness, it is essential to first understand the greater context of the Western frontier as a whole. Westward expansion was a recurring frontier drama which began when the first Europeans settled on the continent. This saga continued throughout the nineteenth century, with the Western frontier constantly moving in the direction of the Pacific, at the ultimate expense of countless Native Americans. Given this trend, therefore, historians ask, what were the various motivations that led settlers to move West?

Contemporary scholars offer a wide range of interpretations in response to this question. The idea of Manifest Destiny has long been used to explain the influx of pioneers to the American

¹Joseph G. Rosa, *The Gunfighter: Man or Myth?* (Norman: University of Oklahoma Press, 1969), 74.

²James D. Horan and Paul Sann, *Pictorial History of the Wild West* (New York: Bonanza Books, 1954), 21.

West during the nineteenth century. This was a concept that America had a preordained mission, emphasizing the virtue of rugged individualism as settlers built a nation from coast to coast. While the concept of Manifest Destiny has been popularly established as a legitimate justification for westward expansion, Richard White, an authority on the history of the West, questions its legitimacy. He challenges the importance of rugged individualism, citing the historical dependence of Western people on the federal government. White contends, therefore, that the genesis of Western expansion actually lies with the United States government.³ Critical of the probability that Manifest Destiny was a widely accepted sentiment among pioneers, he supports his claims for the dominant role of government by discussing the vast number of annexations it effected (the lands obtained by the Treaty of Guadalupe Hidalgo for example) throughout the second half of the nineteenth century.⁴

Regardless of where the initial impetus for western migration came from, the search for opportunity was a key element in the phenomenon. Whether in pursuit of gold, arable land, or merely a fresh start, the vast majority of settlers all held in common the desire for a better existence. Recently, author Michael Kimmel refocused the interpretation of this quest through the lens of gender. Stressing the issue of masculinity, Kimmel essentially views the West as a place of refuge where men could escape “the civilizing constraints of domestic life represented by the Victorian woman.”⁵ In accordance with call of Horace Greeley, 200,000 men came to California between

³Richard White, *“It’s Your Misfortune and None of My Own”*: A New History of the American West (Norman: University of Oklahoma Press, 1991), 57.

⁴Ibid., 73-84.

⁵Michael Kimmel, *Manhood in America: A Cultural History* (New York: The Free Press, 1996), 44.

1849 and 1850, comprising an astonishing 93 percent of the total population.⁶ Despite such impressive statistics, it is important to remember that the American frontier was far from a homogeneous environment. Not only were women essential participants in the expansion and development of the American West, with every new push towards the Pacific came further encroachment upon the communities of native people in an already occupied continent.

While the motivations behind Western expansion are debatable, the fact of Western settlement is undeniable. Since the pursuit of a better existence often meant the improvement of one's financial lot, an understanding of the economy as it developed in the West must be obtained. Once again, Richard White is successful in articulating the economic conditions that existed along the frontier, and how these conditions affected different demographic groups. With the railroads serving as the link to the global economy, White offers the following as an explanation of the workings of Western economics:

What westerners produced they usually did not consume, and what they consumed they did not produce. Trees felled in western forests became masts for European ships.... Prospectors, cowboys, lumberjacks, and mountain men became quintessential western figures, but they were agents in a system of production and trade centered in the eastern United States and Western Europe.⁷

In regards to the issue of labor, White contends that wage labor was not a reality for most workers in the West. For instance, wages were essentially irrelevant for small farmers who worked their land independently with the help of family members.⁸ It did exist in some sectors of the

⁶Ibid., 60-62.

⁷White, *It's Your Misfortune*, 242-243.

⁸Ibid., 277-280.

economy however, but often as a ploy to attract workers from the East by offering them a higher real wage. For example, the mean real wage of various common occupations in 1890 was 234 cents per day in New England, compared to 325 cents per day in the Mountain region of the United States.⁹ However, the seasonal and temporary nature of such work led to a large population of transient men unable to find employment, a phenomenon of some interest to the issue of gunfighters.¹⁰

Two sectors of the economy of considerable importance to gunfighting were saloons and prostitution. Closely associated with the image of the Wild West, bars and brothels were both components of the Western economy. Always in demand and fairly easy to get going, saloons served as important social centers. With transient populations as their customer base, saloon keepers were often forced to become just as mobile in order to stay in business.¹¹ Prostitution offered another avenue of economic improvement as some prostitutes, many of whom had children to support, were able to earn anywhere from \$179 to \$339 per month.¹² Yet despite the opportunity for economic advancement, the lives of most prostitutes were harsh and cruel to say the least. "Most faced lives of poverty, alcoholism, disease, violence, and drug addiction. Many ended their lives by suicide."¹³

No discussion of Western economics, as it pertains to the gunfighter, would be complete without mentioning the cattle industry. This economic pursuit, spurred by Eastern demand, and

⁹Ibid., 279

¹⁰Ibid., 277-280.

¹¹Ibid., 275-277.

¹²Ibid., 305.

¹³Ibid.

supported by Eastern capital, employed countless cowboys who often participated in gunfighting and general lawlessness in the cattle towns of the Midwest. The creation of the cattle industry is inextricably connected to the disappearance of the buffalo from the Great Plains. Western settlers essentially sought to rid the area of its bison population after advances were made in turning hides to cheap leather.¹⁴ Numbering 20 to 40 million at the beginning of the nineteenth century, within 100 years bison were so rare on the plains that many Native American tribes were actually on the brink of starvation.¹⁵ As the railroads improved transportation throughout the Great Plains, sport hunters killed thousands of buffalo, leaving their carcasses to rot on the prairie. With bison populations greatly reduced, the void was filled by a number of grazing animals, including the Texas Longhorn.

