

Violence in the Cattle Towns

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ABSTRACT

The myth of the violent cattle town is one with which many Americans are familiar. For the most part, this idea comes to us from the many Western movies we have seen throughout our years. However, one may wonder: How violent were these mythical cattle towns? Were fast-draw shootouts really a daily occurrence, or were they tamer than we have been lead to believe? Evidence indicates that the latter is true. Cattle towns were not nearly as violent as popular culture would have us believe for various reasons, which will be outlined in this paper.

Dodge City and the other cattle towns of the American West are steeped in mythical stories of gunslingers, lawmen, and violent cowboys. While it cannot be denied that the western frontier, cattle towns included, were violent places, one must wonder, how violent were these notorious cities? Evidence indicates cattle towns were not nearly as violent as popular culture would have us believe. For the purposes of this paper, *violence* will be defined in terms of the number of homicides in the cattle towns. While this is a very limited view of the total violence perpetrated in the West, it has been the most highly exaggerated and visible portion.

Many of our beliefs regarding the violent nature of cattle towns come to us from Hollywood. There have been countless movies in the past and the present that are set in the Old West of American history. Many of these movies, such as *The Virginian*, placed a large emphasis on violence. For example, the famous fast draw gunfight is common in many. However, according to historians there never was such a "fast-draw showdown" in any of the cattle towns (West 29-30). How did Hollywood develop their ideas about the West, cattle towns in particular? While directors' taking an artistic license can be blamed to a certain degree, in reality the frontier had a different societal structure than the civilized cities and states in the East. For visitors, the West seemed out of control in comparison. For example, an excerpt from the Hays City *Sentinel*, written by the newspaper's editor, claims:

Dodge city is the Deadwood of Kansas. Her incorporate limits are the rendezvous of all of the unemployed scallawagism in seven states. Her principal business is polygamy without the sanction of religion, her code of morals is the honor of thieves, and decency she knows not. (Faulk 183)

While evidence of any polygamy in Dodge City is scarce, the essence of this article hits home. In the editor's eyes, Dodge City was the den of all that was evil in the West, from polygamy to thievery. With this and other opposing viewpoints in mind, the question of violence in the West still demands to be answered. It cannot be denied that violence did exist in the West. However, there are two specific societal reasons that can be blamed for much of the violence.

The two main reasons for the violence that occurred in the West are the Western Civil War of Incorporation and the Americans' attitudes towards violence and honor.

The Western Civil War of Incorporation (WCWI) is a term developed in part by Richard Maxwell Brown, that describes the ongoing battle between those in the West who wanted to settle and civilize it, and those who wanted civilization to stay in the East, leaving the West to the cowboys and Indians.¹ When the West had just begun to be explored and settled, the majority were against incorporation, as can be witnessed by the flourishing of cattle towns that catered to those deemed anti-incorporators, such as prostitutes, gamblers, and cowboys. However, as time passed and more people headed West, many longed for the lives they had left back East and wished to transplant that society in their new towns. Those who fought for the side of incorporation included lawmen, farmers, and vigilantes.

Lawmen such as Wild Bill Hickok and Wyatt Earp are classic examples of incorporation gunfighters (Brown 8). As they fought to keep the cattle towns free from violence, they also fought to incorporate Eastern lifestyles into the West by ridding it of gunslingers, cowboys, prostitutes, and gamblers. Those businessmen in the cattle towns were faced with a dilemma: should they choose the incorporators and end the violence and sin that permeated their town, or should they choose the anti-incorporators and continue to cater to the cowboys and rake in the profits? In the end, the incorporators won the battle.

Vigilantes served much the same function as the lawmen in trying to bring the values of the East to the West, however with their own western twist. That is, the idea of popular sovereignty (governing oneself) was much more prevalent in the West and was epitomized by the vigilantes. So while to some degree the vigilantes were incorporators, they seemed to have limits to how much incorporating they wanted done. Farmers were also important incorporators. They were not on the front-line, so to speak, in that they were not literally fighting with anyone. However, one of the major causes

¹Other uses of this idea of incorporation in the west include John Walton and David Alan Johnson

of the decline of cattle towns was the farmer. Farmers did not look too kindly on longhorns trampling their crops or bringing diseases up from Texas. Also, when the farmers came to the cattle towns, so did the "respectable" women (i.e., women other than prostitutes). Soon churches and schools followed, and the criminal elements were pushed out. In 1885 the Kansas state government passed legislation that prohibited cattle from being driven to Dodge City from Texas (West 31). In the end, Dodge City suffered the same fate that other cattle towns did—incorporation.

