JAMES D. MCLAIRD

The Legendary Marshal of Abilene

Although James Butler Hickok served as marshal of Abilene, Kansas, from 15 April to 13 December 1871, a period of just eight months, his actions there caused some writers to regard him as one of the region's foremost lawmen. During that time, he killed two men, both during a confrontation on a city street. In fact, he shot one of these men by mistake, leading to questions about his use of force. A closer look at Abilene, Hickok's time there, and his life outside his work as a lawman gives insight into both Hickok's character and the legend that grew up around him.

Hickok had served as marshal at Hays City in northwestern Kansas for six months in 1869 but lost reelection to the post in November. He stayed on through December until his successor, Peter Lanihan, who had been his deputy, could assume duties. Hickok left town in January and traveled about—to Topeka, Kansas City, then back to Topeka, and finally, by summer, back to Hays City. On 17 July, he became embroiled in a saloon brawl with five soldiers from Fort Hays in which he killed one soldier and wounded another. Hickok himself was wounded in the shoulder but made a quick escape.[1]

After leaving Hays City precipitously following his saloon fight, Hickok resurfaced in Topeka. "Wild Bill, he of the protracted hair, the aquiline nose, the shining rainment [*sic*] and the bloody reputation, is in town," stated the local newspaper.[2] Continuing his meandering habits, he was reportedly in Junction City in January 1871 shooting targets and quail. A couple of months later, he visited Fort Harker, where, some writers say, he received an offer to become marshal in Abilene.[3]

1. James D. McLaird, *Wild Bill Hickok & Calamity Jane: Deadwood Legends* (Pierre: South Dakota Historical Society Press, 2008), pp. 30–34.

2. *Topeka State Record*, 21 Oct. 1870, quoted in Joseph G. Rosa, *They Called Him Wild Bill: The Life and Adventures of James Butler Hickok* (1964; reprint ed., Norman: University of Oklahoma Press, 1974), p. 170.

3. McLaird, *Wild Bill & Calamity Jane*, p. 34.

By the time Hickok arrived in 1871, the railroad was transforming Abilene into the bustling town pictured here later in the decade.

Abilene had been founded by Timothy F. Hersey, who, with his family, staked his claim on the west bank of Mud Creek in 1856, two miles from where the creek emptied into the Smoky Hill River.[4] According to Stuart Henry, Hersey's wife chose the town's name after finding "a reference in the first verse of the third chapter of Luke in the Holy Bi-

4. George L. Cushman, "Abilene, First of the Kansas Cow Towns," *Kansas Historical Quarterly* 9 (Aug. 1940): 240.

ble which spoke of the 'tetrarch of Abilene,' and decided that 'Abilene,' which meant 'city of the plains,' would be appropriate."[5] Hersey secured a contract with the Butterfield Overland Dispatch stage line to feed stage passengers and employees and built two log houses, a stable, and corral on the site of the future town.[6] According to J. B. Edwards, who recorded his reminiscences of early-day Abilene for the *Abilene Chronicle* in 1896, Hersey was "a typical border settler." When people began to arrive in increasing numbers, he grew "disgusted" and "pulled up stakes and moved on beyond the confines of settlers." He was well educated, kind, and generous, Edwards added, and worked at times for the government as a surveyor. He was also a friend of the local American Indians, built a grist mill, and moved west in 1870.[7]

The next resident was C. H. Thompson, who built a hotel as a way station for the Short Line Stage Company across Mud Creek opposite Hersey's place. In 1864, W. S. Moon added a store called the Frontier, carrying general merchandise. He also served as postmaster and register of deeds. Soon, "Old Man Jones" added a saloon in the middle of a nearby prairie dog town. Within a few years about a dozen log cabins were clustered on the east side of the creek.[8]

With statehood for Kansas on the horizon, the settled portion of the territory began organizing, with the inevitable contests for county seat. In the election held in Dickinson County in spring 1861, Abilene won over contenders Union City, Smoky Hill (now Detroit), and Newport.[9] According to George L. Cushman, little is known about events in Abilene from that election to the coming of the railroad in 1867. "No doubt its development during this period was much the same as other Western frontier towns during the Civil War period," wrote Cushman. "Their routine and pattern was of a type." The town had no formal streets, and the stores were probably "cluttered and dirty, with cus-

5. Henry, *Conquering Our Great American Plains* (New York: E. P. Dutton & Co., 1930), pp. 22–23.

6. Cushman, "Abilene," p. 240

7. J. B. Edwards, *Early Days in Abilene* (Abilene, Kans.: *Abilene Daily Chronicle*, 1938), p. 5, copy in James D. McLaird Collection, State Archives, South Dakota State Historical Society, Pierre.

8. Cushman, "Abilene," p. 241.

9. Ibid., p. 242.

pidors which never seemed quite large enough for the expectorator who lacked pride in his accomplishments." For women wearing long, "sweeping garments, this created a problem in sanitation," Cushman said, adding, "The arrival of a stage or the passing of an emigrant party down the trail brought out the whole populace to find out who was aboard, . . . eager for any bit of rehashed or revised news from some other point."[10]

The railroad's arrival changed things notably, as it did almost everywhere it went. The Kansas Pacific reached Junction City in November 1866 and, continuing westward, arrived at Abilene in March 1867. Abilene did not prosper as an "end of track" town, however, because the railroad continued westward, reaching Salina on 29 April. When Joseph G. McCoy arrived in 1867,[11] he found Abilene "a very small, dead place, consisting of about one dozen log huts, low, small, rude affairs, four-fifths of which were covered with dirt for roofing." Indeed, he said, "but one shingle roof could be seen in the whole city. The business of the burg was conducted in two small rooms, mere log huts, and of course the inevitable saloon, also in a log hut, was to be found."[12] McCoy bought land east of the original town site and built his hotel, Drover's Cottage, and the Great Western Stockyards. Still, Abilene remained primitive for some time, with "a rough plank platform" serving as only a semblance of a depot. Finally, in 1869, the railroad built a twelve-by-fourteen foot station house, complete with a four-by six-foot waiting room.[13]

Rough-hewn though Abilene was, McCoy had plans for it. Large herds of Texas longhorn cattle needed a place where, after being driven northward, they could be sold and shipped eastward on the Kansas

10. Ibid., pp. 242–43.

11. Cushman, "Abilene," p. 241; Stewart P. Verckler, *Cowtown Abilene: The Story of Abilene, Kansas, 1867–1875* (New York: Carlton Press, 1961), p. 1; McCoy, *Historic Sketches of the Cattle Trade of the West and Southwest*, ed. Ralph P. Bieber (1939; reprint ed., Lincoln: University of Nebraska Press, 1966), p. 113. The Kansas Pacific was then operating under the name Union Pacific Eastern Division. The name Kansas Pacific was not adopted until 1869. See William R. Petrowski, "The Kansas Pacific Railroad in the Southwest," *Arizona and the West* 11 (Summer 1969): 129–46.

12. McCoy, *Historic Sketches*, pp. 116–17.

13. Cushman, "Abilene," pp. 243–44.

Joseph McCoy (seated) enticed Texas herders to drive their cattle to Abilene and became mayor around the time of Hickok's arrival. He appears here with his brother James around 1870.

Pacific line that ran through town. It was McCoy's entrepreneurial genius that recognized the economic possibilities of the remote locale. The town boomed after he inaugurated his plans, but ultimately, he lost a fortune and even his home. A "genial, whole-souled fellow," he would be elected mayor in the spring of 1871 "after one of the most bitter elections ever held in Abilene," Edwards remembered. Although the issue dividing the populace was whether to charge high prices for saloon licenses, the main trouble, said Edwards, was "personal."[14]

McCoy was not only responsible for transforming Abilene into a boomtown, he was the individual who, while serving as mayor, hired Wild Bill Hickok as marshal. Born about ten miles west of Springfield, Illinois, in 1837, the same year Hickok was born, McCoy was one of eleven children. His parents were said to be moderately wealthy, and McCoy went to college. Rather than fight in the Civil War, he became a livestock trader, just as two of his older brothers had done. Living near Springfield, he married in 1861, and the couple eventually had seven children. By 1867, he was shipping animals to markets in New Orleans and New York. That year, he joined his brothers, William and James, in their firm, William K. McCoy and Brothers. They were highly successful, said to be doing $2.5 million in business with one local bank alone.[15]

While Joseph McCoy established himself in his brothers' firm, cash-strapped Texans resumed sending their cattle northward, an activity that had halted during the Civil War. They faced difficulties beyond having to traverse long distances, however. For one, they needed a good market, and for another, they had to overcome fear that Texas cattle carried the so-called Spanish, or Texas, fever, to which the longhorns themselves seemed practically immune but which wrought havoc among northern herds. Texas cattle had been herded northward for more than a decade before the war, but because of the disease some states now barred them from entry. Kansas, for example, made it illegal to bring Texas longhorns into the eastern half of the state. Besides the fear of Texas fever, settlers who took up homesteads resented the cattle herds that destroyed corn and other crops and consumed grass needed for local cattle.[16]

14. Edwards, *Early Days in Abilene*, p. 6.
15. McCoy, *Historic Sketches*, pp. 17–19.
16. Ibid., pp. 17–18, 52. For an even more detailed description of the early cattle trade

When McCoy came up with his scheme to locate a market along the Kansas Pacific Railway at Abilene, he met with Kansas governor Samuel J. Crawford and received his blessing, probably because Crawford believed the trade would foster economic growth. McCoy had considered other sites farther west, including Junction City, but had not found local conditions favorable. After deciding on Abilene, he met with railroad officials and purchased 250 acres adjacent to the town site for stockyards and a hotel for drovers and buyers. He was only twenty-nine years old and imbued with ego and overconfidence. In a later book relating his accomplishments, he omitted his brothers' role in establishing the cattle trade at Abilene. He also failed to mention the importance of the Kansas Pacific and the influence of two men on his decision to develop a market for Texas cattle at Abilene: Charles Gross and W. W. Suggs, both of whom encouraged the Texas cattle trade.[17]

Once McCoy advertised Abilene as a destination for the Texans driving their cattle northward on the Chisholm Trail, the town filled with drovers and eastern buyers. In 1871, the peak year, about six hundred thousand cattle were herded northward, most of them to Abilene for shipment to Kansas City, Chicago, New York, and other cities. Besides the drovers and buyers, there were many cowboys who, after spending several months trailing cattle, wanted baths, haircuts, new clothes, and decent meals. Most were also prepared to squander their pay in saloons, gambling establishments, dance houses, and brothels. Not surprisingly, their end-of-trail celebrations brought disorder. Random celebratory shooting and drunk and disorderly conduct became commonplace. Permanent residents of Abilene, though happy to see the cowboys spend their money, wanted to curtail excessive noise and dangerous conduct. They also preferred that gamblers and prostitutes be located in less visible areas of their community.[18]

Abilene was clearly centered on the Texas cattle trade. Running east and west parallel to the railroad tracks was Texas Street, with Cedar

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north from Texas and the causes and complications of "Texas fever," *see* James E. Sherow, *The Chisholm Trail: Joseph McCoy's Great Gamble* (Norman: University of Oklahoma Press, 2018), pp. 46–65, 143–45.

17. Sherow, *Chisholm Trail*, pp. 58–59, 63; McCoy, *Historic Sketches*, p. 54.

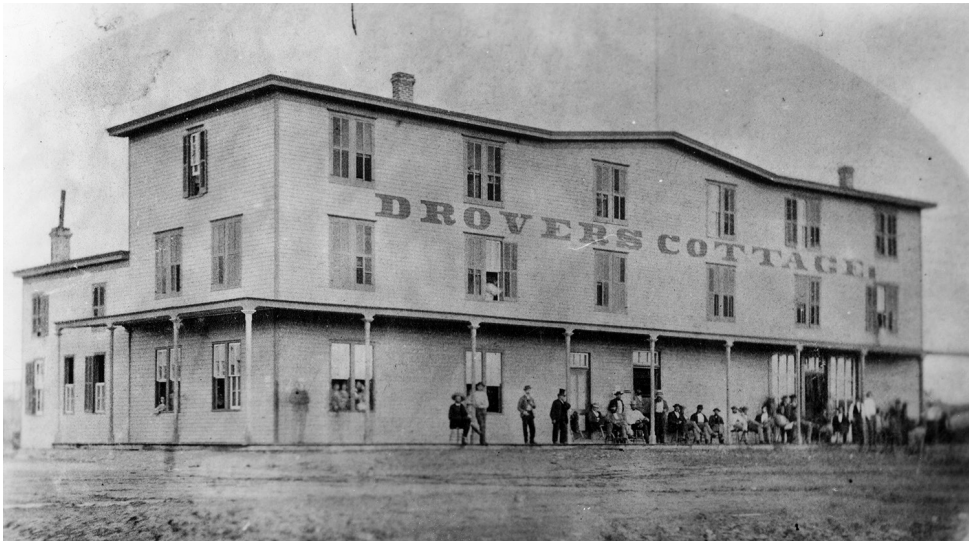
18. McCoy, *Historic Sketches*, p. 61; Cushman, "Abilene," p. 244; Rosa, *They Called Him Wild Bill*, pp. 172–76.

Street running south from the tracks. Around this major intersection "was built the Texan Abilene that has been made the theme of many a Western 'thriller,'" wrote George Cushman. Drover's Cottage stood on the east end of town, south of the tracks, and opposite it to the north was the office of the Great Western Stockyards. "The only other buildings north of the railroad and east of the creek were a colony of about twenty rambling frame structures, each containing from ten to fifteen rooms, located about a mile north of the tracks," Cushman noted. "These were the dance halls and the brothel houses where the 'soiled doves' of the cattle trade catered to the lusts of the drovers, cowboys, gamblers, and gunmen who congregated during the summers at Abilene."[19]

Drover's Cottage was the largest business establishment in town. Standing three stories tall and having about a hundred rooms, it included a dining room, broad veranda, and laundry. The Alamo was the town's most elaborate saloon and boasted a forty-foot frontage. Its west entrance had three double-glass doors; the bar, located on the south side, featured "carefully polished brass fixtures and rails," as well as "a large mirror, which reflected the brightly sealed bottles of liquor." On the walls "were huge paintings in cheaply done imitations of the nude masterpieces of the Venetian Renaissance painters." Gaming tables "at which practically any game of chance could be indulged" covered the floor, and an orchestra played both day and night. During cattle season, Abilene's saloons were constantly busy. "At night," wrote Cushman, "the noises that were emitted from them were a combination of badly rendered popular music, coarse voices, ribald laughter and Texas 'whoops,' punctuated at times by gun shots."[20]

Other businesses also catered to the cattle trade. T. C. McInerney kept between ten and twenty men employed in his boot and saddle shop, where they made boots that featured "long heels to keep them from going through the stirrup when in the saddle" and "adorned with the lone star and crescent moon set in with red morocco." The Novelty Theater had seating for up to four hundred and "was usually filled nightly." It was a venue for plays "as would be creditable to our city

19. Cushman, "Abilene," pp. 243–44.
20. Ibid., p. 244.



Joseph and James McCoy opened the Drover's Cottage hotel in 1869. It was later dismantled and moved to Ellsworth, Kansas.

today," wrote J. B. Edwards in 1896, "and often were the better class of people seen before its stage." For a while, there were also dance houses, "but the city council became too dignified to allow them to keep on and ordered them closed by the police."[21]

Despite the boom, permanent residents in Abilene were relatively few when compared to the host of seasonal visitors who came with the cattle herds. According to Cushman, "The larger part of the population in the summer was made up of the transient or seasonal type, consisting of speculators, commission men, cattle buyers, drovers, gamblers, prostitutes, and cowboys who came in the spring with the arrival of the first herds and dispersed in the fall to the larger cities and their homes in Texas."[22] No wonder the *Leavenworth Times and Conservative* for 25 June 1869 observed that Abilene "might be called a Texan town, so much of the Texan being apparent on the surface. In the busy season thousands of Texan steers are the principal inhabitants, but at present the Texan drovers take a prominent position."[23]

21. Edwards, *Early Days in Abilene*, p. 8.
22. Cushman, "Abilene," p. 245.
23. Quoted in Rosa, *They Called Him Wild Bill*, pp. 175–76.