After the Civil War, the cattle industry truly boomed as Western ranchers could get ten times as much for their herds by shipping them to Eastern markets like Chicago, which had recently opened the Union Stock Yard capable of accommodating 21,000 head of cattle.¹⁶ The problem of supplying these markets was resolved through the creation of a railhead which would be convenient for both the ranchers and the stockyards. This idea came to fruition in 1867 when Joseph G. McCoy revived the Chisholm Trail, establishing Abilene, Kansas as the first of the great cattle towns. Others such as Ellsworth, Wichita, Caldwell, and Dodge City later emerged.¹⁷

¹⁴William Cronon, *Nature's Metropolis: Chicago and the Great West* (New York: W.W. Norton & Company, 1991), 214-218.

¹⁵Ibid.

¹⁶Ibid., 210-219.

¹⁷Ibid., 218-220.

After a period of economic prosperity that lasted roughly 20 years, a combination of overgrazing, environmental degradation, competition from agriculture, and national economic crises eventually brought the cattle boom to an end. But in its wake emerged the legend of the cowboy, often associated with the western gunfighter, as the quintessential romantic figure of the American West. Romantic is hardly the word, however, to describe the exhausting day-to-day life of the cowboy. As Joseph G. Rosa points out, the cowboy was a figure who endured arduous labor, rounding, branding, and driving herds to market, borrowing much of their style from the Mexican *vaquero* in the process.¹⁸

While most aspects of their romantic characterization are fictional at best, historians confirm the unlawful nature of many cowboys. After months on the trail, cowboys did often exhibit wild behavior while in the cowtowns. Rosa finds that most citizens of cattle towns viewed their seasonal neighbors as unlearned “ruffians,” only tolerating them as a “necessary evil.”¹⁹ The unruly atmosphere of the cattle towns like Abilene is perhaps best illustrated by the following quote:

It is the principal rendezvous for the Texas cattle trade drovers, buyers, sellers, and shippers. It handles more money than any town its size in the West, and has a class of transient men decidedly rough and reckless....these herdsmen toil for tedious months behind their slow herds, seeing scarcely a house, garden, woman, or child for nearly 1,000 miles...they must have...some kind of entertainment. In the absence of something better, they at once fall into the liquor and gambling saloons at hand.²⁰

Such conditions in the cattle towns obviously made law enforcement a complicated but

¹⁸Joseph G. Rosa, *The Gunfighter: Man or Myth?* (Norman: University of Oklahoma Press, 1969), 65-68.

¹⁹*Ibid.*, 70-73.

²⁰*Junction City Union*, Oct. 29, 1871 in Leon Metz, *John Wesley Hardin: Dark Angel of Texas* (Norman: University of Oklahoma Press, 1996), 44.

necessary issue. One precaution taken by all of the major cattle towns, although hard to enforce, was the banning of fire arms within the city limits. Perhaps the most effective deterrent of cowtown unlawfulness was the hiring of known gunfighters to police the towns; Wild Bill Hickok, Wyatt Earp, and Bat Masterson all served in this capacity. While individual marshals did play an important part in combating crime in the cattle towns, the support of deputies and even civilians at times was also essential.²¹ White argues that cowtown marshals were ultimately successful in policing their streets, as no more than five murders a year ever occurred in the cattle towns, and their combined homicide rate during the peak years was only one and a half per year.²² In fact, during the off season of the cattle drives these town marshals engaged in decidedly more mundane tasks such as street repairs.

A final component in understanding the historical context of the American West is afforded through an analysis of the racial and ethnic make-up of the region. Though long under represented in the histories of the West, the diversity of the West is now a vigorous field of historical analysis.

In historian Patricia Limerick's words:

...the American West was an important meeting ground, the point where Indian America, Latin America, Anglo-America, Afro-America, and Asia intersected. In race relations, the West could make the turn-of-the-century Northeastern urban confrontation between European immigrants and American nativists look like a family reunion....the workings of conquest tied these diverse groups into the same story. Happily or not, minorities and majorities occupied a common ground.²³

²¹Joseph G. Rosa, *Wild Bill Hickok: The Man and His Myth* (Lawrence: University Press of Kansas, 1996), 142-144.

²²White, *It's Your Misfortune*, 330.

²³Patricia Nelson Limerick, *The Legacy of Conquest: The Unbroken Past of the American West* (New York: W.W. Norton & Company, 1987), 27.

Such an interpretation leads to the assumption that the phenomena of the American West were diverse in orientation. For this reason, issues of race and ethnicity become integral in understanding the inhabitants and social conditions of the West. Since gunfighters and the occupations they pursued, employment in the cattle industry for example, constantly encountered diversity, it is important to obtain an understanding of the racial environment of the Western frontier.

Race relations in the West were often characterized by patterns of violent conquest and vehement discrimination. The first victims of this process were the Native Americans. Once the sole inhabitants of a vast continent, the Indian people of America suffered great injustices at the hands of white settlers from the very beginning of European colonization. The first in this series of atrocities, though unintentional, was the spread of disease. Epidemics of various kinds, including smallpox, measles, and typhoid, decimated native populations. In the early seventeenth century, many Indian communities in "Spanish America" suffered a 90 percent mortality rate due to diseases introduced by the Europeans.²⁴

The plight of Native Americans in the American West was equally appalling. In California for example, it is estimated that 70,000 Indians were killed or died from epidemics between 1849 and 1859, leaving a native population of only 15,000 by the end of the century.²⁵ Most of the violence against the Indians was suffered at the hands of whites. In the nineteenth century, 200 Native Americans died from racial violence in the vicinity of Aurora, Nevada from 1861-1866,

²⁴Alvin M. Josephy, Jr., *The Indian Heritage of America* (Boston: Houghton Mifflin Company, 1991), 284.