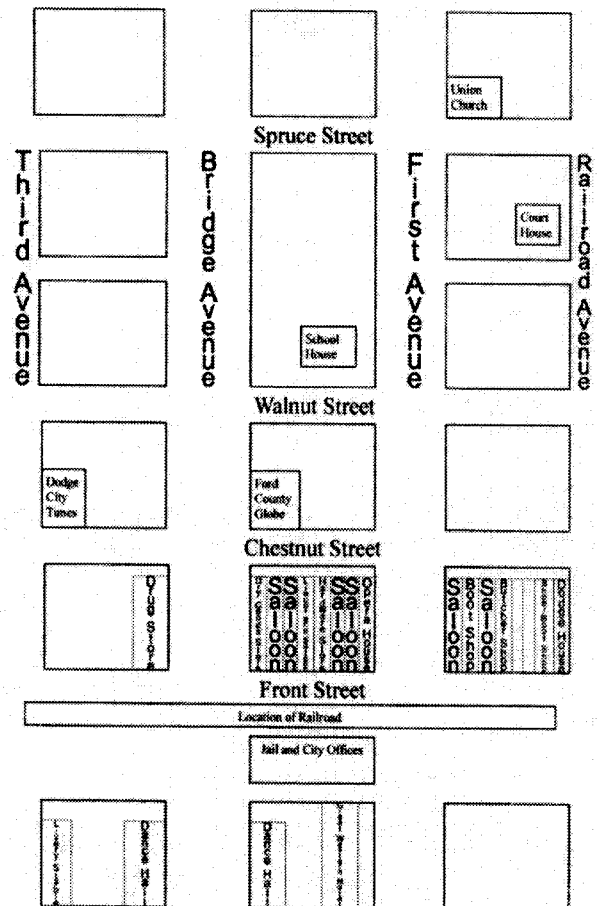
Those citizens against the incorporation of the West included prostitutes and gamblers who profited from the "wild" west atmosphere. For both of these groups, society had already cast them aside. If the West were incorporated, then they would lose the opportunity to earn money. For women, earning a living was next to impossible. For many the only option was to become a prostitute, but then she would live on the fringe of society. In cattle towns, while they were in no way accepted in society, prostitutes were tolerated much more than in "incorporated" towns. One of the town's rationales for keeping the brothels running was that if they were shut down, the prostitutes would come into the rest of the town (Butler 86). Gamblers were regarded in much the same way; while they were not truly accepted anywhere, in these towns they were tolerated and allowed to do their business. If these towns were incorporated, they too would lose their jobs.

In addition to the WCWI, the American ideology of violence and honor encouraged the violent nature of the frontier. For example, the idea of "No Duty to Retreat" is a modified version of England's "Duty to Retreat" which followed the settlers to the new world. England's law in effect says that only after one has tried every method of escaping his attacker, may he defend himself (Brown 4). This runs contrary to Americans' legal idea of self-defense. In 1877, the Indiana State Supreme Court, while ruling on the legality of "No Duty to Retreat," stated, "The tendency of the American mind seems to be very strongly against the enforcement of any rule which requires a person to flee when assailed." In 1921, The United States Supreme Court upheld this ruling (Brown 14-15). Indeed, even today we subscribe to this ideology in America. If you are attacked, you are justified in defending yourself, even if that means killing your attacker. In the West, a man's ability to defend himself became a symbol of his honor and courage. With these societal structures in place, one can understand how violence could exist in the West. However, through a case study of Dodge City as typical of the other cattle towns of Kansas, one can discover the reality of the West and how exaggerated reports of violence became.

Dodge City was formally established in August of 1872, and from then until 1877, experienced a rich influx of buffalo hunters. By 1877, however, all of the buffalo had either been killed or had moved on, and Dodge City's days as a buffalo town had ended (West 24-25). Fortunately for the future of Dodge City and its residents, the former cattle towns of Kansas (i.e., Abilene, Wichita, and Caldwell) had been taken over by farmers. Farmers forced cowboys to find a new route (Ibid. 25). The new route they found, the Western Trail, led them to Dodge City. The new trail to Dodge City was just one of the factors contributing to the sudden rise in Dodge City's popularity. Dodge City

was also the site of a railroad depot. For the cowboys, this meant a place to sell their longhorns and ship them east to be butchered. While these two factors would draw the cowboys and their longhorns to Dodge City the first time, what kept them coming back were the townspeople whose businesses catered to the cowboys' needs.