Most important for the cattle business were the drovers, speculators, commission men, and buyers. Popular histories focus on the cowboys, however, who, in Cushman's view, became glamorized. The cowboy, he wrote, "was not the hero of the burlesque stage nor was he the drunken fighting terror of the dime novel. He was nothing more than nor less than the average Westerner who fitted himself to the traits his life and business demanded." A cowboy had to have a high level of endurance to work the long drive without a roof over his head or a bed to sleep on. After spending a month or two on the trail "in dust and heat, storms, [and] high water, subsisting on coarse fare, he was ready for and deserved a little relaxation."[24]

When the herds were sold and cowboys received their pay, they were "ready to 'open up,'" which "generally started by securing a complete new outfit of clothes" that could cost up to seventy-five dollars and included new dress boots and a Stetson "ten-gallon" hat. After a bath and a visit to the barber, many visited saloons, gambling houses, dance halls, and houses of ill fame, which thrived on the cowboys' money. Some became "hilariously drunk," subsequently quarreling "over money, a girl, or some matter deferred on the trip up the Chisholm trail, and it all too frequently ended in gunplay. In this condition," Cushman concluded, "the Texas cowboy was a dangerous character to meet." Occasionally, a cowboy spent his entire pay in a week.[25]

As a booming cattle trade center, Abilene presented unique challenges for law officers. The small railroad town, with perhaps five hundred residents, would host as many as fifteen hundred drovers, buyers, and cowboys during the driving season, but local residents could do little in the way of maintaining order until the town was incorporated.[26] On 3 September 1869, "a deputation of citizens" brought a petition signed by forty-three residents to Cyrus Kilgore, probate judge of Dickinson County, asking to incorporate Abilene. He obliged, "and Abilene became an incorporated city of the third class." The court appointed J. B. Shane, T. C. Henry, Thomas Sheran, Theodore F. Hersey, and Joseph G. McCoy as trustees until an election for mayor and coun-

24. Cushman, "Abilene," p. 246.
25. Ibid., pp. 246–47.
26. Ibid., p. 249.

cil members could be held. The group selected Henry as chairman until the election in May 1871, making him de facto mayor. Henry and Shane were business partners for many years, both being "fearless speculators in land" from which they made a considerable fortune.[27]

Abilene was not only a cattle town at the time of its incorporation. In fall 1869, Jacob Augustine and W. S. Hodge purchased the town site and encouraged eastern businessmen to come. Among them was the influential newspaper editor, V. P. Wilson, who arrived in March 1870. J. B. Edwards referred to the Augustine-Hodge group, which encouraged settlers to take up farm land in the area, as "the Syndicate." In ensuing years, they recruited "colonies" from Ohio, Michigan, Pennsylvania, and Canada. Initially, the settlers almost exclusively located along the creeks, where they had water and wood, meaning the Texas herds could still travel the uplands without disturbing stock or crops. The farmers also found the cattlemen a good market for produce like "butter, eggs and vegetables, [which] brought very high prices. They were not able, in fact, to supply the demand." The land agents discouraged settlement on the uplands, assuming that land would not produce good crops and that too many settlers there would discourage the cattle trade.[28]

As the population of the area grew, Abilene residents faced a number of new issues, including a fight over the location of the county seat. In an April 1870 election, Abilene and Detroit, located six miles farther east on the railroad, constituted the primary competition. Initially, Detroit seemed to have the edge, but V. P. Wilson had established the *Dickinson County Chronicle* in time to advertise Abilene's superiority in issues published before the election. Abilene eked out a victory.[29]

Law and order issues were of immediate and major concern in Abilene. Celebrating cowboys, even those who meant no harm, could pose difficulties for local citizens. Edwards related one 1870 incident in which cowboys arriving with the herds were "getting full of lightning whiskey," riding their horses "through the streets yelling and shooting

27. Edwards, *Early Days in Abilene*, p. 5.

28. Ibid., pp. 8–10. *See also* Robert R. Dykstra, "The Last Days of 'Texan' Abilene," *Agricultural History* 34 (July 1960): 108–10.

29. Edwards, *Early Days in Abilene*, pp. 9–10.

off their fire arms," and causing fearful residents to "get out of sight." Trustee Jim Shane, being partially deaf, only learned about the problem from an informant. Angrily, Shane "stumped into his office on the one leg still left him, the other being of wood, brought out his carbine and went into the street," wrote Edwards. "When one of the yelling lone star advocates of no law or order came riding towards him, Jim raised his gun and called 'Halt, you villain, or I will shoot you full of holes.' It brought the young man to his senses instantly and halting his horse he looked at Shane a moment, saw there was plenty of meaning to the man calling a halt, turned his horse and flew out of town. Order was at once restored."[30]

That spring, Abilene's trustees met and licensed thirty-two saloons (a number that likely included all stores that sold liquor) and outlawed houses of ill fame within the city limits. The trustees also banned certain flagrant activities and created the office of city marshal. The new city ordinance causing the most comment "was the one forbidding the carrying of firearms within the city limits. It was announced on large bulletin boards at all the important roads entering town." The trustees also decided it was time to employ a police force.[31]

Thomas J. Smith of Kit Carson, Colorado, became one of the first applicants for the position of city marshal. Born in New York, Smith was about forty years old and is thought to be the individual known as "Bear River" Smith for his actions during the "Bear River City Riot" while the Union Pacific Railroad was being constructed in western Wyoming.[32] T. C. Henry initially rejected his application, but after several local men did not prove up to the job, Henry reconsidered. Celebrating cowboys had "insolently ridiculed" the new police officers, and the posters forbidding firearms had been "shot so full of holes that they became illegible." Worse, when construction began on a city jail, "the

30. Ibid., p. 7.

31. Cushman, "Abilene," pp. 249–50.

32. Rosa, *They Called Him Wild Bill*, p. 177. The Bear River City Riot occurred after a mob attempted to break out a "desperado" from the local jail, then proceeded to destroy the local newspaper office and a number of other businesses. A volley of rifle fire from local civilians dispersed the mob, with sixteen people dying during the violence. *See* George A. Crofutt, *Crofutt's Trans-continental Tourist's Guide: Containing a Full and Authentic Description . . . from the Atlantic to the Pacific Ocean* (New York: By the Author, 1873), p. 87.

cowboys tore it down, and it had to be rebuilt under a day-and-night guard," Cushman said. Indeed, the first person jailed in the new structure, a black cook from one of the cattle camps, escaped after a band of cowboys drove the guards away. After doing so, cowboys ordered businesses to close, "even riding into some stores and giving their orders from the saddle. They then rode out and proceeded to shoot up the town." Although a posse pursued them and a few were captured and jailed, disregard for the law continued.[33]

The council finally decided to hire Smith, who became chief of police on 4 June 1870. He was offered a salary of $150 a month plus $2 for each arrest that led to a conviction. According to the council meeting minutes, the trustees also hired an assistant, J. H. McDonald. Henry, still uncertain how well Smith would perform, gave him a one-month trial period.[34] Smith turned out to be an outstanding choice. Town residents later recalled his first "showdown" being an encounter with a cowboy called "Big Hank," who refused to disarm and used abusive language. "Without argument Smith struck him a terrific blow, took his pistol away from him, and ordered him out of town," Cushman later wrote.[35] Hearing about the new marshal's action, another cowboy, "Wyoming Frank," purportedly came to town to intimidate him. When Smith demanded he give up his guns, Wyoming Frank swore at him, and the marshal struck him in the jaw twice, took his revolvers, and ordered him to leave town.[36] Upon witnessing the incident, the saloon owner surrendered his gun to the marshal and others followed. From then on, Smith had little problem enforcing the gun ordinance. Each business had a sign reading, "You are expected to deposit your guns with the proprietor until you are ready to leave town."[37]

The truth of these tales related by the mayor's younger brother, Stuart Henry, is difficult to ascertain, but he is probably correct that

33. Cushman, "Abilene," pp. 249–50.

34. Ibid., p. 250; Nyle H. Miller and Joseph W. Snell, *Why the West Was Wild: A Contemporary Look at the Antics of Some Highly Publicized Kansas Cowtown Personalities* (1963; reprint ed., Norman: University of Oklahoma Press, 2003), p. 576.

35. Cushman, "Abilene," p. 251.

36. Ibid.; Stuart Henry, *Conquering Our Great American Plains: A Historical Development* (New York: E. P. Dutton & Co., 1930), pp. 144–45.

37. Cushman, "Abilene," p. 251. *See also* Rosa, *They Called Him Wild Bill*, p. 177.

Smith became immensely popular for using his fists rather than guns to enforce firearm prohibitions. Smith evidently gained the respect of the cowboys as well, and a semblance of order appeared. Pleased city officials increased his salary to $225 a month in August and made the raise retroactive, according to the council minutes for 5 August 1870. They also established a police court where offenders were ordered to pay fines, serve time, or leave town permanently.[38]

Contemporary records allow only a glimpse into Smith's actions. Once, he pursued a horse thief named "Buckskin Bill," who had stolen a number of ponies, recovering most of the animals and capturing the thief in Brownville, Nebraska.[39] Evidently, he also helped investigate a murder committed in Abilene. According to the *Abilene Chronicle* for 8 September 1870, the shooting occurred at one of the "dens of infamy" located northwest of town. There, Thomas Calloway and Warren Howell shot and killed a young man named Charles Fay, who was "visiting the house." Police arrested Howell, but Calloway somehow managed to elude them. "The people of Abilene, with scarcely an exception, unite in saying that the murder on last Sunday was a most cowardly, cold-blooded act," wrote the editor. "The murdered man did not offer to defend himself," failing to realize "until too late, that a murderous assault would be made upon him." According to the newspaper, all three men were from Texas. "Heretofore the Texans have not been interfered with much, by the officers of the law in this locality, when they killed each other," the editor noted. "But the time has come when violators of the peace must be punished, no matter where they may hail from. We know that every respectable Texan condemns lawlessness and violence, and is in favor of order and good morals—as are all intelligent, respectable men, whether from Texas or elsewhere. We believe," concluded the editor, "that no citizen of Dickinson county has ever committed the crime of murder, and we hope that we shall never again be under the necessity of chronicling a murder, perpetuated within the limits of the county."[40]

Further action took place immediately. A day or two after the mur-

38. Cushman, "Abilene," p. 252.
39. Miller and Snell, *Why the West Was Wild*, p. 576.
40. Quoted ibid., p. 577.

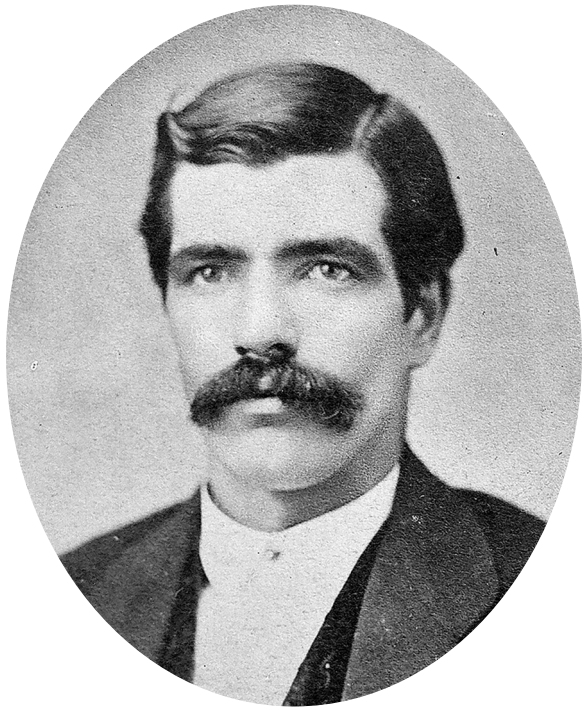
der, the marshal closed the "red-light district." "For some time past a set of prostitutes have occupied several shanties, about a mile north-west of town," wrote the editor of the *Chronicle*. "On last Monday or Tuesday Deputy Sheriff Smith served a notice on the vile characters, ordering them to close their dens—or suffer the consequences. They were convinced beyond all question that an outraged community would no longer tolerate their vile business, and on yesterday, Wednesday, morning the crew took the cars for Baxter Springs and Wichita." The editor added that "the respectable citizens of Abilene may well feel proud of the order and quietness now prevailing in the town. Let the dens of infamy be kept out, the laws enforced, and violators punished, and no good citizen will ask more. Chief of Police, T. J. Smith and his assistants, and C. C. Kuney, Esq., deserve the thanks of the people for the faithful and prompt manner in which they have discharged their official duties."[41]

Less than two months later, Smith was dead, killed not by disorderly cowboys but while arresting a homesteader outside town. On 23 October, Andrew McConnell shot his neighbor, John Shea. According to the *Abilene Chronicle*, McConnell said he had confronted Shea, who was driving his cattle across McConnell's land. In response, Shea reportedly attempted to fire his revolver at McConnell, who then shot him. A neighbor named Miles corroborated McConnell's account. Subsequent information, however, revealed that McConnell and Miles had lied, and a warrant was issued for McConnell's arrest. When officers Smith and McDonald went to McConnell's dugout to serve the warrant, McConnell shot Smith in the chest. Despite being mortally wounded, Smith continued to grapple with McConnell until Miles struck Smith in the back of the head with his rifle. He then seized an axe and nearly chopped off his head. McDonald raced to get help, and a posse pursued McConnell and Miles. When finally captured, the two men were sentenced to twelve and sixteen years in the penitentiary.[42]

The *Abilene Chronicle* eulogized Smith, whose death "cast a gloom over our town." The lawman "never shrank from the performance of his duty," wrote the editor. "He was a stranger to fear, and yet in the private

41. Ibid.

42. *Abilene Daily Chronicle*, 3 Nov. 1870, 23 Mar. 1871, ibid., pp. 578–79. For a parallel retelling, *see* Rosa, *They Called Him Wild Bill*, p. 178.



Thomas J. Smith served as Abilene's first marshal until his gruesome death in the line of duty in 1870.

walks of life a most diffident man. He came to this place last spring, when lawlessness was controlling the town. He was at once employed as chief of police, and soon order and quiet took the place of the wild shouts and pistol shots of ruffians who for two years had kept orderly citizens in dread for their lives." It would be "a long time before his equal will be found," the editor added.[43]

43. *Abilene Chronicle*, 3 Nov. 1870, quoted in Miller and Snell, *Why the West Was Wild*, pp. 578–79. Despite the editor's positive assessment, Smith was buried in a two-dollar grave. On Memorial Day in 1904, however, his body was moved to a more prominent location with a new marker that read, "Died a Martyr to Duty, Nov. 2, 1870, A Fearless Hero of Frontier Days Who in Cowboy Chaos Established the Supremacy of Law." The keynote speaker at the event was T. C. Henry, former mayor, who returned from Denver to pay tribute. Miller and Snell, *Why the West Was Wild*, p. 580, and Edwards, *Early Days in Abilene*, p. 15.