²⁵*Ibid.*, 145-146.

compared to 30 Anglos.²⁶ In California and neighboring Southern Oregon, “Indian Hunting” was quite prominent. Through an act passed in 1850, Californians could utilize the practice to procure labor. Referring to “An Act for the Government and Protection of Indians,” White suggests that, “the law enabled Americans to arrest any Indian not already working for whites. [w]hites could then pay the bail of these Indians and force them to work until they had earned enough to cover their bail or fines.”²⁷

Despite the intense racism and overwhelming obstacles to achievement that most minority groups faced, there were instances where Native Americans interacted within Anglo society. Most often this interaction took place in the realm of labor. In his study of California during the 1850s, Albert L. Hurtado articulates the experiences of Indians in white labor. With whites viewing labor as a way to “civilize” Native Americans, many Indians were employed in agriculture, as miners, and as ranch hands.²⁸ Ultimately, Hurtado sees this as having negative effects as the seasonal migration of men disrupted the vitality of traditional family life.²⁹

Chinese immigrants were another minority group who suffered intense racial prejudice in the West. Most Chinese who came to America during the nineteenth century were from the Kwangtung province. Fleeing the rising population and factional violence that plagued the province,

²⁶White, *It's Your Misfortune*, 337.

²⁷Ibid., 339.

²⁸Albert L. Hurtado, “Indian Labor in California in the 1850s,” in *Peoples of Color in the American West* (Lexington: D.C. Heath and Company, 1994), 144-150.

²⁹Ibid.

many male peasants were lured to the West by the prospect of gold and high wages.³⁰ Once in America, Chinese immigrants participated in a number of occupations. They were perhaps most prevalent as laborers for the railroad companies, making up 80 percent of those employed by the Central Pacific in 1865.³¹

As the railroads were nearing completion more Chinese laborers moved into western urban areas. Many whites perceived them as a threat and organized a number of anti-Chinese groups in the late 1860s and early 1870s, which intimidated through violence and attempted to create a viable scapegoat for economic hardships.³² It was not uncommon for members of these groups to attack Chinese in the streets, and white politicians often blamed the immigrants for the economic depression facing California in the early 1870s.³³ Ultimately, Chinese immigration was banned by an act of Congress for a period of ten years beginning in 1882. Despite this, attacks against the Chinese population of the West continued, with the most pronounced case occurring in 1885 at Rock Springs, Wyoming. Here Anglo miners burned the local Chinese community, killing 25 people in the process.³⁴

Mexican-Americans suffered similar conditions of racism and oppression in the American Southwest. Under the Treaty of Guadalupe Hidalgo, signed in 1848, Mexico ceded to the United

³⁰Shin-Shan Henry Tsai, "Chinese Immigration, 1848-1882," in *Peoples of Color in the American West* (Lexington: D.C. Heath and Company, 1994), 11-114.

³¹White, *It's Your Misfortune*, 250.

³²Ibid., 340-342.

³³Ibid., 341.

³⁴Ibid., 341-342.

States all of modern day California, Nevada, and Utah, and large portions of New Mexico, Arizona, and Colorado. In 1853, the acquisition of the Southwest was completed with the Gadsen Purchase.³⁵

Despite the granting of U.S. citizenship to all Mexicans in the region, it soon became clear that they would not enjoy equal status. In California, Mexican miners were effectively expelled from the mines. Illegally forced to pay a monthly Foreign Miners' Tax, and constantly subjected to violent attacks, *californios* left the gold mines and were essentially relegated to poverty.³⁶ Mexican-Americans, and other minorities, occupied what White sees as the lower end of a "two-tiered labor system," with Anglos dominating the upper half.³⁷

The experiences of Mexicans in New Mexico and Texas were similar. In New Mexico, the large population of Hispanics allowed for a minority of Mexican elites to retain their influence. In many instances they even held public office. However, the conditions for the majority of the people were far worse. Most small landholders lost their traditional "communal grazing lands" to the cattle industry, and the ensuing reliance upon seasonal migratory employment led to a breakdown in communal lifestyles.³⁸ In Texas, many Mexican-Americans also lost their lands through a combination of fraud and litigation. In addition, most Tejano ranchers could not compete with the influential cattle barons of the area. Despite their majority status, many Tejanos became crippled in poverty.³⁹

³⁵Charles Phillips, *Heritage of the West* (New York: Crescent Books, 1992), 86.

³⁶White, *It's Your Misfortune*, 238.

³⁷*Ibid.*, 282-284.

³⁸*Ibid.*, 238-240.

³⁹*Ibid.*, 240-241.

The plight of African Americans in the West is worth examining. As Patricia Limerick points out, the fact that California and Oregon were admitted to the Union as free states can be rather misleading.⁴⁰ In most cases, blacks were no more welcome there than in many other places in America. While black exclusionary legislation failed in California, the state of Oregon enacted a law prohibiting blacks. This law remained on the books until 1926, although it had not been enforced for some time before its repeal. In addition, a system of segregation excluded African Americans from establishments such as restaurants and hotels.⁴¹

Despite such racism, and a relatively small population along the frontier, African Americans contributed to the West from the start. In fact, one of the original members of the Lewis and Clark expedition was a black slave named York. In the area of fur trading and trailblazing, a former slave named James Beckwourth deserves to be placed in the same company with such mountain men as Kit Carson, James Bridger, and Jedediah Smith.⁴² A famed scout and honorary chief of the Crow Indians, Beckwourth was responsible for opening up a pass through the Sierra Nevadas to the Pacific that was later used by the Western Pacific Railroad.⁴³ Beckwourth's African American background, yet adopted by American Indians, suggests the racial and ethnic complexities of the West as early as the 1820s and 1830s.

As the frontier continued to expand blacks played an integral role in its development. In the case of military service, the all-black Ninth and Tenth Cavalry, better known as the Buffalo Soldiers,

⁴⁰Limerick, 277-280.

⁴¹Ibid.

⁴²W. Sherman Savage, *Blacks In The West* (Westport: Greenwood Press, 1976), 70.