As is evident from the Dodge City map, the prime business district was found on Front Street. On this street, a cowboy could choose from any of seven different saloons, often with a Texan name, which appealed to the many Texas cowboys. In fact, in 1879, Dodge City had fourteen saloons in its city limits (West 27). However, saloons alone were not enough to hold the cowboys' interests. Dodge City also sported two dance halls where the cowboys could go and spend time with their friends and the local female companions. Of course before any cowboy would take advantage of these amenities, a trip to the clothing store was in order. Once again, the cowboy was in luck, as Dodge City had one dry goods and clothing store and two boot stores. In addition, those who did not want to sleep another night under the stars could find a room for the night at either the Dodge House or the Great Western Hotel.



All of these businesses were located along Front Street, which bordered the railroad tracks and, conveniently, the jail. The citizens of Dodge City realized that with the cowboys and their business came a certain amount of violence. As Robert Dykstra said in his book *The Cattle Towns*, "The problem for the cattle town people was not to rid themselves

of visitors prone to violence, but to suppress the violence while retaining the visitors" (116). As long as the townspeople could do this and remain profitable, they would continue to welcome the cowboys to their town. When considering how much money the cattle drivers brought to these towns, it is hard to believe that the townspeople dreaded their arrival, as some Western movies would have you believe. On the contrary, it seems that the town looked forward to the cattle season when as many as 1500 cowboys and cattlemen came to Dodge City (Haywood 8). This meant a large influx of money for business proprietors. While the cowboys might be prone to violence, the townspeople found ways to control their urgings and still stay profitable.

Contrary to what many believe, cattle towns were not lawless societies. While there may have been societal structures that encouraged violence, cattle towns had very structured law enforcement to prevent it. Indeed, it was often a cattle town's first official business to set out rules and limitations on disorder and violence, in addition to hiring a police force. Those towns that suffered through their first season without organized law enforcement soon learned that they could not count on the county and township law enforcement officials to protect them (Dykstra 117-120). As a result, cattle towns quickly developed a structured system of law. If they had not, the merchants would not have continued to do business in such towns, as the risk of robbery would have been high. Law enforcement was worth the added cost for the citizens. In fact, it appears that law enforcement constituted the majority of the taxes the citizens paid. For instance, in 1871, Abilene allocated 48% of its annual budget to law enforcement. Also, from April of 1884 until the following April, Dodge City's law enforcement took up 42% of the town's budget (Ibid 125). As these figures prove, structured law enforcement was of the utmost importance to the cattle town citizens.

Along with the local law officers came many ordinances and laws for them to uphold. One of the most crucial ordinances in regards to the control of violence was the gun control ordinance. In the majority of cattle towns, the citizens voted for ordinances that made it illegal for anyone, other than a law officer, to carry any weapon (Ibid 121). For example, the ordinance in Dodge City read: "That any person or persons found carrying concealed weapons in the city of Dodge or violating the laws of the state shall be dealt with according to the law" (Ibid 119). While it is certain that guns and other weapons did make it into cattle towns such as Dodge, the mere fact that towns had such laws proves how adamant the people were about keeping violence out of their town. There is no doubt that guns certainly could increase a town's homicide rate; however, the weapons alone could not do it. There had to be an atmosphere that was prone to violence. In contrast to the citizens' attempts to control the violence by banning guns, they encouraged, or at least allowed certain behaviors that were conducive to violence. These activities were found in the saloons: gambling, prostitution, and alcohol abuse.

As I mentioned before, these activities were the reason many cowboys came into town. Therefore, without these activities, it can be reasoned that cattle towns would have failed. The citizens allowed such activities but also made sure they profited from them. For instance, saloons were legally allowed in towns. However, in order to run a saloon, the owner