Abilene's city officials now had to find a new marshal. First, however, the town needed to replace its temporary appointed trustees with an elected city council. On 3 April 1871, voters selected Joseph G. McCoy as mayor. City council members included G. L. Brinkman, S. A. Burroughs, Lucius Boudinot, Samuel Carpenter, and W. H. Eicholtz. As might be expected, "the main issue in the election," wrote Cushman, "seemed to be the degree of control that should be attempted over the vice and immorality in connection with the Texas cattle trade."[44]

Although the *Chronicle* had supported McCoy's opponent in the race for mayor, C. H. Lebold, until he withdrew, it was pleased with the election results. "The council is composed of some of our best citizens," and the election seemed to be "a decided triumph for the order-loving citizens of Abilene. In fact," stated the editor, "there are very few of our people opposed to good order. In point of morals and quietness the Abilene of today is as unlike the Abilene of two years ago as day is unlike the darkness of night. Our people are as intelligent and orderly as those of any other town or city in Kansas or elsewhere."[45]

One of McCoy's first important decisions was to appoint a new marshal, and he recommended James Butler ("Wild Bill") Hickok. The council approved his choice and, on 15 April 1871, hired Hickok at $150 a month, plus 25 percent of the fines collected in arrests.[46] McCoy said he believed that Abilene needed a tough marshal who was willing to use force to disarm drunken cowboys and other "roughs" who congregated in town. "No quiet turned man could or would care to take the office of marshal, which jeopardized his life," McCoy wrote several years later. "Hence, the necessity to employing a desperado, one who feared nothing, and would as soon shoot an offending subject as to look at him."[47]

Hickok, said to be well known in the border states, "caused many men to die with their boots on," J. B. Edwards later wrote, "never taking any chances but always either getting the drop on his man or shooting him down upon any provocation." He was also "quick as a flash, the

44. Cushman, "Abilene," p. 252.
45. *Abilene Daily Chronicle*, 6 Apr. 1871, quoted ibid.
46. Cushman, "Abilene," pp. 252–53.
47. McCoy, *Historic Sketches*, p. 204. *See also* Rosa, *They Called Him Wild Bill*, p. 107.

best shot with a pistol on the frontier." Hickok's notoriety made him the object of jealousy, and, Edwards added, "By nature he was somewhat overbearing when from any cause he became cross at any one. Consequently, he was more or less annoyed by jealous-natured, hard characters. He was very careful in his movements not to let such men get the start of him, not daring to drink to excess, yet drinking some every day."[48]

Because there were large numbers of "lawless people" on the streets of Abilene in summer 1871, Cushman said, several special officers were appointed to aid Hickok. One was James Gainsford, who had helped capture Smith's murderer, and another was James McDonald, who had been present when Smith was killed. Cushman also mentioned Thomas Carson, "Brocky Jack" Norton, and Mike Williams.[49]

The first issue to cause conflict among the city's newly elected officials came on 1 May 1871, when the council attempted to develop a comprehensive plan for licensing businesses.[50] "This was an attempt to force the transient business enterprises to help defray the high cost of law enforcement," Cushman recalled. "Since it was upon the Texas trade that those businesses thrived, it was logical that they should bear a share of the expense." Edwards said the plan was proposed "to raise all revenues necessary to run the city government from various license fees alone without resorting to direct taxation."[51]

Disagreement over the license fees for saloons led to one of the more colorful incidents involving Hickok. Council members Carpenter and Boudinot supported a moderate fee of one hundred dollars a year, while Brinkman and Eicholtz favored a higher fee of two hundred dollars a year. Burroughs wanted a prohibitive annual fee of five hundred dollars. The council deadlocked.[52] Burroughs was finally persuaded to support a one-hundred-dollar fee, but the council adjourned without taking action. Later, during "an adjourned meeting," wrote Cushman,

48. Edwards, *Early Days in Abilene*, p. 6.

49. Cushman, "Abilene, p. 255.

50. Edwards, *Early Days in Abilene*, p. 7.

51. Cushman, "Abilene," p. 254.

52. Cushman, "Abilene," p. 254; Miller and Snell, *Why the West Was Wild*, pp. 199–200; Dykstra, *The Cattle Towns* (New York: Alfred A. Knopf, 1968), pp. 260–61; Rosa, *They Called Him Wild Bill*, p. 183.

"the $200 men were in the plurality and the ordinance was passed with the saloon fee at $200." Boudinot and Carpenter angrily resigned.[53]

At the next formal meeting, the council accepted the resignations of Boudinot and Carpenter, who then left the room. According to Cushman, "Burroughs accompanied them without permission from the chair," making the council short of a quorum. Because the mayor was absent, the chairman pro tempore, Brinkman, ordered Marshal Hickok to bring Burroughs back so an election for replacements could be scheduled. Hickok did as ordered, but Burroughs "bolted again and went to his law office next door." Brinkman once again sent Hickok to find him.[54]

J. B. Edwards related what happened next: "Wild William went to his [Burroughs's] office and made his errand known. The $500 fellow spread himself out and defied Wild William, saying he would not go, but William was not there to argue the question but to obey orders. He kicked the city dad's feet from under him, tossed him over his shoulder and started off with him as though he had a sack of corn. The city dad kicked but it was no go. Will Bill entered the council room with his load, dumped Mr. Councilman into a chair and sat down beside him. The council then proceeded to order an election for two councilmen to fill vacancies and the city government was saved."[55]

Events became even more complicated when, in the subsequent election, the two men who had resigned were reelected. This time, Eicholtz and Brinkman resigned, and yet another election had to be held. In the end, voters chose I. L. Smith and J. A. Guthrie, both of whom proposed strict enforcement of the ordinance against brothels. "Political feeling ran high and unsigned articles appeared in the columns of the *Abilene Chronicle* which might result in libel action today," Cushman wrote. Indeed, the local newspaper published one letter claiming Mayor McCoy had been seen in a bagnio with a harlot on each knee.[56]

Among Hickok's major duties was the enforcement of city ordinances. In June 1871, he posted notices stating that Abilene's ban on

53. Cushman, "Abilene," p. 254.
54. Ibid.
55. Edwards, *Early Days in Abilene*, p. 8.
56. Cushman, "Abilene," pp. 254–55.

Hickok is pictured here around the time of his appointment as marshal of Abilene in 1871.

carrying firearms and other weapons in town would be enforced. The *Abilene Chronicle* editor heartily agreed with the policy, commenting, "There's no bravery in carrying revolvers in a civilized community."[57] The Abilene city council also ruled that houses of prostitution and gambling establishments be moved outside the city limits so that children would not have to pass them on their way to and from school. Hickok enforced this edict, which also removed most disorderly conduct from the streets.[58]

Initially, prostitutes resided close to the business section near Texas Street, but public opinion gradually moved the brothel district to the north of town.[59] By 1870, they were mostly located on the bank of Mud Creek, outside city limits and beyond the reach of police. Edwards said one or two people were killed there that season, "but they were so far distant from town the people knew and heard but little of them."[60] Despite ordinances prohibiting prostitution within the city limits, prostitutes from the colony north of town often migrated back to Texas Street. Citizens petitioned the council asking for better enforcement of the ordinances, "but the council was slow to give an ear." In late June, Cushman, quoting Stuart Henry, said "a restricted zone was established on land adjoining the townsite and owned by George Fisher. Here the bawdy houses might be located where 'shooting and stabbing and all night life could be indulged in full blast.'"[61]

Fisher's addition, as it was called, consisted of ten or fifteen buildings situated south of town. Here, "women of ill repute held forth," and a detail of police generally kept order. "If any one was ever killed in Fisher's addition it was never known by the public," said Edwards, "but it is believed by many [that] more than one lost his life there and was quietly buried."[62]

Before long, Marshal Hickok himself became a subject of controversy among the citizens of Abilene. According to Stuart Henry, Hickok

57. *Abilene Daily Chronicle*, 8 June 1871, quoted in Miller and Snell, *Why the West Was Wild*, p. 200.
58. Cushman, "Abilene," p. 248.
59. Ibid.
60. Edwards, *Early Days in Abilene*, p. 8.
61. Cushman, "Abilene," p. 255.
62. Edwards, *Early Days in Abilene*, p. 8.

could usually be found gambling and drinking in The Alamo. Although not mentioning him by name, local editor Wilson once complained, "It affords us no pleasure to write a word of censure against a sworn officer of the law—but when officers themselves violate, and permit its violation, it becomes the duty of the press to stand up for law and the rights of the people."[63]

Although the Texas cattle trade brought a business boom, considerable friction was growing between the Texas drovers and cowboys and the town's residents and area settlers. Businesses were moving to the north side of the tracks, where previously only the stockyards had been located. In fact, the railroad split the town in two.[64] To the north were the residential and standard commercial business areas; to the south, as one visitor put it, "you are in Texas," the part of town where cowboys blew off steam at the saloons, brothels, and gambling dens.[65] Before the planting season in 1871, the agricultural groups that had settled near Abilene agreed not to interfere with the cattle trade provided the city reimbursed farmers for losses of domestic cattle to Spanish fever and for crops the Texas herds destroyed. James Bell, Ed Gaylord, and T. C. Henry served as a board of appraisers. According to Cushman, one record shows the city council paying a total of $4,041 in claims to farmers.[66]

Theophilus Little, who arrived in Abilene in March 1871 to establish a lumber and coal yard, recalled that at that time the town had only about five hundred residents. By June, however, when the cattle herds arrived, perhaps seven thousand people were there. He had actually reached Dickinson County earlier that year while helping to locate land for the Illinois Prohibition Colony—a group from Illinois looking to establish a dry settlement. Other groups—the Buckeye Colony, Tennessee Colony, and River Brethren (a group somewhat similar to the Quakers)—also established themselves near Abilene. Thus, during the peak year of the cattle trade many people besides cowboys, cattle

63. Quoted in Rosa, *They Called Him Wild Bill*, p. 193.

64. Cushman, "Abilene," p. 256; Rosa, *They Called Him Wild Bill*, pp. 173–74, 182; Dysktra, *Cattle Towns*, p. 22; McCoy, *Historic Sketches*, pp. 58–60.

65. Quoted in Rosa, *They Called Him Wild Bill*, p. 184.

66. Cushman, "Abilene," p. 256.

buyers, gamblers, saloonkeepers, and prostitutes lived in the Abilene area.[67]

Abilene offered residents an active social life. In fall 1871, while Hickok was marshal, a group of about thirty young men organized the Abilene social club. They sponsored invitation-only meetings at Drover's Cottage, including meals and entertainment.[68] Invitations typically went out to "the married people who cared to dance and most of them did in those days," remembered J. B. Edwards. The unmarried men, of course, invited young women as well.[69] During the winter of 1871–1872, the town held its "first home talent play rendered in the old court room."[70]

Nevertheless, said Little, cowboys and those who tried to part them from their money dominated the town during summer. The saloons and gambling houses on Texas Street were open twenty-four hours a day every day of the month. Drunks wandered the sidewalks; music from bands and pianos in the saloons could be heard at all times; and "soiled doves" made their presence known. "My lumber yard was on the corner of Walnut and First Street, right in the red hot center of H-ll," Little recalled. "We called First Street Texas Street. It had no other name. It wasn't Kansas." He remembered the thoroughfare being filled "full-jam full" with saloons, gambling dens, and brothels, which attracted "cutthroats, robbers, and murderers." In the midst of it all, Little sold his lumber.[71]

Cowboys passed Little's lumberyard by the twenties, fifties, and even hundreds on their way to and from the saloons and gambling houses. They usually left town at about three o'clock in the afternoon. "The signal for leaving," Little said, "was a few pistol shots into the air." Then,

67. Little, "Early Days of Abilene and Dickinson County: Reminiscence of the Long Horn Days of Abilene," in *Pioneer History of Kansas*, ed. Adolph Roenigk (Denver: Great Western Publishing Co., 1933), pp. 33–35. For further description of the town's reputation, *see* Stewart P. Verckler, *Cowtown Abilene: The Story of Abilene, Kansas, 1867–1875* (New York: Carlton Press, 1961), pp. 32–37, and Edwards, *Early Days in Abilene*, pp. 9–10.

68. Edwards, *Early Days in Abilene*, pp. 12–13.

69. Ibid., p. 13.

70. Ibid., p. 11.

71. Little, "Early Days in Abilene," handwritten note, ca. 1910, n. p., McLaird Collection.

mounted on their horses, they would fire a "general fusillade all along the line, every pony on the dead run and as they passed my office, it was crack, bang, boom, of fifty or a hundred six shooters." The air turned blue with the smoke of the gunpowder. "Oh! It was a soul-inspiring, or rather, soul perspiring" event, he said. "At first I would rush to the door to see the show, but I soon learned to dodge behind a pile of lumber as soon as I heard the signal crack for their leaving town."[72] Still, descriptions of Abilene as a dangerous cauldron of armed visitors looking for a fight are overdrawn. Not all cowboys were unlettered, crude individuals who had to be feared. "There were fine characters among the cowboys," Little noted. "Many were educated and graduates from the best eastern colleges. Lured by the tinsel of adventure, they had broken from their home moorings" and "strayed away."[73] In contrast to the "hard-drawn picture of the cowboy," said Joseph McCoy, "there are many creditable exceptions—young men who respect themselves and save their money, and are worthy young gentlemen."[74]

Exaggerated tales of a high level of violence in Abilene, commonplace in later "Wild West" publications, also appeared in contemporary newspapers. A few of these were purposeful editorial exaggeration. During the county seat battle, for example, the editor of the *Detroit (Kans.) Western News*, hoping to influence voters, provided a scathing description of Abilene in its 1 January 1870 issue:

> In the last three years there have been murdered in Abilene 17 men, 7 of these ruthlessly murdered through the influence of fancy women, and 6 were slaughtered through intemperance and drunken rows, and the remaining 4 were murdered outright in cruel hand to hand fights. Think of this, voters of Dickenson County. Seventeen souls snatched from this earth, seventeen souls taken in their sins, ushered before their God without a moment's warning, all of this done at our county seat. Oh, men, what are your principles, what are you thinking about, that you will uphold and sustain licensed murder and licentious lust? Last summer there were three houses of ill fame and 21 fallen women resided in Abilene; out of four houses and 23 shanties, there were 17 saloons; not

72. Little, "Early Days of Abilene and Dickinson County," p. 36.
73. Ibid., p. 39.
74. McCoy, *Historic Sketches*, pp. 209–10.

> one of these seventeen saloons paid county licenses, thus defrauding the county of $2500. Murder, lust, highway robbery and whores run the town, day and night, decent women dare not walk the streets and the men who live in the town dare not appear on the sidewalks.[75]

Violence existed in Abilene, but not at the level the Detroit editor claimed. Some arose from the drinking and quarreling associated with saloons and gambling establishments. Some also resulted from friction between Texans and Abilene residents, who, despite enjoying the economic benefits of the cattle trade, disliked the disorder that came with it. Lingering disagreements from the recent war between North and South also caused tension between Texans and northerners.[76]

One popular story about Hickok involves these conflicts. "During the summer of 1871 an undercurrent of hard feelings had developed between Marshal Hickok and some Texans encouraged by Phil Coe and Ben Thompson, proprietors of the Bull's Head saloon," wrote Cushman.[77] Thompson, along with his younger brother, Billy, were "among the best known gunmen in the Old West." Ben Thompson spent his boyhood in Austin, Texas. As an adult, said Floyd Streeter, he had a "rather swarthy complexion" and blue eyes. He also "stood real straight, making an attractive figure on foot or horseback," and "was fastidious about his clothing and personal appearance—not a hair on his head could be out of place." Known to be "generous, loyal to his friends, and a likeable fellow," Thompson made friends among the wealthy and powerful.[78]

While Thompson enjoyed a good reputation in Abilene, he was involved in "one scrape after another," and had been "a constant trouble maker" while in the Confederate Army. After the war, he served two years in prison for shooting a man. Upon his release in 1870, he purchased the saloon in Abilene, said Streeter, with his winnings at the gambling table.[79] Phil Coe, an old friend of Thompson's from Austin,

75. Quoted in Verckler, *Cowtown Abilene*, pp. 35–36.

76. Ibid., pp. 25–28, 33.

77. Cushman, "Abilene," p. 255.

78. Floyd Benjamin Streeter, *Prairie Trails & Cow Towns: The Opening of the Old West* (New York: Devin Adair Co., 1963), p. 82.