⁴³Ibid., 70-73.

made up 20 percent of the cavalry in the West, and produced 11 Medal of Honor winners.⁴⁴ In the Western mining industry, slaves made up a significant portion of the antebellum labor force. In addition, some notable cases of mining success exist as in the case of Clara Brown, a former slave who ended up the owner of a lucrative Colorado gold mine. Perhaps most significant, was the black contribution to agriculture and pioneer settlement. Most famous among these black settlers were the Exodusters. Classified as “utopian” migration by Richard White, 15,000 African-Americans flocked from the sharecropping South to Kansas in 1880 in the hopes of achieving better opportunity and agrarian success. Though far too few found the second chance they were looking for, a number of successful black businesses and settlements were established, most notably in Nicodemus, Kansas and Boley, Oklahoma.⁴⁵

In light of these successes of African Americans in the West, the participation of blacks as cowboys should come as no surprise. Arthur T. Burton, an expert on minorities in Oklahoma Territory, estimates the number of black cowboys as being over 5,000 during the “cowboy era.”⁴⁶ The amount of equality experienced by blacks on the range is a matter of debate among scholars. W. Sherman Savage portrays an environment of harsh racism, stating that, “There were many men in Texas who hated a black as much as they did a Yankee.”⁴⁷ Author William Loren Katz, by contrast, paints a picture of greater equality. According to him “The arrival of ‘civilization’ and

⁴⁴William Loren Katz, *The Black West* (Garden City: Anchor Press/Doubleday, 1973), 199-204.

⁴⁵White, *It's Your Misfortune*, 198.

⁴⁶Arthur T. Burton, *Black, Red and Deadly: Black and Indian Gunfighters of the Indian Territory, 1870-1907* (Austin: Eakin Press, 1991), ix.

⁴⁷Savage, 88.

white women meant that the racial bars were about to be erected. Perhaps that is why many a black cowboy enjoyed life on the open plains more than city visits, and headed further west as frontier communities became stabilized.”⁴⁸ Whatever the treatment of blacks on the trail, there were a number of notable African-American cowboys, from the legendary Bill Pickett, to Nat Love who was acquainted with Bat Masterson and Billy the Kid.⁴⁹

While racial minorities made a number of positive contributions to the Western frontier, they were also involved in its unlawfulness. The most vivid manifestation of the minority outlaw can be seen in late nineteenth century Indian Territory. In fact, the area that would become the modern day state of Oklahoma was arguably the wildest place on the Western frontier.⁵⁰ With an 1870 population of 59,367 Native Americans, 6,378 blacks, and only 2,407 whites, the Indian Territory was one portion of the western frontier where racial minorities were actually the majority.⁵¹ This led to a situation where black and Indian outlaws would often prey upon Anglo passer-byers, before finding refuge within the friendly confines of their own communities.⁵² The sheer isolation and administrative nightmare of the area made it a haven for criminal activity. Alcohol was illegal in the territory and this ushered in a new element of criminal activity: bootlegging. Burton describes the area as having more “...bandits, horse thieves, counterfeiters, whiskey peddlers, and train robbers

⁴⁸Katz, 147.

⁴⁹Ibid., 150-161.

⁵⁰Burton, 10.

⁵¹Ibid., 2.

⁵²Ibid., 163-164.

per square mile...” than anywhere else in America at the time.⁵³ In addition, law enforcement often faced fierce and violent resistance from determined outlaws set on maintaining the hospitable conditions for criminal activity.⁵⁴

After establishing a firm historical and ethnic context of the Western frontier, it is important now to focus on the gunfighter himself. In the popular imagination, it is the Wild West that serves as the stage for the gunfighting drama. But just how wild of a place was it? This is one of the most hotly debated questions concerning the Western frontier. Essentially, two schools have emerged. The traditional idea that the frontier was indeed a very violent place. And the idea that, relative to other areas of the country, the American West was surprisingly non-violent. Historians like Robert Utley see the question as unresolved.⁵⁵ Others take a more clear cut stance on the issue.

James D. Horan, writing in 1954, holds to the traditional view of the West as a very violent place, citing evidence from the National Archives such as the 5000 descriptions of outlaws issued in the Rio Grande district of Texas in the year 1877.⁵⁶ W. Eugene Hollon sees the West as no more or less violent than other regions and periods in American history. He suggests “...that frontier lawlessness was primarily the result, rather than the cause, of our violent society.”⁵⁷ By citing the unlawfulness of colonial times and the urban East, as well as the violence of modern society, Hollon

⁵³Ibid., 161.

⁵⁴Ibid., 163-164.

⁵⁵Robert M. Utley, *High Noon in Lincoln County: Violence on the Western Frontier* (Albuquerque: University of New Mexico Press, 1987), 179.

⁵⁶Horan, 26.

⁵⁷W. Eugene Hollon, *Frontier Violence: Another Look* (New York: Oxford University Press, 1974), ix.

sees the Western frontier as actually less violent by comparison.⁵⁸

Arguably, the issue is best addressed by Roger D. McGrath who sees the West as a violent place, only relative to its small population, and in many cases not in the way it has traditionally been conceived.⁵⁹ McGrath focuses on the small mining communities of Bodie, California and Aurora, Nevada, but his findings can in many cases be attributed to the West as a whole. The “trans-Sierra frontier” as he calls it, suffered from very few robberies or violent crimes against women such as rape. Only two burglaries were reported in Aurora between the years of 1864 and 1865.⁶⁰ In addition, McGrath points out that no banks were ever robbed in either of the cities, largely due to the fact that the employees and bankers were well armed.⁶¹ However, violent crimes and general unruliness were fairly common. Fist fights were quite regular and it was not uncommon for a knife or gunfight to break out. But most of all, McGrath notes that these were crimes against a very specific segment of the population, who were almost always very willing participants in the violence.⁶² Most often, the combatants in a gun or knife fight were ordinary citizens spurred on by the heavy consumption of alcohol.⁶³ In terms of just how violent the cities of Bodie and Aurora

⁵⁸Ibid., 11-13.

⁵⁹Roger D. McGrath, *Gunfighters Highwaymen & Vigilantes: Violence on the Frontier* (Berkeley: University of California Press, 1984), 247-255.