had to pay a license fee every year. This fee could often be quite hefty and was a way for the townspeople to profit from the saloons' gains. Also, it was reasoned that since alcohol often caused people to behave violently, the money could be used to pay the law officers. But what should be done with the illegal side of the commerce in these towns? Gambling and prostitution were both against the law, but if they were run out of town, the merchants would lose much of the cowboys' business. The towns quickly found a way to make sure that they profited from these illegal activities as well. This was accomplished with fines. Prostitutes and gamblers were "fined" for their offenses. These fines usually amounted to a monthly fee in order to keep operating as the law officers never tried to shut them down, even after repeated offenses (Dykstra 128). In Boise, Idaho, prostitutes testified that each brothel had to pay a \$30 fee to the police in order to stay open (Butler 60). The obvious advantage of these fines for those who broke the law would be that they could continue their illegal activities. The relationship was advantageous for the town as well. Not only did they have the attraction of prostitutes and gambling for the cowboys, but they also received extra income from these activities. Robert Dykstra notes that saloons, gamblers, and prostitutes paid enough in fines and license fees to keep the local law enforcement paid (126-128).

The men who served cattle towns as officers of the law often had characteristics that made them memorable and successful. Those who were successful, such as Wyatt Earp, were not necessarily violent men, but instead relied on the art of intimidation as a means of keeping the population of cowboys in control (West 30). In fact, very rarely did law officers ever have to resort to violence as a means of control. For example, Wyatt Earp killed only one man during his stint as a law officer and Wild Bill Hickok killed just two, one being a fellow police officer shot by mistake (Dykstra 143). Personal intimidation was the main method of keeping order in Dodge City (West 30). One cowboy who witnessed firsthand the lawmen of Dodge City, Andy Adams wrote in his *Log of a Cowboy*:

I've been in Dodge City every summer since '77...and I can give you boys some points. Dodge is one town where the average bad man of the West not only finds himself handicapped. The buffalo hunters and range men have protested against the iron rules of Dodge's peace officers, and nearly every protest has cost human life. Don't ever get the impression that you can ride your horses into a saloon, or shoot out lights in Dodge; it may go somewhere else, but it don't go there...Dodge's officers are as game a set of men as ever found danger. (Barra 57)

As this cowboy noted, Dodge City and other cattle town law enforcers were strict when it came to enforcing the law. However, if the law officers were not able to perform their job to the town's satisfaction, the town had another option—vigilantes. Vigilantes could be viewed as both contributing to and deterring violence in cattle towns. I would like to highlight the latter. While vigilantes were violent, the mere threat that they could be organized seems to have been enough to keep many deviants in line. For example, while Kansas code gave mayors the power to call a vigilante group from all the men in the town who ranged in ages from 18-50,

it seems, at least in Kansas, that it was rarely done (Dykstra 116). In a span of 38 years, Kansas had only 19 vigilante movements that accounted for 18 deaths (Brown 311). In addition, between 1876 and 1886, no one was lynched or hung illegally in Dodge City (West 30).

Even if we consider that vigilantes did add to the homicides in cattle towns, the homicide rates in all of the cattle towns were relatively low. The chart of homicides in cattle towns shows this for the years from 1870-1885.

	Abilene	Ellsworth	Wichita	Dodge	Caldwell	Total
1870	2					2
1871	3		1			4
1872	2	1	1			4
1873		5	1			6
1874		0	1			1
1875		0	0			0
1876			0	0		0
1877				0		0
1878				5		5
1879				2	2	4
1880				1	2	3
1881				1	2	3
1882				1	3	4
1883				0	1	1
1884				3	2	5
1885				2	2	4
Total	7	6	4	15	13	45

Table 1. Cattle Town Homicides: Based on chart found in Dykstra, *Cattle Towns*. (Lincoln: The University of Nebraska Press), 1982, p. 144.

Legendary law officers, as noted above, accounted for very few of the homicides in cattle towns. In addition, legendary gunslingers killed very few people within the city limits of cattle towns. One famous gunman, John Wesley Hardin, killed only one man while staying in a cattle town. Hardin killed the man by shooting through the wall of his hotel room to silence him because he was snoring too loudly (Dykstra 142). It seems that gunslingers preferred to take care of business outside of the city limits, and beyond the reach of the local law officers.

The West's rugged atmosphere seems to have bred many violent tendencies that can be found in Americans even today. Our ideologies of honor and self-defense were born in the frontier and eventually permeated our society. While these ideologies along with the Western Civil War of Incorporation contributed to the violent nature of the west, the cattle towns appeared to have not been the cesspool of villainy that popular culture and Hollywood would have us believe. While homicides did occur, in no way were the cattle towns lawless societies where decent folks would not be safe. Indeed, it appears that Dodge City, in its cattle town heyday, was less violent than many American towns and cities today.

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