79. Ibid., p. 83. *See also* Rosa, *They Called Him Wild Bill*, pp. 194–95.

was "a fine looking man over six feet four inches tall, with brown full beard and mustache." He had also served in the Confederate army, then "drifted from place to place" before arriving in Abilene with several thousand dollars in his pocket. Thompson evidently did not remain in the Abilene saloon business long, for his license soon was transferred to Abilene businessman Tom Sheran.[80]

The event that purportedly pitted Thompson and Coe against Hickok and Abilene's city council was a sign on the saloon depicting a bull with all its anatomical features. Many Abilene residents were upset because women and children could not avoid seeing the highly visible artwork. According to Streeter, the city council instructed Hickok to close the dance houses in the district, stop the sale of liquor, shut down gambling, and "notify all prostitutes and gamblers to come forward and pay their fines." In addition, said Streeter, they asked him to do something about the sign at the Bull's Head Saloon.[81]

Hickok did as instructed, and when Coe and Thompson refused to remove or change the sign, he sent some painters to alter it.[82] According to Stuart Henry, the anatomical features became even more noticeable once the paint dried. The forced alteration, of course, added to friction between Abilene residents and the Texans, who argued that bulls were a common sight in the city. How much of this story is true has not been determined; no contemporary sources discovered thus far mention it. In fact, according to Henry, the incident occurred a year or two before Hickok became marshal. If it occurred, the event would be significant for Hickok biographers because later in 1871 the marshal shot and killed Coe during a confrontation.[83]

Famous gunfighter John Wesley Hardin is one of those who related the quarrel between Thompson, Coe, and Hickok, but his autobiography is notoriously inaccurate. Hardin was one of the cowboys who herded longhorns from Texas. A number of Hardin's cousins accompa-

80. Streeter, *Prairie Trails & Cow Towns*, pp. 83–84.

81. Ibid, p. 86.

82. Henry, *Conquering Our Great Plains*, pp. 82–85.

83. Henry Sinclair Drago, *Wild, Woolly & Wicked: The History of the Kansas Cow Towns and the Texas Cattle Trade* (New York: Clarkson N. Potter, 1960), p. 100; John Wesley Hardin, *The Life of John Wesley Hardin: As Written by Himself*, intro. Robert G. McCubbin (1896; reprint ed., Norman: University of Oklahoma Press, 1961), p. 43.

nied him, including Manning, Gip, Jim, and Joe Clements, and Simp, Bud, and Tom Dixon. Billy Chorn, or Coran, was the boss herder. Hardin said the group received word to go to Abilene to draw their pay and "be discharged" about 1 June 1871. The cowboys then left their camp on the North Cottonwood River, about thirty-five miles south of Abilene.[84]

"I have seen many fast towns," said Hardin, "but I think Abilene beat them all. The town was filled with sporting men and women, gamblers, cowboys, desperadoes, and the like. It was well supplied with bar rooms, hotels, barber shops, and gambling houses, and everything was open." He also said he had "heard much talk of Wild Bill, who was then marshal of Abilene. He had a reputation as a killer." Hardin had already met Ben Thompson and Phil Coe in Texas. Although his cousin, Jim Clements, returned to Texas after receiving his pay, Hardin remained in the Abilene area, having been offered $150 a month to look after stray cattle for herd owners Columbus Carol and Jake Johnson. After settling their business, said Hardin, "we proceeded to take in the town."[85]

That night, Carol "got into a fuss" at a "notorious resort" with a policeman named Carson, who drew a gun on him. In response, Hardin said he drew his pistol and made the officer leave the establishment. "I told him not to turn his head until he got to the corner of the next street and to go and get Wild Bill, his chief, and come back, and we would treat him likewise." No one came back to challenge Hardin, and the next morning, he and Carol met Hickok and Carson on the street, "but nothing happened."[86]

Hardin also claimed that Thompson and Coe asked him to shoot the marshal. According to Hardin, Thompson's enmity had begun with the controversy over the Bull's Head Saloon sign. The people of Abilene, Hardin recorded, "expected trouble between Thompson and Wild Bill." The two, he said, "were deadly enemies. Thompson tried to prejudice me every way he could against Bill," going so far as to tell Hardin that Hickok, being a Yankee, "always picked out Southern men

84. Hardin, *Life of John Wesley Hardin*, p. 43.
85. Ibid.
86. Ibid.

to kill, and especially Texans." In response to Thompson's request, Hardin replied, "I am not doing anybody's fighting just now except my own. . . . If Bill needs killing, why don't you kill him yourself?" To that, Hardin said Thompson responded, "I would rather get someone else to do it."[87]

One night shortly afterwards, Hickok "was drinking with some friends of mine," said Hardin, and after being formally introduced, "we had several glasses of wine together." Hickok asked Hardin about one of his previous exploits and then "showed me a proclamation from Texas offering a reward for my arrest." Hardin reported the marshal as saying, "'Young man, I am favorably impressed with you, but don't let Ben Thompson influence you; you are in enough trouble now, and if I can do you a favor, I will do it.'" Hardin said he was "charmed" with Hickok's "liberal views, and told him so. We parted friends."[88]

Nevertheless, Hardin and Hickok soon had a confrontation. "I spent most of my time in Abilene in the saloons and gambling houses, playing poker, faro, and seven-up," said Hardin. On one occasion, he "was rolling ten pins" with several fellow Texans and "had two six-shooters on." Aware of the law against carrying guns in town, Hardin "knew the saloon people would raise a row if I did not pull them off." Meanwhile, "Wild Bill came in and said we were making too much noise." He then ordered Hardin to turn over his pistols. Hardin refused, and the two men stepped outside and "started up the street." According to Hardin, Hickok "whirled about," asking, "'What were you howling about, and what are you doing with those pistols on?'" Hardin responded that he was simply "taking in the town." Hickok then drew his pistol, telling Hardin to "'take those pistols off. I arrest you.'"[89]

Hardin said he began turning the pistols over to Hickok but then "reversed them and whirled them over on him with the muzzles in his face, springing back at the same time. I told him to put his pistols up, which he did." Hardin had been informed, he wrote, that the marshal planned to shoot him in the back, and he "cursed [Hickok] for a long-haired scoundrel." Hickok replied that he had been "wrongly

87. Ibid., p. 44. *See also* Rosa, *They Called Him Wild Bill*, p. 186.
88. Hardin, *Life of John Wesley Hardin*, pp. 44–45.
89. Ibid., p. 45.

informed," calling Hardin "'the gamest and quickest boy I ever saw. Let us compromise this matter,'" he said, "'and I will be your friend.'" Hickok then suggested going back into the saloon for a drink, so he could give the young Texan some advice. He managed to convince Hardin "of his good intentions," and soon, Hardin remembered, "we went into a private room and I had a long talk with him and we came out friends."[90]

Hardin also described several other violent encounters he had in Abilene. In one instance, while having dinner with a Texan named Pain, "several drunken men came in and began to curse Texans." When Hardin informed one that he was a Texan, the man "threatened to slap me over." Both drew their guns; Hardin fired, and the man jumped behind Hardin's companion before running out the door. Hardin said he shot again, hitting the man in the jaw and knocking several teeth out. As Hardin fled the scene, he met a policeman, and, putting his "pistol in his face," told the officer to "'hands up.'" He then ran to his horse and made his escape back to the camp on Cottonwood.[91]

While the cowboys were in camp, a Mexican named Bideno killed Billy Chorn, a popular trail boss.[92] The murder "was a most foul and treacherous one," said Hardin, "and although squad after squad tried to arrest this Mexican, they never succeeded." According to Hardin, "many prominent cowmen" asked him to find the murderer, and he agreed, provided they obtained a warrant. "They did so," he said, "and I was appointed a deputy sheriff and was given letters of introduction to cattlemen whom I should meet."[93] He left, he claimed, on 27 June 1871, accompanied by Jim Rodgers. After riding about fifty miles to Newton, John Coran (Chorn's brother) and a man named Anderson joined

90. Ibid., pp. 45–46. Rosa doubted the veracity of Hardin's account. "Hardin does not explain how Hickok was supposed to put down his own pistols in order to relieve him [Hardin] of his . . . . The only sensible conclusion is that the showdown never happened—and if it did, it was not as described. Wild Bill had been dead a long time when Hardin wrote his book" (Rosa, *They Called Him Wild Bill*, p. 188).

91. Hardin, *Life of John Wesley Hardin*, p. 46.

92. Ibid., p. 46. According to writer Harry Sinclair Drago, Chorn died on 1 July, and his funeral took place at Drover's Cottage in Abilene. Drago, *Wild, Woolly & Wicked,* p. 101.

93. Hardin, *Life of John Wesley Hardin*, pp. 46–47.

them. The party caught up with the culprit eating at a saloon and restaurant in Bluff City, about two hundred miles south of Abilene. According to Hardin, he asked Bideno to surrender, but the Mexican drew his gun.[94] Hardin then "fired at him across the table and he fell over a dead man, the ball hitting him squarely in the center of the forehead."[95]

On their return trip, they celebrated in Newton, where, said Hardin, "we certainly shut up that town." Continuing to Abilene, they encountered Hickok, who confronted Hardin about his earlier behavior, saying, "'You can not "hurrah" me, and I am not going to have it.'" Hardin responded, "I don't wish to hurrah you; but I have come to stay, regardless of you." Once again, they mediated their differences. "'Well,'" said Hickok, "'you can stay and wear your guns, but those other fellows must pull them off. You are in no danger here. I congratulate you on getting your Mexican. Come in and invite your friends. We will open a bottle of wine.'" Hardin and his companions drank with Hickok, and when the marshal had gone, Hardin told them of Hickok's order, explaining that "Bill was my friend." They decided, said Hardin, that "if Wild Bill was all right with me, they would go home, which they did."[96]

Hardin reported becoming quite popular for having killed the man who murdered Billy Chorn. In addition to receiving monetary gifts totaling some four hundred dollars, several wealthy cattlemen gave him six hundred dollars for the deed, momentarily making him quite wealthy.[97]

According to Hardin, his cousin, Manning Clements, killed two men who had made trouble at the herd and worried that Hickok would arrest him. Hardin said he would talk to the marshal, and a complex sequence of events was arranged to take Manning into custody and then allow him to escape.[98] "It was agreed," recalled Hardin, that Hick-

94. Ibid., pp. 47–49.

95. Ibid., p. 49. For additional, sometimes contrary detail, *see* Rosa, *They Called Him Wild Bill*, p. 186.

96. Hardin, *Life of John Wesley Hardin*, pp. 50–51.

97. Ibid., p. 51.

98. Ibid., pp. 52–54.

ok "should protect himself and his reputation as an officer by taking Manning" to jail.[99]

While Hickok transported Manning to jail, Hardin purchased a horse and saddle for his cousin from Jess McCoy. Meanwhile, a party of Texans was preparing to break Manning out of jail until Hardin posted them on the other arrangements. He told them if Hickok did not live up to the agreement, he would kill the marshal and they should break open the jail. To cover their plot, Hickok and Hardin "commenced to take in the gambling houses," where they won about a thousand dollars each. At the prescribed time, just before midnight, Hickok presented the jail key to Hardin. When a deputy questioned the action, Hickok knocked him down and jumped on him "with both feet." Hardin recalled, "It was a bad beating up, for Wild Bill was a man 6 feet high and weighed 250 pounds. . . . He was a brave, handsome fellow, but somewhat overbearing." Soon, Manning joined Hardin at the Bull's Head Saloon, and, after some drinks, they left Abilene.[100] Shortly afterwards, Manning headed for Texas.[101]

Hardin, however, claimed to have had one further adventure in Abilene. On 7 July, he and his cousin Gip were staying at the American Hotel "when presently I heard a man cautiously unlock my door and slip in with a big dirk in his hand." Hardin fired at the intruder, who ran from the room. Hardin fired four more times, killing the man. The burglar had "carried my pants with him," so Hardin "jumped back, slammed the door, and cried out that I would shoot the first man that came in," apparently hoping to scare off any accomplices. Having spent his ammunition, the threat was an empty one. Despite his purported friendship with Hickok, he was concerned. "Now, I believed that if Wild Bill found me in a defenseless condition," Hardin remembered, "he would take no explanation, but would kill me to add to his reputation. So in my shirt and drawers I told Gip to follow me and went out on the portico."[102]

There, they saw a cab arriving "with Wild Bill and four policemen."

99. Ibid., p. 55.
100. Ibid., pp. 55–56.
101. Ibid., p. 58.
102. Ibid.

After waiting for Hickok and his deputies to get "well inside the hotel," Hardin "jumped off over the hack," with his cousin following. To escape the lawmen, Hardin sent Gip into hiding with a friend. His own departure was more complicated. "I hardly knew what to do. I was sleepy in the first place, and without arms or clothes. I knew all the bridges were guarded and the country was out after me, believing that I had killed a man in cold blood, instead of a dirty, low-down, would-be assassin." First, Hardin hid in a haystack to sleep, and then, after the police almost found him, slipped into a cornfield where he met an acquaintance who loaned him a horse. Spotting the fugitive, the police gave chase, pursuing him all the way to camp.[103]

Hardin called himself "a sorry spectacle" by time he arrived. "I was bareheaded, unarmed, red-faced, and in my night clothes," he recalled. "I went to work at once to meet my pursuers and got two six-shooters and a Winchester." While he waited for the police, the cook fed him. When Tom Carson and two other officers arrived, the cook offered them a meal. As they ate, Hardin confronted them with his rifle. After disarming the lawmen, he made them "pull off their clothes, pants, and boots, and sent them all back in this condition to face a July sun for thirty-five miles on a bald prairie." Later, his cousin Gip arrived, and the two men set out for Texas. As usual, no documentation of these events has been found, making it difficult to determine the stories' veracity.[104]

Most of Hickok's actions as marshal involved less well-known people. J. B. Edwards, for example, related how he "was arrested and paid a fine for disregarding one of Wild Bill's rules during the summer of 1871." Edwards worked as a clerk for Dr. J. M. Hodge, who operated a hardware store in Abilene. He also owned land west of town and sent some men out to fence it to hold and feed cattle. A spring wagon transported workers to and from the site each day. One evening, Hodge's brother Herbert drove the wagon out of town with a "spirited team of young horses." When he did not return as expected, another brother, Charles,

103. Ibid., pp. 58–59.

104. Ibid., pp. 59–60. Rosa shares this doubt, writing, "It has long been believed that Hardin's book was an attempt to vindicate himself and boost a rapidly fading ego" (Rosa, *They Called Him Wild Bill*, pp. 188–89).