⁶⁰Ibid., 74.

⁶¹Ibid., 248.

⁶²Ibid., 247.

⁶³Ibid., 213-214.

were, both had murder rates over double that of Miami and New York City in 1980.⁶⁴ Only other Western frontier towns had similar murder rates in late nineteenth century America.

It is important to note the relationship between gunfighters and general violence in the West. There is in fact a clear distinction between the two as Western violence often manifested itself independent of the gunfighting phenomenon. In addition to the racial violence already addressed, frontier conflicts could often be understood in economic terms. The competitive nature of laissez-faire capitalism was often taken to extremes, like in the case of the Lincoln County War, a New Mexico cattle war that led President Hayes to declare the county in “a state of insurrection.”⁶⁵ While gunfighters were often the participants in these conflicts, it was conflicting economic factions that served as the main antagonists. Class conflict was also very present in the West, most often among miners and mine owners who tried to infiltrate labor unions by means of violence and intimidation.⁶⁶

Regardless of just how violent the West was in actuality, the crucial element to its wild reputation is the gunfighter. Though gunfighting may have been a peripheral element in the larger context of Western violence, it is the gunfighter who continues to captivate the popular imagination. Historians have made a number of generalizations about gunfighters. It should be noted that the term *gunfighter* is quite a bit more encompassing than might be expected. It includes both outlaws and lawmen. Not only was the gun vital to both professions, but in many cases the line between outlaw and lawmen became blurred. Perhaps Robert M. Utley best describes the ambiguity between

⁶⁴Ibid., 254.

⁶⁵White, *It's Your Misfortune*, 343-344.

⁶⁶Ibid., 346.

lawman and criminal in the following quote in reference to the Lincoln County War, "I did not set out to write a book without heroes. But historians must take history as they find it, and I found no heroes."⁶⁷ His point is well illustrated by the example of Wyatt Earp, who has been depicted in popular culture as the courageous and just lawman of the American frontier. In actuality, Earp epitomized the category of lawmen who walked a fine line between peace officer and peace breaker. Before his days as a town marshal he was indicted as a horse thief. Later, while serving as an officer of the law, Earp also doubled as a dealer in the cowtown gaming halls. Perhaps most notably, one of Wyatt Earp's close companions, and fellow participant in the shoot-out at the O.K. Corral, was the dentist turned gambler and murderer, Doc Holliday.⁶⁸

Another generalization about gunfighters is provided by Richard White as he analyzes what he refers to as "social banditry."⁶⁹ This is essentially a condition where the outlaw is forced into his crimes by some defect in society. Perceived among the general population as a Robin Hood type figure, the social bandit is both revered and protected in the community he inhabits.⁷⁰ The most famous examples of this are seen in James-Younger Gang of West Missouri, and the Dalton Gang and Doolin-Dalton Gang, both of Oklahoma Territory.⁷¹ Community support was essentially to

⁶⁷Utley, ix.

⁶⁸Horan, 115.

⁶⁹Richard White, "Outlaw Gangs of the Middle Border: American Social Bandits," *Western Historical Quarterly* 12 (Oct. 1981): 387-408.

⁷⁰Ibid., 387.

⁷¹Ibid., 389.

social banditry, through both “active supporters” and “passive sympathizers.”⁷² White also focuses on social environment in explaining social banditry, emphasizing the ideal of masculinity and the disrespect of local law enforcement, conditions present in both Reconstruction Missouri and late nineteenth century Oklahoma Territory. In this regard, he equates social banditry with the vigilante movements of the time.⁷³

While many outlaws have been characterized as social bandits, from Billy the Kid to John Wesley Hardin, the most pronounced case of classifying an outlaw as a Robin Hood character in the American West is that of Jesse James. This is a highly inaccurate characterization according to James D. Horan who describes James as “...a cold-blooded killer and a thief.”⁷⁴ Jesse’s christening into crime and violence came while still a teen as a member of Charles Quantrill’s guerillas in Missouri. This group of pro-Confederate gunmen wreaked bloody havoc across the state of Missouri in the early 1860s. However, it is not for his involvement in the post-war violence of the border states that Jesse James would become immortalized in American history. Instead, he is remembered as the greatest robber of banks and trains in the American West. He is reported to have stolen some where in the neighborhood of \$200,000 during the course of his career.⁷⁵ Horan sees no evidence however, that any of this loot was ever redistributed among the populous in the tradition of Robin Hood.⁷⁶

⁷²Ibid.

⁷³Ibid., 388-400.

⁷⁴Horan, 26.

⁷⁵Ibid., 27.

⁷⁶Ibid.

Professor Richard Maxwell Brown offers another generalization of the gunfighter in his treatment of the structure of violence in the West.⁷⁷ As agents in a battle classified as the “Western Civil War of Incorporation” Brown identifies two classes of gunfighters: the “incorporation gunfighters” who represented northern Republican values, embodied in the persons of Hickok and Earp; and the “resister gunfighters,” southern Democrats who fought forces of incorporation, often in the role of social banditry.⁷⁸ Interestingly enough, Brown notes that African Americans participated on both sides of this struggle, once again illustrating the diversity of the Western frontier experience.⁷⁹

A final generalization of the western gunfighter identifies a certain element that stands out as being clearly disposed to acts of ferocity. Author Joseph G. Rosa makes a distinction between the average gunfighter, and those he classifies as badmen in his book, *The Gunfighter: Man or Myth?* He considers badmen as transients, often originally from the East, many times unemployed and dissatisfied with the life they had forged in the West. The common element among them was their blatant disregard for human life.⁸⁰ John Wesley Hardin offers one of the greatest examples of a badman. It is rumored that he once killed a man in an Abilene hotel for snoring too loudly in the next room. While the validity and circumstances surrounding this incident are questioned by

⁷⁷Richard Maxwell Brown, “Western Violence: Structures, Values, Myths,” *Western Historical Quarterly* 24 (Feb. 1993): 5-20.