John Wesley Hardin arrived in Abilene around 1871, shortly before this photograph was taken.

went in search of him and asked Edwards to fire his pistol twice as a signal if Herbert arrived. Herbert soon appeared, and Edwards fired his pistol as the brother had requested. "Before the pistol could be put away," Edwards related, "McDonald, one of the city police, came tearing up to the store on his horse and wanted to know who had fired off that gun." Edwards explained that he had done it and why. The police officer, however, refused to let the matter drop. Edwards had to give up the pistol and pay a ten-dollar fine or "go to the calaboose over night." He handed over the gun and cash and was instructed to appear at police court at ten o'clock the next morning.[105]

Hickok was present when Edwards appeared before the judge to explain the circumstances and ask to have the fine rescinded. Although the judge requested that Hickok excuse himself, "it seemed to suit Bill to get just such a case to make an example of," said Edwards, and the court imposed an additional ten-dollar fine. Charles Hodge paid the charge, and his pistol was returned.[106]

Theophilus Little also had a personal encounter with the marshal, albeit a more positive one. One evening, a school program took place in a large building north of the railroad tracks, and, to the chagrin of audience members, several Texans attended. Little, his wife, and their boys, Eddie and Willie, had seats together, and "two big Texans" sat directly in front of them, Little recalled. Each of the men was "big enough to have swallowed me whole," he added, but when "they became very noisy and offensive," he asked them to quiet down. In response, "they turned and laughed at me, asking what in 'h-ll' I was going to do about it." As the pair continued laughing and swearing, Little grew angrier. Finally, he said, "I lost sight and sense of everything but mad and fight," and "jumped up and caught one of them by the throat and jammed him into his chair and choke[d] him until he gurgled[.]" He did the same to the other Texan, choking him "until his Texas tongue ran out of his mouth." He then hissed, "'Another word out of you tonight and I'll smash every bone in your bodies.'" The two men remained silent the rest of the evening. When the program ended, Hickok "strode swiftly toward us" and, bowing to Mrs. Little, said he would walk the family

105. Edwards, *Early Days in Abilene*, p. 12.
106. Ibid.

home. Little told the marshal he thought it unnecessary, but Hickok replied, "'I think I understand this case better than you do, Mr. Little,'" and accompanied them to their residence.[107]

Other community events occupied Hickok as well. On 13 July 1871, the Hippo-Olympiad and Mammoth Circus, which Agnes Lake Thatcher owned and managed, played in Abilene. The circus had toured the region by railroad since at least mid-May, performing in Omaha, Nebraska, Junction City, Kansas, locations in Colorado, and Salt Lake City, where it gave a show on Independence Day. Several newspapers, including those in Topeka and Saline, Kansas, Nebraska City, Nebraska, and Laramie, Wyoming, lauded Lake's production.[108] In June, the Fort Dodge, Iowa, newspaper praised her for providing "family entertainment, free from vulgarity." Commenting on another performance, the *Neosho (Mo.) Times* told readers, "The many traditional vices connected with exhibitions of this kind found no favor in the eyes of the Madam."[109]

To raise revenues and discourage questionable entertainment, many towns had begun charging high license fees. Circuses, often associated with vice, were prime targets. As part of its efforts "to maintain order and reduce drunken disturbances," Topeka charged each circus one hundred dollars per day, whereas other types of shows paid just five dollars per day.[110] According to Lake's biographers, Linda A. Fisher and Carrie Bowers, when she and her circus arrived in Abilene by train on 31 July 1871, they found themselves amid thousands of bellowing cattle and the numerous cowboys employed to tend them, who also looked to spend their money across the tracks. The circus set up on vacant ground west of Drover's Cottage, and Lake is said to have sought out the marshal, to whom she would have paid license fees.[111] As Joseph G. Rosa notes, "Agnes Lake was a fearless woman, skilled as a dancer,

107. Little, "Early Days in Abilene," typed manuscript, ca. 1910, quoted in Rosa, *They Called Him Wild Bill*, pp. 193–94.

108. Ibid., p. 191; Linda A. Fisher and Carrie Bowers, *Agnes Lake Hickok: Queen of the Circus, Wife of a Legend* (Norman: University of Oklahoma Press, 2009), pp. 178–79.

109. Fisher and Bowers, *Agnes Lake Hickok*, p. 175.

110. Ibid., p. 176.

111. Ibid., p. 180; Robert R. Dykstra, "Wild Bill Hickok in Abilene," *Midcontinent American Studies Journal* 2 (1961): 41.

Little is known about the relationship between Hickok and Agnes Lake Thatcher, pictured here in the late 1860s.

lion-tamer, and queen of the high wire"[112] and would not have been reluctant to approach the town's licensing official, even when he was renowned as a killer. The attraction between Agnes and "James," as she called him, has probably been exaggerated, but Lake's biographers say "their meeting left a marked impression on them both." Hickok probably collected whatever fee was due, and he may have attended the show. Lake left the next day, and her circus subsequently performed in Saint Louis and Cincinnati.[113]

The *Abilene Chronicle* for 3 August reported a large attendance at each performance,[114] and Hickok's friend, Charles Gross, said when Lake "set up her tent, Bill was on hand to keep order. Bill was a Handsome man as you Know & she fell for him hard, fell all the way Clear to the Basement, tried her best to get him to marry her & run the Circus[.] Bill told me all about it." When Gross asked Hickok why he did not accept the offer, he said Hickok explained, "'I know she has a good show, but when she is done in the West, she will go East,'" and he did not want to have to readjust to eastern society. He claimed he "'would be lost back in the States.'"[115]

As Fisher and Bowers note, however, documentary evidence for Lake's relationship with Hickok is thin at best. Neither Hickok nor Lake left recollections of their first meeting, and what letters they exchanged have not been found. Moreover, subsequent Hickok biographers disagree over who—Lake or Wild Bill—was most smitten.[116] In addition to stating that Hickok had said he did not want to go east, Gross related that Wild Bill also remarked in 1871 that Agnes "'has [obscenity deleted] like a Horse Collar anyway.'" Five years later, however, he married her.[117] Whatever the meaning of Hickok's reference, Fisher and Bowers suspect his comments related more to his simply not wanting "a domesticated existence at that juncture of his life" than to some personal dislike for Lake.[118]

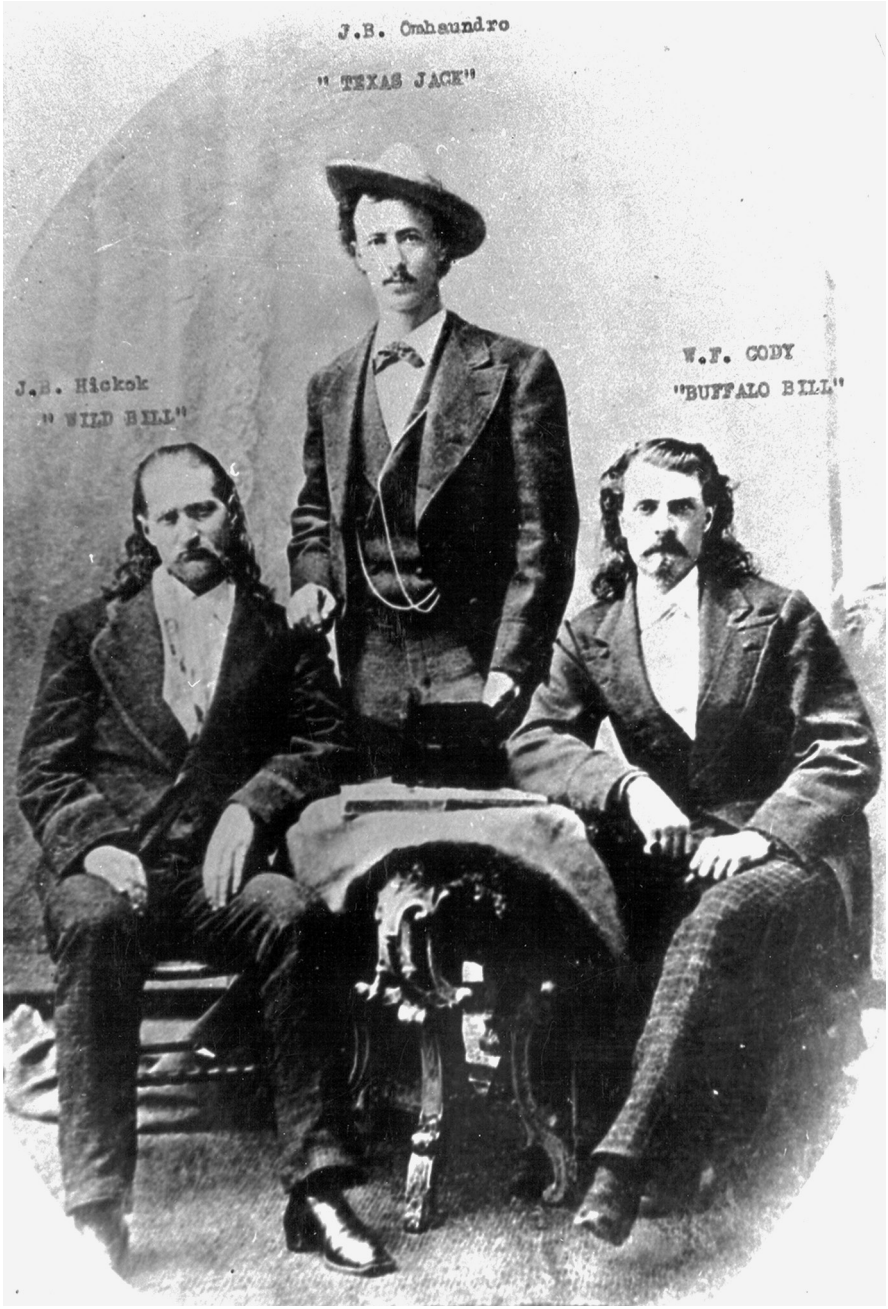
112. Rosa, *They Called Him Wild Bill*, p. 236.
113. Fisher and Bowers, *Agnes Lake Hickok*, p. 181.
114. Miller and Snell, *Why the West Was Wild*, p. 201.
115. Charles Gross to J. B. Edwards, 15 June 1925, in Dykstra, "Hickok in Abilene," p. 41.
116. Rosa, *They Called Him Wild Bill*, p. 237.
117. Gross to Edwards, 15 June 1925, in Dykstra, "Hickok in Abilene," p. 41.
118. Fisher and Bowers, *Agnes Lake Hickok*, p. 190.

Unlike a number of Hickok biographers (J. W. Buel, Frank J. Wilstach, and Shannon and Warren Garst), Gross was certain Agnes wanted the relationship: "I know she was Keene for it . . . she wrote to him after leaving Abilene I know[,] for the letters came to my care under seal for the Cottage." Unfortunately, those letters either did not survive or have yet to be discovered. Gross claimed in later years that when Lake arrived in Abilene, she "became infatuated with Bill (he was a handsome cuss)." Gross said he "helped Bill" by telling Lake "he had a wife in Illinois." Because the circus showed in Abilene for only one day, the time Lake and Hickok spent together had to have been brief.[119]

As Fisher and Bowers conclude, a coupling was not meant to be, at least not at the time. "There probably was an immediate mutual attraction," they wrote, "although it was not the great, passionate love romanticists have imagined. Agnes and James had different priorities in 1871"—Agnes with her circus and raising her daughter Emma, and Hickok with what seemed a career as marshal and the freedoms of being single. "Ultimately, their priorities were simply not synchronized."[120] Hickok and Lake may have met again in New York in 1874 while Hickok was performing on stage with William F. ("Buffalo Bill") Cody and John B. ("Texas Jack") Omohundro. Nothing immediate came of that encounter, perhaps arranged by Cody himself, but when Lake and Hickok met again five years later in Cheyenne, Wyoming Territory, they married.[121]

J. W. Buel, a Saint Louis newspaperman and former Kansas City reporter who claimed to have had a personal association with Hickok that included access to the gunman's diary, published his romanticized biography of Wild Bill after Hickok's death. In it, he provided other details about the development of a relationship between Lake and Hickok. Buel's account, as usual, is marred by errors. For example, he thought the circus showed in Hays City rather than Abilene. He also mistakenly believed Hickok was then residing in and serving as a deputy United States marshal there. In any event, Buel said the circus almost did not perform because the town council, "though anxious to see the

119. Gross to Edwards, 15 June 1925, in Dykstra, "Hickok in Abilene," p. 41.
120. Fisher and Bowers, *Agnes Lake Hickok*, p. 192.
121. Ibid., pp. 181, 189.



Hickok (left) joined John B. (“Texas Jack”) Omohundro (center) and William F. (“Buffalo Bill”) Cody for an eastern show tour in 1873.

performance," decided the day before the circus was to open that they would "charge Mrs. Lake, the proprietor of the circus, a license fee of fifty dollars." Before the meeting adjourned, Hickok "stepped up and asked to be heard a moment." The council granted him permission, and, in Buel's colorful version of events, "lit their pipes, passed the bottle, and leaning back in their chairs posed themselves" to listen. "'I never made a speech in my life and I don't want to begin now,'" Hickok began, "'but I never went back on a woman, and I'm going to give you some plain talk. You fellows live so far outside of civilization that your hearts have dried up like small potatoes left out in the sun, and as you can't read the papers of course you don't know nothing about what's going on east of the coyote's range.'"[122]

After these remarks, Hickok explained to the council that Bill Lake, a famous clown who had been murdered in Missouri in 1869, originally owned the circus. "'The brave little widow, after burying her husband, had to either sell out or go on the road with the circus, and circumstances advised her to carry the show.'" Hickok argued that "'any woman capable to run a circus is a darned sight bigger curiosity in these parts than the leather heads of this village ever heard of, and when I see so much pluck shown by a little woman I just feel like throwing in and helping her.'" He then concluded: "'Now, if you fellows that run this town knowed how to appreciate a good thing for the place, instead of charging Mrs. Lake a license, you would vote an appropriation to pay her for coming out here to show us heathens a first-class circus. If I've got any authority in Hays,'" where Buel mistakenly believed the circus took place, "'Mrs. Lake ain't going to pay this town a cent of license for showing, and if any man attempts to stop the show then just put it down that he's got me to fight.'"[123] The councilmen, despite wanting to add to the town's treasury, accepted Hickok's advice.[124]

After hearing what Hickok had done, said Buel, Lake expressed her

122. J. W. Buel, *Heroes of the Plains; or, Lies and Wonderful Adventures of Wild Bill, Buffalo Bill, Kit Carson, Capt. Payne, Capt. Jack, Texas Jack, California Joe, and other Celebrated Indian Fighters, Scouts, Hunters, and Guides* (St. Louis: Historical Publishing, 1881), pp. 150–51.

123. Ibid., p. 151.

124. Ibid., p. 152; Fisher and Bowers, *Agnes Lake Hickok*, pp. 186–87.

thanks and introduced him to the members of her circus, including her daughter Emma. Impressed, Hickok told Lake, "'Well, now, all this is fine enough, but do you know the greatest curiosity about this canvas is yourself; I never saw a woman before that could run anything except with a broom handle.'" He added, "'If I could hitch up with such a business girl as yourself I'd go in search of the parson to-morrow.'" Hickok was completely smitten, Buel said, and Lake was impressed with Hickok. "Though not fully understanding the somewhat incoherent address of her determined suitor," she "yet saw beneath his rough exterior a kind and healing sympathy, and a heart ever brave and willing to protect the weak." In addition, he was handsome and dressed like a gentleman and thus "excited the affection of her nature." Still, "they parted without avowals, and nearly three years passed before they met again."[125]

Buel's version of events is highly unlikely. Indeed, although subsequent biographers have repeated the story, Fisher and Bowers suspect Buel invented Hickok's entire speech to the city council, and Hickok's friend Charles Gross said Hickok had other women in his life that summer.[126] Gross, who had come to Abilene as a young man with Joseph McCoy, described one such liaison rather intimately in a letter to J. B. Edwards. Responding to Edwards's inquiries on 14 June 1925, Gross, whom historian Robert R. Dykstra regarded as "uncommonly honest"[127] and whom Rosa said "spoke the truth,"[128] wrote, "Now Edwards I don't think Bill Ever was married," but "he always had a mistress[.] I knew two or three of them[.] one[,] a former mistress of his was an inmate of a cottage in McCoy's addition," where the houses of prostitution were located. Gross recalled Hickok asking him "to go with him" to see this woman and "be a witness in an interview. I believe she was a Red Head but am not sure." This particular woman had been Hickok's companion before he lived in Hays City. According to Gross, she traveled to Abilene "to try & make up with Bill. He gave her $25.00 & made

125. Buel, *Heroes of the Plains*, pp. 152–53.

126. Fisher and Bowers, *Agnes Lake Hickok*, p. 187; Dykstra, "Hickok in Abilene," pp. 38–39.

127. Dykstra, "Hickok in Abilene," pp. 38–39.

128. Rosa, *They Called Him Wild Bill*, p. 237.

her move on. There was no Row, but Bill told her he was through with her. She moved On."[129]

In his letter to Edwards, Gross said Hickok never referred to any special woman in his life. The only one he talked about at all in Abilene was "the One he lived with in the Small house," and "he did not Ever show bifore me any Especial affection for her." Gross did not recall the woman's name but remembered Hickok did not trust her. Gross himself "was Very carefull never to go" to the house "unless I knew Bill was Home & always there was good reason for my going." On one occasion, he had to see Hickok early in the morning, while he was still in bed. "When I went to the door and the woman came to let me in she saw through the window who I was," Gross wrote. Being yet only in "night dress," she hesitated, only to hear Hickok say, "'Let him in; you don't give a Dam for Gross seeing you.'" However, recalled Gross, she did care, "and showed it in looks." In fact, "she went into the next room" while Hickok "got up leasurely."[130] Gross's description provides a different image of the gunfighter than typically presented. "Hickok emerges from the Gross letter as a human being (if of an irritatingly male variety)," wrote Dykstra, "displaying all the stresses and strains many men would have, given the ordeal of his official position."[131]

Besides discussing Hickok's female relationships, Gross described the marshal's shooting ability. Once, while on their way home from a fishing trip, "we stopped at a clear spot by some Cotto[n]woods & he & [I] put up a piece of paper on a tree as near the size of a mans body as we could guess." The two men walked a distance of about twenty feet, and then Hickok, who "kind of slouched and did not appe[ar] to be looking at anything" told Gross to "'keep talking & then suddenly without any hesitation in your talk, say Draw (Kinder qu[i]ck)[.]'"[132]

When Gross yelled the words, he recalled, Hickok "shot six times so quick it startled me." Gross remembered that he had been "looking directly" at Hickok but "only saw a motion & he was firing." Upon examining the target, the men found every shot lined up vertically, and two

129. Gross to Edwards, 15 June 1925, in Dykstra, "Hickok in Abilene," p. 41.
130. Ibid., p. 39.
131. Dykstra, "Hickok in Abilene," p. 43.
132. Gross to Edwards, 15 June 1925, ibid., p. 40.

had hit dead center. Putting up another target, Hickok did the same with his left hand. Again, all the shots made a vertical line, although none was in the target's center. When Gross noted that Hickok's left hand was not quite as good as his right, Hickok responded, "'I never shot a man with my left hand Except the time when some drunken Soldiers had me down on the floor & were trampling me & then I used both hands.'" He also gave Gross a piece of advice: "'Charlie I hope you never have to shoot any man, but if you do[,] shoot him in the Guts near the Naval. You may not make a fatal shot, but he will get a shock that will paralyze his brain and arm so much that the fight is over.'"[133]

Although thousands of cowboys had prowled the streets of Abilene since June, there is no evidence the marshal was involved in any shootings before fall. Hickok seems to have maintained law and order and enforced the city's regulations, and the visitors do not appear to have harmed the town's five hundred residents. Nonetheless, Hickok is primarily remembered for his shooting of two men on 5 October 1871, when a group of cowboys went on a spree before departing for Texas. Following popular custom, they demanded that certain people "stand treat." Stopping someone on the street, they would carry him on their shoulders to the saloon and require him to buy drinks. Jake Karatofsky was hauled to the Applejack Saloon to stand treats, and when asked to do the same, Hickok purportedly sent the cowboys to the Novelty Theater, telling them they could get drinks there at his expense.[134]

Hickok warned the men not to become too disorderly, however, or he would intervene. After he departed, the crowd of perhaps fifty men grew rowdier, and Phil Coe fired his pistol in front of The Alamo. Hickok, then at the Novelty, hurried back to The Alamo, where Coe claimed that he had merely shot at a stray dog. Coe and several of the men still had guns in hand as Hickok approached.[135] When about eight feet from the group, the newspaper reported, "as quick as thought the Marshal drew two revolvers," and Hickok and Coe "fired almost simultaneously."[136] At the same time, Mike Williams, a friend of Hickok's

133. Ibid., pp. 40–41.
134. Cushman, "Abilene," pp. 255–56.
135. Ibid.; Rosa, *They Called Him Wild Bill*, pp. 195–96.
136. *Abilene Chronicle*, 13 July 1871, quoted in Dykstra, "Hickok in Abilene," p. 36.

who was acting as special deputy at the Novelty Theater, rushed to the scene. Hickok's bullets struck Coe in the abdomen, but they also killed Williams, who ran between Hickok and Coe just as the shooting began.[137]

The newspaper declared the accidental shooting of Williams to be understandable, stating, "The Marshal, surrounded by the crowd, and standing in the light, did not recognize Williams whose death he deeply regrets." The crowd quickly dispersed, and Coe lingered in great pain for a day or two before he died. Hickok himself was lucky to survive. The reporter noted that one of Coe's shots went through his coat, and another hit the floor near him. Despite the deadly outcome, the Abilene editor supported Hickok's actions. Coe, a gambler and former saloon owner, had "natural good impulses in his better moments," but the editor had heard that he "had a spite at Wild Bill and had threatened to kill him—which Bill believed he would do if he gave him the opportunity." The editor concluded, "The Marshal has, with his assistants, maintained quietness and good order. . . . His arrangements for policing the city are complete, and attempts to kill police officers or in any way create disturbance, must result in loss of life on the part of the violators of the law."[138]

Phil Coe was a Texan, and Texas newspapers, of course, were less forgiving. When Coe's body arrived for burial in his hometown of Brenham, Texas, the local paper reported that he "was murdered at Abilene, Kansas, by a notorious character known as 'Wild Bill.'" The editor expressed sympathy for Coe's relatives and friends.[139] Several years later, Texas lawyer William M. Walton wrote an account of the killing, asserting that Hickok had worked in concert with city officials to fleece Texans like saloon owner Ben Thompson and his former partner Coe out of their businesses. In Walton's account, Coe had looked away during the confrontation, and Hickok took advantage of that

137. Ibid.; Rosa, *They Called Him Wild Bill*, pp. 195–97; Miller and Snell, *Why the West Was Wild*, pp., 201–4; Dykstra, "Hickok in Abilene," p. 36; Verckler, *Cowtown Abilene*, pp. 63–66.

138. *Abilene Chronicle*, 12 Oct. 1871, quoted in Miller and Snell, *Why the West Was Wild*, p. 202. *See also* Rosa, *They Called Him Wild Bill*, pp. 196–97.

139. *Brenham (Tex.) Banner*, 19 Oct. 1871, quoted in Rosa, *They Called Him Wild Bill*, p. 198.

moment to draw two derringers, killing him in cold blood. Afterwards, Walton said, Hickok and Abilene's officials took control of the Bull's Head Saloon without compensating Thompson or Coe's family.[140]

Some Abilene residents recalled matters differently. J. B. Edwards claimed that Coe, "nerving himself by drinking heavily during the day, shot at Wild Bill through the door of the Alamo saloon," but "aimed badly, the ball going wild of its mark." Edwards's account, written much later, may not be reliable; it contains many errors, including identifying the Novelty Theater deputy as "McWilliams."[141] Abilene businessman Theophilus Little, who was in the vicinity at the time, offered a harsh assessment of Coe, who ran "a low down gambling den." In Little's opinion, Coe was "a red mouthed, bawling 'thug'—'plug' Ugly—a very dangerous beast." Although he did not know the reasons for Coe's dislike of Hickok, Little believed Coe had plans to kill the marshal. He speculated that Coe deliberately got the crowd of two hundred men drunk, hoping to create an incident that would lead to a confrontation with Hickok.[142]

"About dusk I left my office to go to the Gulf House on my way home," Little recounted. Then, "I saw this band of crazy men. They went up and down the street with a wild swish and rush and roar, totally oblivious to anything in their path. It was a drunken mob." He said he hurried home to his family and locked the doors, fearing "the town was liable to be burned down and the people killed before morning." After learning of Coe's death, Little "felt a great sense of relief." He had tried to collect forty dollars Coe owed him for some lumber, but when asked to pay the bill, Coe became "very abusive and I was always afraid that he would burn me out," Little recalled. "He owes the bill yet, and I don't want to go where he is to get it."[143]

Hickok feared retribution after shooting Coe, remembered Charlie Gross. In the letter to Edwards in which he described the encounter with Hickok and his mistress in their Abilene home, Gross mentioned a disturbing aspect of Hickok's psychological behavior: he was para-

140. Walton, *Life and Adventures of Ben Thompson* (Austin, Tex.: By the Author, 1884), pp. 109–12. *See also* Rosa, *They Called Him Wild Bill*, pp. 194–95.

141. Edwards, *Early Days in Abilene*, pp. 6–7.

142. Little, "Early Days in Abilene and Dickinson County," pp. 36–37.

143. Ibid., pp. 37–38.

noid, perhaps with reason, about enemies intending to kill him. He even distrusted his mistress. On the morning Gross visited, he noticed that as Hickok "sat side ways on the Bed I saw he had his 6 shooter in his right hand and on the Bed spread lay a sawed off shot Gun (Double Barreled) with a strap on it so he could swing it over his shoulder and Carry it under his Coat out of sight." Gross estimated the barrel at just one to one-and-a-half feet long.[144]

Gross's surprise over Hickok's behavior was only beginning. As soon as the marshal dressed, "he went carefully to the door[,] looked all around for several mts & then Emptied one 6 shooter." Returning to the room, he "cleaned & reloaded it, then went to the door & Empt[i] ed the Other one & reload[e]d it the same way." Gross noted that he had roomed with Hickok at Drover's Cottage for about two months earlier in the year, and Hickok had never exhibited such behavior.[145]

When Gross inquired about Hickok's actions, the marshal replied that he used "powder & Ball" instead of metal cartridges. He also "molded his own bullets & primed Each tube using a pin to push the powder in so he was sure of powder." Gross then asked whether the revolvers had gotten damp the day before, and Hickok's response was no. However, he explained, "I aint ready to go yet & I am not taking any chances, when I draw & pull I must be sure. You are the Only person in Abilene I will go to sleep with in the same room that I do not make things as sure as I know how when I awake."[146]

Perhaps Hickok had reason to fear for his life. According to Edwards, "some weeks after Coe's death word came from Texas that his mother offered to give $10,000 to any one who would kill Bill and as evidence bring his head."[147] This tale, told long after the incident, is probably not true, but similar rumors may have floated through Abilene, causing Hickok to fear assassination. Such a state of mind might explain his confrontation with several Texans on a train a few weeks after the Coe shooting.

On 30 November 1871, a headline in the *Abilene Chronicle* announced,

144. Gross to Edwards, 15 June 1925, in Dykstra, "Hickok in Abilene," p. 39.
145. Ibid., p. 40.
146. Ibid.
147. Edwards, *Early Days in Abilene*, p. 7.

"Attempt to Kill Marshal Hickok," and the accompanying story described a plot to assassinate the law officer. Before Hickok arrived in Abilene, stated the newspaper, "no man's life or property was safe from the murderous intent and lawless invasions of Texans." Once the citizenry hired "Wild Bill" to "fight the devil with his own weapons," however, order returned. "The Texans have kept remarkably quiet," the editor noted, but during the summer, Hickok received several letters sent from Austin, Texas, "warning him of a combination of rangers who had sworn to kill him." Indeed, one letter informed the marshal "that a purse of $11,000 had been made up and five men were on their way to Abilene to take his life."[148]

Five men did in fact arrive in Abilene, and although they secreted themselves, Hickok knew of their presence. As he prepared to board the train for Topeka to conduct some business, he noticed "four desperate looking fellows headed by a desperado about six feet four inches high" in the vicinity. Hickok then overheard the leader let his men know that the lawman was boarding. "They got on the same train and took seats immediately behind the marshal," the newspaper reported. When Hickok got up and sat behind them, the gang moved to the forward car. Now certain they were after him, Hickok moved "to the rear end of the rear car" and tried to get some needed sleep while a friend served as a lookout. "Soon the Texans came into the car, and while four of them stood in the aisle, the leader took a position behind the marshal." A woman sitting nearby "saw the Texan grasping a revolver between his overcoat and dress coat." Hickok's friend warned him of the danger, and when the train arrived in Topeka, he confronted the Texans, asking them where they were going. When they said they meant to get off in Topeka, he informed them, "'I am satisfied that you are hounding me, and as I intend to stop in Topeka, you can't stop here.'" Although they objected, he forced them to return to the train. The journalist concluded: "While we cannot justify lawlessness or recklessness of any kind, yet we think the marshal wholly justifiable in his conduct toward such a party. Furthermore, we think he is entitled to

148. Quoted in Miller and Snell, *Why the West Was Wild*, p. 203. *See also* Dykstra, "Hickok in Abilene," pp. 37–38.

the thanks of law-abiding citizens throughout the State for the safety of life and property at Abilene, which has been secured, more through his daring, than any other agency."[149]

The newspaperman might have misinterpreted events. Robert Dykstra notes that Gross's letter to Edwards "reveals a Wild Bill far from the controlled, inflexibly fearless traditional type." Instead, Gross paints Hickok as being "greatly, perhaps morbidly, fearful of assassination," especially after killing Coe. Dykstra believed Wild Bill had developed "a kind of occupational paranoia" that "the seemingly far-fetched incident of the Texans on the train to Topeka" exemplified. Although newspapers documented the moment, Dykstra argued that it "possibly represented a disturbed state of nerves on Hickok's part rather than his response to a real conspiracy."[150]

After Coe's death, Abilene quieted, not as a result of the shooting, but because there were fewer cowboys celebrating on the streets as winter drew near. The need for law officers was mostly seasonal in cattle towns, where herds trailed northward from Texas arrived only during the warm months.[151] Not surprisingly, the Abilene city council passed a resolution that Hickok "be discharged from his official position as City Marshal for the reason that the City is no longer in need of his services and that the date of his discharge take place from and after this 13th day of December AD 1871." Nor would the town of Abilene require a lawman like Hickok the following year. Farmers homesteading in the area were demanding that the cattle trade in Abilene be restricted to prevent crop damage and the spread of disease. Former Abilene mayor T. C. Henry and other influential citizens, believing the town's future should be based on farming, persuaded the city council to ban the cattle trade. In ensuing years, herds would be driven to Newton, Ellsworth, Wichita, and Dodge City rather than Abilene.[152]

Although Hickok was no longer marshal, newspapers continued printing stories about his reputation as a man-killer and the efforts

149. *Abilene Daily Chronicle* 30 Nov. 1871, quoted in Miller and Snell, *Why the West Was Wild*, p. 203–4.