⁷⁸*Ibid.*, 5-9.

⁷⁹*Ibid.*, 7-9.

⁸⁰Rosa, *The Gunfighter*, 40-42.

historians, the low value Hardin placed on human life is undebatable.⁸¹

The gunfighter is indeed the key player in the drama of the Old West. But just who were these individuals who have been remembered for so long in the collective consciousness of the American people? What kind of backgrounds did they come from and what exactly are the details of their fabled careers? And finally, do they fit the generalizations historians have constructed?

First and foremost, the historical popular depiction of the gunfighter is an intriguing mix of myth and fact. The mythical aspect of the gunfighter is certainly easy enough to identify. There is the story of Clay Allison, an often drunk outlaw who once reportedly extracted four molars from a dentist who mistakenly removed the wrong tooth from Allison.⁸² There is also the popular tale, the validity of which is still disputed, of the day John Wesley Hardin performed the “Border Roll” on Wild Bill Hickok during an intense confrontation in Abilene. When Hickok, who was town marshal, requested that Hardin hand over his guns in compliance with a city ordinance, the young outlaw reportedly offered his revolvers to Hickok butts facing forward, only to spin the guns back into his hands in one lightning quick motion, the end result being two cocked pistols in Hickok’s face. Despite the fact that the two would eventually become friendly, the incident celebrated Hardin as the man who had stood down the great Wild Bill Hickok.⁸³ Regardless of whether or not Allison ever vengefully pulled his own dentist’s teeth, or if Hardin ever got the better of Wild Bill, the end result of mythical accounts like these was the propulsion of these gunfighters out of the ranks of ordinary citizens and into the realm of legendary figures.

⁸¹Metz, 67-71.

⁸²Horan, 70.

⁸³Metz, 52-55.

The historical facts concerning the gunfighter are often mundane compared to their mythical depictions. Yet, only through a close examination of the factual events and issues of their lives, can the real significance of their careers as gunfighters be found. The techniques of case studies and collective biographies are very useful for this purpose.

This first case study deals with perhaps the most romanticized gunfighter and western lawman in American history, James Butler Hickok, better known as "Wild Bill." Essential to any study of Wild Bill Hickok is the separation of legend from fact. Largely due to an 1867 article in *Harper's New Monthly Magazine*, Hickok's real exploits along the frontier were fabricated for an eager national audience.⁸⁴ While Rosa sees this image as being bothersome to Hickok⁸⁵ author Paul Trachtman suggests that he encouraged it, calling Hickok "the most bald-faced liar among the Western gunmen."⁸⁶ Regardless of which expert is correct, the importance of reputation and popular image in the American West remains the same.

James Butler Hickok was born in Illinois in 1837. The son of an abolitionist, he was raised to be both hard working and God fearing.⁸⁷ He moved to Kansas with his brother in 1856 while still a young man. Hickok quickly gained a reputation as a scout and Indian fighter, and even served as a spy for the Union army during the Civil War. After the war, he served as a peace officer and professional gambler in a number of Midwestern boom towns.

⁸⁴Joseph G. Rosa, *Wild Bill*, 1.

⁸⁵*Ibid.*, xv-xxi.

⁸⁶Paul Trachtman, *The Gunfighters*, ed. Time-Life Books (New York: Time-Life Books, 1974), 37.

⁸⁷Rosa, *Wild Bill*, 16-20.

As a gunfighter, Hickok appears to have saved violence as a last resort. Although rumors about Wild Bill's body count ranged from 36 to 100, the actual number was probably about ten.⁸⁸ However, it was precisely his reputation as a sharp-shooting gunman that landed him a job as the marshal of Abilene, Kansas. Beginning in April of 1871, Hickok was successful in keeping the peace in Abilene throughout the cattle season. But in October of 1871, Wild Bill mistakenly killed a civilian while trying to disarm a drunken gambler. This was Hickok's last gunfight, possible due to the grief he felt over his mistake.⁸⁹ Ultimately, while serving as marshal of both Hays City and Abilene, Kansas, Hickok killed four men in the line of duty.⁹⁰

Wild Bill Hickok has been seen by historian Richard Maxwell Brown as an "incorporation gunfighter" in the interest of Northern industry.⁹¹ However, an analysis of Hickok's life as a peace officer seems to raise doubts about such a rigid generalization. It is true that Hickok's Northern Republican upbringing does support Brown's classification. Yet, his actions in Abilene seem problematic to such an interpretation. It has been established that for a short period in the early 1870s, Hickok was in cahoots with one of Abilene's most notorious figures, John Wesley Hardin. The two often drank and gambled the night away, and in one particular instance Hickok viciously attacked his chief deputy for incarcerating two prostitutes that he and Hardin held in high regard.⁹² In another instance, Wild Bill came into contact with Frank and Jesse James. Ultimately, the

⁸⁸Ibid., 110-111.

⁸⁹Ibid., 130-133.

⁹⁰Trachtman, 123.

⁹¹Brown, 7-9.

⁹²Metz, 66.

James's agreed to keep the peace while in Abilene if Hickok promised not to confront them.⁹³ Both of these cases offer examples of an incorporation gunfighter in peaceful cooperation with what Brown calls "resister gunfighters." This would seem to be an improbable scenario if Brown's generalization is to be accepted.