150. Dykstra, "Hickok in Abilene," p. 43.

151. Rosa, *They Called Him Wild Bill*, pp. 203–4.

152. Ibid., pp. 204–6; Edwards, *Early Days in Abilene*, pp. 11–12; Miller and Snell, *Why the West Was Wild*, p. 204. *See also* Dykstra, "Last Days of 'Texan' Abilene," pp. 114–15.

of Coe's friends to avenge his death. For example, the *Saline (Kans.) County Journal* for 18 January 1872 claimed Hickok was "exhibiting himself to the inhabitants of Boston." Now, it said, "the credulous New Englanders have an opportunity to interview in person the man who has shot men down in cold blood by the scores and is as big a criminal as walks the earth. If it is pleasure for those down-easters to welcome a gambler, a libertine and a rowdy, we can furnish those of the same ilk, just as deserving, by the hundreds, from our 'wicked plains.'" Whether Hickok actually was in Boston has not been confirmed.[153] A year later, on 20 February 1873, Abilene's *Dickinson County Chronicle* reported that Hickok had been killed. "It is stated that Wild Bill was murdered in Galveston, Texas, about two weeks ago, by some of Phil Cole's [*sic*] friends, who it will be remembered by our citizens, Bill shot in a fracas, while he was marshal of Abilene." Coe's friends, the story stated, "vowed vengeance and finally accomplished it."[154]

Although the report of Hickok's death was premature, it caused speculation as to where he had gone. The *Kansas Daily Commonwealth* for 1 March 1873 described the confusion. First, it had reprinted the report of Hickok's purported death in Galveston. Later, it received information from Dan Pixley that Hickok was visiting friends in Springfield, Missouri. Other people had produced letters and newspapers stating that Hickok was in New York, or that he was in the West along the Union Pacific Railroad. Finally, a man recently arrived from Fort Dodge related that Hickok had been killed in a shooting there.[155]

According to the latter individual, Hickok had "guarded himself as well as possible from danger, knowing he had enemies." He had misjudged two men, however, and entered a Fort Dodge saloon with them. Suddenly, the lights went out, gunfire erupted, and "the tall form of the man who had proven such a terror on the plains fell at the feet of his enemies, vanquished by death, a bullet having pierced his brain, entering his skull in the center of his forehead." The victim was also struck in several other places. "The informant says he is positive the man killed was Wild Bill, ex-marshal of Abilene, as he knew him well

153. Quoted in Miller and Snell, *Why the West Was Wild*, pp. 204–5.
154. Quoted ibid., p. 205.
155. Ibid., pp. 205–7.

at that place." Hickok's friends, the editor reported, did not believe he was in that section of the country, however.[156]

Indeed, the *Commonwealth* for 14 March 1873 exclaimed, "William isn't dead." Many initially believed reports that Hickok had died in Galveston, but when he was also reported killed in Fort Dodge, "the thing began to look fishy; nobody believed he had been killed twice." Meanwhile, other information pointed to his presence in Springfield, Missouri. One letter writer informed the newspaper that he had "seen the gentleman 'in flesh and blood' in this city to-day [*sic*]." Confirmation came on 15 March 1873, when Hickok himself wrote the *Saint Louis Daily Missouri Democrat*, which had reported his death at the hands of Phil Coe's brother. "Wishing to correct an error in your paper of the 12th," wrote Hickok, "I will state that no Texan has, nor ever will 'corral William.' I wish you to correct your statement, on account of my people. Yours as ever, J. B. Hickok."[157]

The editor could not refrain from comment. "We take much pleasure," he wrote, "in laying Mr. Hickok's statement before the readers of the *Democrat*, most of whom will be glad to learn from his own pen that he is still 'on deck.' But, in case you should go off suddenly, William, by writing us the particulars we will give you just as fine an obituary notice as we can get up, though we trust that sad pleasure may be deferred for many years." In addition, he noted, "'Wild Bill,' or any other man killed by mistake in our columns, will be promptly resuscitated upon application by mail. It is not necessary for the deceased to call in person. He will receive just as much—in fact, more—attention by simply writing."[158]

In later years, popular writers retold Hickok's actions in Abilene, embellishing known events and inventing new ones. The first writer to publish a lengthy account was J. W. Buel, whose *Heroes of the Plains; or, Lives and Wonderful Adventures of Wild Bill, Buffalo Bill, Kit Carson, Capt. Payne, Capt. Jack, Texas Jack, California Joe, and other Celebrated Indian Fighters, Scouts, Hunters and Guides* appeared in 1881. Buel's fan-

156. *Topeka Kansas Daily Commonwealth*, 1 Mar. 1873, quoted ibid., p. 206.
157. Quoted ibid., pp. 206–7.
158. *St. Louis Missouri Democrat*, 15 Mar. 1873, quoted ibid., 207–8.

ciful account, replete with errors, exaggerations, and tall tales, featured Hickok, whose biography occupied the first 221 pages.[159]

Evidently, Buel had met Hickok in 1872, when Hickok visited Kansas City. Buel, apparently working for the *Kansas City Journal* at the time, claimed he "became intimately acquainted with the heroic scout and learned much concerning his marvelous career." Although it is unlikely he knew Hickok well, "Wild Bill" certainly made a lasting impression on him. In his book, Buel also claims he interviewed other individuals familiar with Hickok and repeats their recollections of his adventures. Although his work is marred with errors, it became a significant source for later biographers.[160]

According to Buel, Hickok stopped at Abilene for a few days to visit friends "and was surprised by an offer to make him marshal of that place." The salary being adequate, he accepted. The environment in Abilene was far more difficult than what he had encountered as a lawman in Hays City. "The town, with less than one thousand permanent residents, was filled with so much vileness that the very atmosphere appeared impregnated with the odor of abomination; murder ran riot, drunkenness was the rule, gambling a universal pastime, fighting a recreation," and prostitution a common sight. Abilene had a "greater wickedness than any other Kansas town," Buel said, because "it had become the central shipping point for the cattle raised in Texas, New Mexico and Indian Territory."[161]

The men associated with Abilene's main trade increased the need for Hickok's services as marshal. "Every day great herds of cattle were driven in, and accompanying the herds were scores of reckless cow-boys and owners, who regarded nothing with so much favor as the meanest brands of fighting whisky." As soon as the herds were corralled, "these men invariably traveled to some saloon, on as straight a

159. J. W. Buel's first book, *The Life and Marvelous Adventures of Wild Bill, the Scout, Being a True and Exact History of All the Sanguinary Combats and Hair-Breadth Escapes of the Most Famous Scout and Spy America Ever Produced*, appeared in 1880 and quickly sold out. He soon followed that volume with *Heroes of the Plains*, which was reprinted numerous times over the years. *See* McLaird, *Wild Bill Hickok & Calamity Jane*, pp. 110–11.

160. Buel, *Heroes of the Plains*, p. 153.

161. Ibid., pp. 133–34.

line as the honey-laden bee, and like a dry fish thrown back in its element, they absorbed vitriol-adulterated liquids until some desperate act was almost certain to conclude the spree."[162]

Despite the high level of violence, Hickok had "much in his favor" because of his widespread reputation. "It was very apparent that in the name of Wild Bill many bullies intuitively saw a grim harbinger of their fate if their carnival of crime remained unchecked." Of all these bullies, however, one troublemaker stood out, Buel claimed: "a small, black-eyed, professional gambler, named Phil Cole." Before arriving in Abilene a few months earlier, "Cole" had killed several men, and he had raised a ruckus in nearly every western town. Indeed, only two days after Hickok became marshal, "Cole," with "another desperado named Jack Harvey, got on one of his accustomed tears, and regardless of the new officer, he began his usual indiscriminate destruction of property, smashing windows, kicking in doors, insulting women, firing his pistol, and sundry other malicious acts which demanded Bill's interference."[163]

Buel's "Cole" was actually Phil Coe, of course, and the shooting occurred at the end of the summer, not two days after Hickok became marshal. In addition, Jack Harvey had been Hickok's friend after the Civil War and was not one of Coe's companions. Buel also was clearly presenting Cole as a completely evil figure to contrast with his idealized, heroic marshal and other more ambivalent, if not complimentary, characterizations of Phil Coe.[164]

Compounding his errors, Buel claimed that Hickok, "in company with his deputy, Jim McWilliams, put in an objection" to Cole's behavior. "McWilliams" knew Cole and approached him "in a friendly spirit," hoping to "induce Cole to give up his pistols" and avoid serious trouble. Hickok, who did not know anything about Cole's disposition, "ordered the gambler to surrender." This command caused Cole to fire his pistol at Hickok in anger. Fortunately, Cole missed because McWilliams was holding his arm; Hickok then "drew his own pistol and fired at Cole, but at the same instant the gambler in wrestling with McWilliams threw him in front in such manner that the faithful deputy received the bullet in his heart and fell over dead." Cole attempted once

162. Ibid., pp. 134–35.
163. Ibid., p. 135.
164. Ibid.

again to shoot Hickok, "but ere he pulled the trigger a shot from Bill's weapon penetrated the gambler's brain, marking him for the second victim." Cole's death did not end the fight, however. Jack Harvey, who had remained in the background, now fired his gun at Hickok, "the ball passing through [the marshal's] hat and cutting off a lock of hair." Harvey should have stayed out of the fight, for Hickok now returned fire. "Poor Jack, a good fellow under ordinary circumstances, forfeited his right to Bill's clemency and when he went down there was a bullet hole through his heart."[165]

The citizens of Abilene, said Buel, considered the killing of Cole "a 'Christian act,' because it was like ridding the country of a ferocious and destructive beast." The death of McWilliams, he added, caused Hickok much "anguish of mind. The two had been old friends—bosom friends in fact—and that his death should come in such a manner was abundant reason for the inexpressible sorrow Bill felt." In the following years, Buel claimed, "tears would start instantly in Bill's eyes at the mention or remembrance of his friend's death." Indeed, Hickok, "to make the act yet more righteous, . . . raised the money with which to give his victims decent burial."[166]

Killing "Cole" was, according to Buel, only one of several Hickok actions that caused Texans to want the marshal assassinated. Earlier, on 26 December 1870, Buel wrote, unphased by the fact that Hickok was not marshal in Abilene in 1870, that "a dozen Texan cattle men concluded to take the municipality by storm." The cowboys then downed a good measure of "Abilene whisky" before they began their destructive acts. Among the celebrants was "the owner of one of the largest ranches in the Lone Star State," left unidentified, said Buel, because of his prominence. He refers to him only as "Assassin Bledsoe."[167]

The Texans, including "Bledsoe," broke into a harness shop, beat the owner, and stole several bullwhips with which they attacked anyone they met on the streets. Hickok hoped "the unruly crowd might be controlled without bloodshed. He therefore called a few citizens to his assistance and undertook the difficult job of arresting the drunken party." When confronted, however, Bledsoe struck the marshal on

165. Ibid., pp. 135–37.
166. Ibid., p. 137.
167. Ibid., p. 140.

the arm with his whip, making the sound of "a pistol-like report." Buel wrote that "the whip-stroke cut almost like a knife, and the pain it produced was just enough to make Bill feel like killing some one, especially Bledsoe." Wielding a club, Hickok struck Bledsoe on the head, laying the skin open for three inches. A general fight then ensued between the citizens and the Texans. "Clubs and stones were the only weapons used," said Buel, "but in the hands of infuriated men they were very dangerous. . . . Blood was streaming from numerous heads, arms were broken, bodies frightfully bruised and demoralization was pictured on every participant." Eventually, Hickok, the central figure in the fight, and the citizens of Abilene emerged victorious. Many were injured, especially Bledsoe, who "was compelled to keep to his bed for nearly two weeks, and the greatest care was required to prevent inflammation of the brain, from which he would have certainly died."[168]

In Buel's account, Bledsoe pledged "under oath" to his friends that if he lived, he would take vengeance on Hickok. Thus, after returning to Texas, he "conceived one of the most dastardly, cowardly and villainous purposes ever brought forth by a naturally infernal mind." He sent for eight "miserable, sneaking characters of his neighborhood" willing to kill for money and met with them in an old barn. "That the design might lose none of its black hideousness the meeting took place under the cover of darkness," said Buel. There was, of course, a jug of whisky for the would-be accomplices. After making the men take an oath of secrecy, Bledsoe offered them five thousand dollars in gold for the heart of Wild Bill Hickok. Each man would receive fifty dollars in expense money to travel to Abilene, and the reward would be divided equally among them "on the day that Wild Bill's heart should be delivered" as proof that they had carried out the deed. Unfortunately for Bledsoe, the men, having considerable expense money in their pockets, spent their time in Abilene drinking, and while under the influence, one of the men blabbered out their mission. A friend of Hickok's brought him the news.[169]

Rather than confront the Texans, Hickok had his friend return to the saloon and inform them that he was leaving for Topeka that evening. The purpose of the marshal's trip, Hickok's friend told them, was

168. Ibid., pp. 140–41.
169. Ibid., pp. 142–43.

to purchase new pistols because his were no longer functioning. The Texans immediately decided to board the train, get Hickok to walk from one car to another, and, while he was on the platform between cars, stab him and throw him off the train. In this way, there would be no witnesses, and they could return later to cut out his heart. About an hour after the train departed, however, Hickok walked into their car. Drawing his two ivory-handled pistols, he said, "'Now, you infernal scoundrels, get out of this car instantly or I'll make buzzard food of your carcasses.'" He then made the Texans jump off the car, which was going "thirty miles an hour." One died, and three others were so badly injured that their friends had to carry them away. "This ended the efforts made by Assassin Bledsoe to secure Wild Bill's heart," wrote Buel, "notwithstanding his desperate oath; . . . in fact, after this, he lived for nearly six years in constant dread lest Bill should find and kill him."[170]

In Buel's version of events, Hickok had another shooting affray while returning from Topeka. The story seems to be entirely invented. Hickok stopped at Ellsworth for two days to visit "a somewhat noted beauty of that place, named Emma Williams, whose charms had made an impression on the softer portion of his heart," said Buel. However, "a big bully named Bill Thompson" was also enamored with Emma. Already angry at Hickok for arresting him a year earlier, Thompson decided to kill Hickok when Emma favored the lawman over what Buel called Thompson's "coarse, uncouth, brutal physiognomy."[171]

Thompson made his attempt on 17 February 1871, wrote Buel, when Hickok was at a local restaurant. Having ordered oyster stew, Hickok carelessly sat with his back to the door, a mistake Buel claimed Wild Bill never made again. As the waiter brought the stew, "Bill saw him exhibit a sudden fright, and turning quickly in his seat discovered Thompson approaching and almost in the very act of firing on him." Hickok hurriedly slid out of his chair, and Thompson's bullet missed him, shattering the dinner plate "into a hundred pieces." Before Thompson could fire again, Hickok pulled a derringer from his pocket "and sent a slug squarely into Thompson's forehead."[172]