Ultimately, Wild Bill Hickok did outlive his stage as a gunfighter. Towards the end of his life he roamed quite a bit and even worked as a play actor for Buffalo Bill Cody. Yet, if Hickok's violent past is to be seen as a stage in his life, it is one that caught up with him in the end. In the summer of 1876 he came to Deadwood, South Dakota in hopes of finding gold in the Black Hills. On August 2, he was shot in the back of the head by a drifter named Jack McCall while sitting at a poker table.⁹⁴ While there is much mystery surrounding McCall's motives for the murder, the fact that he shot Hickok from behind is a testament to Wild Bill's deadly reputation.⁹⁵

A contrast in character from Hickok is seen in John Wesley Hardin. Born in 1853, Hardin grew up the son of a Methodist preacher in Texas during Reconstruction. As a boy he grew up around weapons and the ideals of Southern honor and loyalty.⁹⁶ Hardin exhibited his violent tendencies from a young age. In one instance, he stopped a teacher from punishing him by pulling a pocket knife and threatening to kill him. In another case, Hardin did use his weapon, almost killing a classmate in a knife fight.⁹⁷ After shooting a black man who had beaten him in a wrestling

⁹³Trachtman, 39.

⁹⁴Rosa, *Wild Bill*, 194.

⁹⁵Trachtman, 123.

⁹⁶Metz, x.

⁹⁷*Ibid.*, 1-7.

match, and slaying three Union soldiers who attempted to capture him, Hardin had killed four men by the age of 15.⁹⁸

The context of John Wesley Hardin's violence is of importance. While his murderous tendencies certainly can not be blamed on his environment, he was raised in the South during a time of intense resentment and insecurity. Apparently fearful of conviction in the Union backed courts of Reconstruction, Hardin headed West after his first murder, as a fugitive from, in his words, "the injustice and misrule of the people who had subjugated the South."⁹⁹ In Hardin's mind, his actions were based on a code of honor and the ideal of innocence,¹⁰⁰ a notion that seems to correlate to White's concept of social banditry.

After fleeing West, Hardin continued to exhibit his violent nature. While working as a cowboy he killed anywhere from 20 to 50 men.¹⁰¹ Leon Metz contends that had Hardin not been remembered as a legendary gunfighter, he would have been known as one of America's most psychotic killers.¹⁰² Paul Trachtman sees Hardin as a loner who found an avenue to vent his Southern frustrations in the West.¹⁰³ Like Hickok, John Wesley Hardin would out live his days as a gunfighter in the cattle towns of the Midwest. After serving a brief prison sentence, he dabbled on both sides of the law. Though serving as a lawyer in his final days, he was also suspected in a

⁹⁸Trachtman, 176.

⁹⁹Limerick, 37.

¹⁰⁰Ibid., 36-37.

¹⁰¹Metz, 284.

¹⁰²Ibid., 285.

¹⁰³Trachtman, 175.

murder.¹⁰⁴ Though both Hickok and Hardin lived to pursue avenues other than gunfighting, both would ultimately be shot dead by individuals seeking a reputation. In August of 1895, John Wesley Hardin was shot from behind by an El Paso lawman named John Selman.¹⁰⁵

A final case study is offered by a composite look at the lives of various minority gunfighters. Such an analysis shows that the careers of minority gunfighters often fit into White's model of social banditry. One such example is the legend of Joaquin Murieta. In response to their expulsion from the gold mines, many *californios* turned to banditry. In such a climate, John Rollins Ridge, a Cherokee journalist and former miner, created the myth of Joaquin Murieta as a "fusion" of many Mexican outlaws.¹⁰⁶ Murieta was believed to be acting in revenge for the rape of his wife and the murder of his brother at the hands of whites.

Though the actual identity and exploits of Joaquin Murieta are hard to discern, the oppression that faced Mexican-Americans in the Southwest is easy to identify. For example, racial tensions in Los Angeles in the 1850s were at a boiling point as a crime wave engulfed the city. In an attempt to bring about law and order, the Anglo community targeted Mexican-Americans as many innocent *californios* were hung in the process.¹⁰⁷ In response to a similar situation in Texas, Juan Cortina shot a Brownsville sheriff who was beating a *vaquero*, prompting Texas Rangers and Mexican soldiers to pursue him and his accomplices in vain, in what became known as Cortina's

¹⁰⁴Metz, 211-267.

¹⁰⁵Ibid., 266-267.

¹⁰⁶White, *It's Your Misfortune*, 334-335.

¹⁰⁷Ibid.

War.¹⁰⁸

Another region where minority gunfighters were prevalent was Indian Territory. Here, Cherokee Bill has been suggested as the “black counterpart” to Billy the Kid.¹⁰⁹ Born Crawford Goldsby, his parents separated at age three. Mistreated by his stepfather, Cherokee Bill turned to the liquor and bad company that awaited him in the unruly environment of Indian Territory.¹¹⁰ After killing his first man in a quarrel at age 18, he joined the outlaw Cook Gang in 1894 and was able to elude capture thanks to the local support of the community.¹¹¹ Cherokee Bill was eventually arrested and sentenced to death by Judge Isaac Parker in 1896.

Finally, in terms of violent ferocity, the Rufus Buck Gang seems to out do even John Wesley Hardin. Made up of mostly blacks and Native Americans, the five member outlaw gang of Indian Territory gained wide spread notoriety after a 13 day stretch of vicious rape and murder.¹¹² Eventually executed by Judge Parker in 1896, the Rufus Buck Gang certainly seems to fit Rosa’s generalization of the badmen. Ultimately, their deeds were so violent that factors of upbringing and social environment cease to be significant.

It can now be suggested that the West was certainly a violent place. Gunfighters, though not the only participants, were certainly essential in the manifestation of frontier violence. Since it has already been established who these gunfighters were, an analysis should now be made of the factors

¹⁰⁸Ibid., 335.

¹⁰⁹Katz, 152-155.

¹¹⁰Burton, 41-61.

¹¹¹Ibid.

¹¹²Trachtman, 164-165.

that contributed to Western violence.