The poor waiter was so frightened that he dropped "soup, bowl

170. Ibid., pp. 143–45.
171. Ibid., pp. 145–46.
172. Ibid., p. 146.

and platter" on the floor. Hickok, on the other hand, "cooly resumed his position at the table and ordered the trembling waiter to bring him the stew, giving no heed to the unconscious victim on the floor." The waiter, Buel claimed, "showed no such indifference," standing "in dumb astonishment" as curious townspeople began filling the restaurant. Hickok finally left and "hunted up another restaurant, where he feasted according to his pleasures." He was later arrested, but a verdict of "justifiable homicide" was given at the preliminary hearing, and he departed for Abilene after only a couple hours in detention.[173]

Buel, whose chronology is as confused as his facts, claimed that Hickok began another term as a United States marshal in June 1871 and once again made Hays City his headquarters. In this capacity, he traveled to Wichita to arrest an "offender," stopping at a saloon to see if the proprietor could supply him with any information. For some reason the saloon was empty. Hickok sat down to wait for someone to show up. Meanwhile, a stranger came to the entrance and asked if he was Wild Bill. When he responded affirmatively, the man pulled out his gun and "fired so close in Bill's face that the skin was scorched." Fortunately, the bullet only struck his scalp, although it cut a three-inch furrow and stunned him so badly "he fell to the floor as if stricken dead." The stranger, believing he had killed Hickok, hurried away on his horse without firing a second shot into the body.[174]

In Buel's tale, the saloon owner arrived shortly afterwards, dashed water into Hickok's face to revive him, and began examining his wound. Now conscious, Hickok asked where the stranger had gone. Told his assailant had fled, Hickok "refused all offers of surgical attention, and with the blood streaming down his face, saturating his clothes and rendering his appearance gory in the extreme, he gave pursuit." The assailant, assuming Hickok dead, meanwhile rode slowly southward, allowing Hickok, who had been traveling at a gallop, to catch up and approach within a few hundred yards. With his horse nearly exhausted and his assailant racing away, Hickok shot and disabled the assassin's horse. He also "shot the man through the back, producing a slow and terribly painful death." In order to make "his revenge more complete,

173. Ibid., pp. 146–47.
174. Ibid., pp. 147–48.

Bill raised the head of his dying victim and with the long, keen bowie he carried cut from the stranger's scalp a strip of hair and flesh such as he considered would correspond with the portion extirpated from his own. With this ghastly trophy he returned to Wichita and there had his own wound properly attended to."[175]

Buel had Hickok learn later that his assailant was Phil Coe's cousin and, like him, a famous gambler. The cousin "had made many threats to avenge his kinsman's death," but now "had become the victim of a more fatal vengeance." According to Buel, Hickok "carried the piece of scalp cut from his victim's head for many years" to remind him of his near escape. Indeed, he added, Hickok's brother, "in communicating with the writer, stated that Bill kept this ghastly momento in his pocket book until it became as hard as a piece of dried buffalo hide."[176]

These exaggerated stories related somewhat to events in Hickok's life, but Buel also included entirely fictional tales. In addition to the story of Emma Williams, he set one tall tale in Hays City when the Abilene marshal was purportedly visiting that town. Even Buel admitted this story "has in it all the elements of an anecdote." A professional boxer named Patterson had traveled from New York to Hays City, where he "organized a school for training the combatively disposed people of that town in the art of pugilism." One evening, several of his students demonstrated their fighting abilities, and Hickok, out of curiosity, attended. Afterwards, Patterson stopped at a local saloon and bragged that pugilism was superior to the fighting methods of western characters. When a bystander mentioned that Hickok was "the handiest man out West, a good shooter, skillful fighter, and brave to rashness," Patterson exclaimed, "'I would like very much to meet him, and if he's got the pluck to stand before me I'll show you how little he knows about the manly art.'"[177]

Hickok happened to be in the same saloon, drinking with his friend Buffalo Bill Cody, and Patterson soon confronted him. "'I understand that your name is Wild Bill, and that you carry around in your clothes the reputation of being the boss fighter in the West.'" Responded

175. Ibid., pp. 148–49.
176. Ibid., p. 149.
177. Ibid., pp. 137–38.

Hickok: "'Where did you get that information?'" Patterson said all the boys declared it, then threw down the gauntlet: "'While I am in this country I am boss; that's my business, and I'm ready to demonstrate my claims.'" Although Patterson admitted that Hickok might be the best pistol shot, he asserted that he was "'the best man on the muscle.'" It was a mistake. "The bantering tone of the Professor made Bill mad as a wounded catamount, and giving his weapon to Buffalo Bill he sailed into the pugilist like a red-hot ball from a columbiad." The furniture in the saloon flew as the bystanders watched. "Is it necessary," Buel concluded, to mention that Hickok emerged victorious? Indeed, "the Professor was so outrageously thrashed" that his reputation as a pugilist was ruined, and he was forced to close his school and leave town.[178]

Tales like those Buel told became commonplace even during Hickok's life. Once Hickok departed from Abilene, however, residents debated his effectiveness as marshal. The former mayor's younger brother, Stuart Henry, claimed that Hickok was responsible for a decline in law and order. On the one hand, the previous marshal, Tom Smith, had kept the town quiet without killing anyone, and cowboys willingly deposited their guns when they arrived in town. Hickok, on the other hand, loitered in the town's saloons, gambling and consorting with the people he was supposed to be policing. Soon, asserted Henry, men began wearing guns once again, which led to increased violence and deadly confrontations.[179]

Those defending Hickok's actions typically emphasized the high level of violence in early Abilene, making his shootings seem necessary. Robert Dykstra, however, compiled statistics suggesting that Abilene experienced only seven homicides in its first fifteen years, and these occurred within a three-year period. Dykstra's figures indicate that at the peak of the cattle trade Abilene experienced approximately two killings a year; of these, Hickok perpetrated two. The image of hoards of psychopathic killers roaming the streets, shooting anyone who crossed their paths, is a Hollywood invention based on colorful reminiscences. Rowdy behavior did occur, usually when cowboys were drinking, but

178. Ibid., p. 139. A columbiad is a large-caliber, long-range, smoothbore cannon developed and used in coastal defenses.

179. Henry, *Conquering Our Great Plains*, pp. 272–75.

seldom did they attack residents of the town. A law officer experienced in crowd control could usually quiet a group of drunk and disorderly men without resorting to violence. If intent on getting rid of Hickok, thirty to fifty celebrating cowboys could easily have killed the marshal during his confrontation with Coe. Instead, they dispersed, suggesting that Hickok might have been able to achieve peace through persuasion. Personal enmity between Coe and Hickok may have prevented any accommodation.[180]

Nevertheless, Abilene has been part of a significant historical dispute concerning homicide in the American West that continues today. In the Summer 2011 issue of the *Western Historical Quarterly*, Randolph Roth, Michael D. Maltz, and Douglas L. Eckberg dispute Dykstra's suggestion that the level of homicides in the West was relatively low. Comparing homicide rates in the American West of the late 1800s to the contemporary United States and other industrial nations reveals a high incidence of violence. By contrasting the homicide numbers for every one hundred thousand residents of several cities, these historians found that the contemporary United States has the highest rate of all industrialized nations, and the American West of the late nineteenth century ranked at least as high. In this context, the authors conclude that citizens of western towns such as Abilene undoubtedly believed that their lives were at risk.[181] Dykstra, on the other hand, urges "a little common sense," writing, "If a person didn't regularly hang out with a bad crowd, stay up past midnight in public places, and overindulge in drink he or she would probably have felt no more threatened by violent death in frontier California than in modern Detroit or Flint or Miami."[182] An examination of early Abilene suggests Dykstra is probably correct in asserting that few citizens had reason to worry for their lives.

Still, determining the homicide rate for a town like early Abilene is a difficult task. In 1870–1871, approximately five hundred people re-

180. Robert R. Dykstra, "Quantifying the Wild West: The Problematic Statistics of Frontier Violence," *Western Historical Quarterly* 40 (Autumn 2009): 346; Rosa, *They Called Him Wild Bill*, pp. 195–200; and Dykstra, "Hickok in Abilene," pp. 24–27.

181. Roth, Maltz, and Eckberg, "Homicide Rates in the Old West," *Western Historical Quarterly* 42 (Summer 2011): 173–95.

182. Dykstra, "Quantifying the Wild West," p. 342.

sided in Abilene. Even two or three killings would create a high rate of homicide amongst a small population. The town's numbers soared during summers with the arrival of cattle herds and cowboys, however, perhaps reaching seven thousand. Given a population of this size, the homicide rate is dramatically lower. In addition, if one considers Hickok's two killings to be "justifiable homicides," as criminologists do when they determine rates for contemporary America, the rates are dramatically reduced.

If homicide rates were high in the American West, and that has yet to be established, the cause may be easily determined. The population of western towns tended to be young, mobile, and transient. Homicide rates for long-settled regions where families and friends resided for generations would likely have lower numbers of killings than places dominated by young transient males. If, over time, more permanent residents replaced the transient population, we might expect homicide rates to decrease. In contemporary South Dakota, for example, we would expect longer-settled communities to have lower homicide rates than, say Sturgis, South Dakota, with its summer motorcycle rally, or parts of North Dakota with its recent oil boom.

Whether citizens feared for their lives would seem to depend on the nature of the crimes as much as their frequency. If ruthless killers wandered the streets killing citizens randomly, townspeople had much to fear, but such does not seem to have been the case in Abilene in the early 1870s. In 1872, for example, the year after Hickok was marshal, longtime resident J. B. Edwards recalled that both of the murders occurring that year involved individuals who were familiar with one another.[183] During the busy season, a pair of tailors employed a German settler named Elsizer who would return to his claim outside town after they no longer needed him. Elsizer often visited town, however, and his employers would give him free room and board. On one such visit in spring 1872, one of the employers was absent, and during the night Elsizer murdered his host "for the sake of the money he might be able to get."[184]

183. Edwards, *Early Days in Abilene*, p. 11; Robert R. Dykstra, *The Cattle Towns* (New York: Alfred A. Knopf, 1968), p. 144.

184. Edwards, *Early Days in Abilene*, p. 11.

Authorities eventually arrested Elsizer, but, Edwards said, "not a word could be gotten from him. He refused to talk at all." That night, while the sheriff and deputy were away at an event at Drover's Cottage, a "mob" took the prisoner from his cell. The next morning, those "who desired could rest their eyes on Elsizer hanging to a beam in the old mill then standing on the banks of the creek. His remains were buried out in the Sand Hills; no one but those performing that duty knows where."[185] Whether many citizens feared for their lives because of these two killings involving acquaintances is doubtful.

Nonetheless, Edwards admitted, "to say that we had a bad name all during those years would be putting it quite mildly." Visitors were "often afraid to even ride through the city in trains," with some becoming "so frightened" they simply changed their plans and stopped in a town to the east. Edwards believed those residents had ulterior motives and spread false talk about Abilene, whose own citizens thought that "our town was well conducted and that lawlessness was kept close in hand."[186]

Conditions in Abilene had improved even while the cattle trade was in full swing. First, as has been seen, the town council instructed Hickok to move the prostitutes outside the city limits. "Beer gardens, dance halls and dancing platforms and saloons galore were there," recalled Theophilus Little. "It was called 'The Devil's Addition to Abilene,' rightly named, for Hell reigned there—Supreme. Hacks were run day and night to the addition."[187]

More importantly, businesses began moving north of the railroad tracks; previously, the entire town, save Joseph McCoy's home, was located on the south side. Several of the better businesses made the move in 1870, and the next year the post office moved there. "Then," recalled Little, "the cowboys and all others had to cross the dividing line—the railroad track—for their mail and the moment they crossed the line their whole deportment and character seemed to change. The atmosphere was strange to them. Not a whoop or yell or shot escaped

185. Ibid.
186. Ibid.
187. Little, "Early Days in Abilene and Dickinson County," p. 38.

them but once again on the south side they were in their native air and it was welcomed with a yelp and a shot."[188]

By 1872, a significant portion of the town was located to the north, away from the worst of the wild cowboy behavior. Further, many residents, as well as a large number of settlers outside town, were determined to rid the area of the cattle trade. Following a public meeting in early spring 1872, town officials drafted resolutions in favor of the farmers and requesting the railroads to move their shipping points for cattle elsewhere. Farmers, they said, could not raise corn and gardens only to have Texas cattle trample them while being driven to the local shipping point.[189]

During the winters of 1870–1871 and 1871–1872, the *Abilene Chronicle* printed letters both defending and criticizing the Texas cattle trade. On 12 January 1871, editor V. P. Wilson complained about high taxes due to the excessive cost of law enforcement required because of the cowboys. He also objected to Texans pasturing their herds in the vicinity and not being taxed. Another letter, dated 19 January 1871, defended the Texans and proposed that law enforcement be paid for with a head tax on cattle herds. One year later, through the efforts of the Farmers Protective Association, approximately 80 percent of the citizens of Dickinson County signed a petition demanding that Texans take their cattle elsewhere. As a result, the Abilene cattle trade in 1872 moved west and south, to Ellsworth, Newton, and Wichita.[190]

Without the cattle trade, Abilene quieted down. "Talk about your dull towns!" J. B. Edwards remembered. "Such a trade and hurrah as we had been having and then to lose it all at once and get down to building a town out of seemingly next to nothing, made it look gloomy for a year or two." In 1872, "all left Abilene except those who came here to stay and grow up with the country." He recalled, "Texas street, as we called it in those days, became almost deserted, leaving a string of empty buildings on each side."[191] That spring, *Chronicle* editor Wilson wrote, "The town of Abilene is as quiet as any village in the land. Busi-

188. Ibid., p. 38.
189. Ibid., p. 39.
190. Cushman, "Abilene," p. 257; Dykstra, "Last Days of 'Texan' Abilene," pp. 110–11.
191. Edwards, *Early Days in Abilene*, pp. 10–11.

ness is not as brisk as it used to be during the cattle season—but the citizens have the satisfaction that Hell is more than sixty miles away."[192]

As for Abilene's famous marshal, Wild Bill Hickok soon left for Colorado and later Kansas City, where he apparently had some dealings with Buel. Thereafter, he bounced from one scrape to another, including a brief and unhappy stint with Buffalo Bill Cody entertaining eastern audiences from the stage. Along the way, he renewed his acquaintance with Agnes Lake, owner of the Hippo-Olympiad Circus, and maintained a correspondence with her. They married in Cheyenne on 5 March 1876, after which Wild Bill sought to enhance his fortunes by arranging guide services for prospectors during the Black Hills gold rush. That plan did not quite work out, but by July of that year, he was in Deadwood. True to form, Hickok sought to mine gold at the gaming tables rather than along the creeks and, on Wednesday, 2 August, he met his end in Carl Mann's Saloon No. 10 when Jack McCall shot him in the back of the head as he played poker. Wild Bill's legend, already of national renown thanks to mythmaking authors, eager newspaper editors, and, to no small degree, Hickok's own efforts, only grew.[193] Through the decades, many have told his colorful story, often in the guise of sorting facts from myth, and the enterprise continues to be a worthy, remunerative pursuit.

192. *Abilene Chronicle*, 30 May 1871, quoted in Verckler, *Cowtown Abilene*, p. 71.

193. Louis S. Warren, *Buffalo Bill's America: William Cody and the Wild West Show* (New York: Alfred A. Knopf, 2005), pp. 64–65.

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On the covers: James Butler ("Wild Bill") Hickok (front) was a legend in his own time, and his reputation as a gunfighter, lawman, and gambler grew to epic proportions after his murder at a poker table in Deadwood in 1876 (back). In this issue, the late James D. McLaird looks at Hickok's life, sifting fact from fiction and tracing how the Hickok legend has evolved.