Robert M. Utley offers four themes as possible explanations: the influence of liquor, the prevalence and accessibility of firearms, a lust for money and power, and something called the code of the West.¹¹³ The importance of alcohol as a driving factor in influencing the violent nature of the West is a reoccurring theme throughout the historical record. Many assessments even suggest drunkenness as a normal condition of most frontier citizens.¹¹⁴ In addition to alcohol, opium dens offered another means of intoxication, and were especially common among the mining towns of California. The accessibility of firearms was another cause of unlawfulness. As might be expected, intoxicants and weapons were often a volatile mix as illustrated by the following Utley quote, “When whiskey or any other cause sparked the instinct to violence, guns could be quickly summoned to the fray, with frequently mortal effect.”¹¹⁵ Opportunities for easy money and a thirst for power also contributed to the wildness of the West. Events like the California gold rush led to a number of undesirables, and the presence of corruption in law enforcement only perpetuated the situation.

The code of the West was perhaps the most significant factor in Western frontier violence.¹¹⁶ Possibly originating in Texas, the code was diffused throughout the West, first to the cowtowns and then beyond. It was basically a unique code of ethics for acting in certain situations. There were

¹¹³Utley, 176.

¹¹⁴Ibid.

¹¹⁵Ibid.

¹¹⁶Ibid.

certain rules to gunplay. No back shooting and the announcement of intentions were essential.¹¹⁷ There was the concept of a just killing in self-defense, and most of all never back down from a confrontation.¹¹⁸ With standards like these, and the false encouragement provided by heavy drinking, it is no wonder that violence was a common occurrence.

In the wake of this environment of unruliness, there were a number of notable attempts at dealing with the problem. One such attempt was made by the elite law enforcement agencies that emerged. The Pinkertons were perhaps the most successful. Founded by Scottish immigrant Allan Pinkerton in 1850, the detective agency worked for the Union army during the Civil War, foiling an attempted plot to assassinate President Lincoln. Using new methods, including psychological warfare, the Pinkertons eventually served as a model for the Federal Bureau of Investigation.¹¹⁹ Allan Pinkerton and his detectives were able to systematically track down and capture a number of outlaws including John Wesley Hardin.¹²⁰ They also diligently pursued Butch Cassidy and the Sundance Kid all the way to South America.¹²¹

Another form of law enforcement that obtained some measure of success was vigilantism. Between the years of 1849 and 1902, 210 vigilante movements claimed 527 victims in the American West.¹²² It reached its highest form of development in California, and contrary to popular opinion,

¹¹⁷Horan, 9.

¹¹⁸Metz, 48-50.

¹¹⁹Trachtman, 73.

¹²⁰Metz, 162.

¹²¹Horan, 208-210.

¹²²White, *It's Your Misfortune*, 332-333.

was not merely an emotional response of the people, but was very well organized and supported at high levels of the community. Vigilantism was not the result of the absence of local law enforcement, but rather the result of its failure.¹²³ Despite this, vigilantes did not always proceed in a lawful way. White views the movements as often taking on sinister political objectives, as was the case with the San Francisco Vigilance Committee of 1856 who, comprised mostly of Protestant Republicans, succeeded in eliminating their Irish Catholic Democrat rivals.¹²⁴

Finally, there were also instances where lone individuals were influential in enforcing law in the American West. Isaac Parker, the infamous “Hanging Judge” of Indian Territory, was perhaps most influential in this regard. Practicing the theory that “...certainty of punishment rather than punishment itself was the only combat to crime,” Parker sentenced eighty-eight men to hang during his years on the bench.¹²⁵ Another individual who made great attempts at establishing law and order, but with less success, was governor of New Mexico Territory, Lou Wallace. He was the man who held the dubious task of trying to capture Billy the Kid and end the Lincoln County War. He appealed directly to President Hayes in an attempt to get the writ of habeas corpus suspended and establish marshal law within the territory. He also offered Billy the Kid a full pardon in exchange for his testimony against other fugitives of the Lincoln County War. Neither of these attempts ever came to fruition due to certain political circumstances and judicial inefficiencies.¹²⁶

As the conditions that allowed for him were ended or altered, the gunfighter made his fateful

¹²³McGrath, 255-256.

¹²⁴White, *It's Your Misfortune*, 332-334.

¹²⁵Burton, 4-5.

¹²⁶Utley, 121-146.

ride into the sunset of American history. With the influx of more and more people, the Western frontier essentially disappeared, and the phenomenon of frontier violence became indistinguishable from violence anywhere else in the country. However brief the gunfighter's moment in the historical record may have been, his presence in the popular imagination of the American people has become a mainstay. Just as the misconstrued image of the gunfighter has become a pillar of popular culture, it is now the task of the historian to make the accurate image of the gunfighter just as much a fixture in America's collective consciousness.

By examining the way in which historians view these gunfighters, and through close comparison of specific case studies, a more accurate depiction of Western gunmen emerges. Ultimately, each is complementary and inadequate without the other. Historians' generalizations provide a framework in which to view individual case studies, and case studies in return put historical interpretations under close scrutiny. Finally, a complete understanding of the broader context of Western history, in terms of economics and ethnicity, must be achieved if Western frontier violence is to be understood as a diverse and complex occurrence.

As this paper has shown, there are no easy explanations for the existence of gunfighters. Many factors such as alcohol and the code of the West contributed to its occurrence, and many different types of individuals perpetuated it. Why John Wesley Hardin was raised in the shadow of religion and respectability yet participated in blood-curdling acts of violence is perhaps beyond explanation. Rosa's generalization of badmen and White's concept of social banditry are helpful in putting such a person into perspective, yet case studies help to reveal that each individual career is full of complexities that do not allow it to fit neatly into any classification. A good example of this is seen in the life of Wild Bill Hickok. While in some cases he does meet Brown's concept of

an incorporation gunfighter, he came from a Northern Republican background for example, Hickok's friendly relationship with John Wesley Hardin, a resister gunfighter, seems to refute Brown's model. Finally, an examination of various minority gunfighters offers a more complete picture of Western violence. Here Richard White's notion of social banditry seems to be of considerable relevance. Yet, the violent atrocities of the Rufus Buck Gang came not be justified or explained by any factors of social oppression no matter how great. Ultimately, the gunfighter of the American West proves to be an elusively complex individual who will continue to warrant historical investigation.

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