[In Progress] Kansas history: a journal of the central plains

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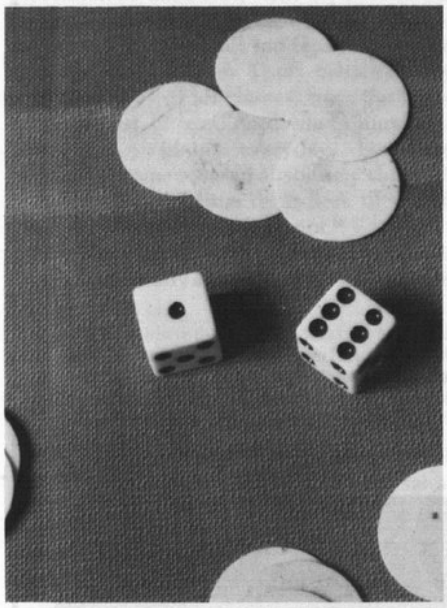
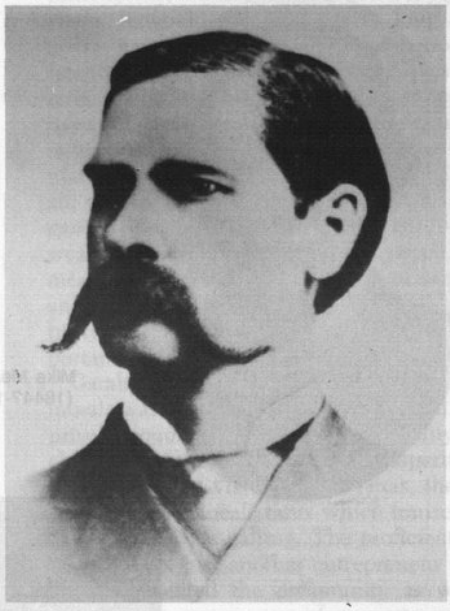




Popular and influential, the gambler often gravitated to the arena of local politics. Wyatt Earp (1848-1929) was assistant marshal at Dodge City 1876-1877 and 1878-1879. In 1878 he was a Ford county delegate to the state Republican convention in Topeka. Whether seeking private capital or public office, the gambler on the frontier was like other pioneers, reaching beyond the monotony of life by deliberately embracing the unpredictable. The only difference was that sometimes the dice were loaded.

To begin to understand the cattle towns we need only to glance over the first page of one of their newspapers, the Caldwell *Post*. On the masthead are the words: " 'In God we trust'—everybody else cash." Caldwell or Dodge City or any other Kansas cattle town was that kind of place. As their historian, Robert R. Dykstra, noted, they were "frankly ambitious frontier settlements . . . [which] through the medium of the range cattle trade . . . sought the rare prize of city status." [21] But typically, like most opportunistic frontier settlements, their appearance belied their ambition and direction. The classic description of one of their upstart contemporaries, Silverton, an 1879 Colorado mining town—"This place impresses one as having gotten there before it was sent for"—was equally applicable to the cattle towns of Kansas.[22] Such budding metropolises could afford to be temporarily unconcerned with their lack of visual appeal because they fully understood that sin, not aesthetics, provided their road to urban salvation. The basic process was simple: each spring, coming most commonly from the cities of the Middle Border, gamblers, frequently accompanied by harlots, commenced their annual pilgrimage to bring tarnished glamor and manipulated excitement to the nondescript centers of the Plains.[23] By October the season would be

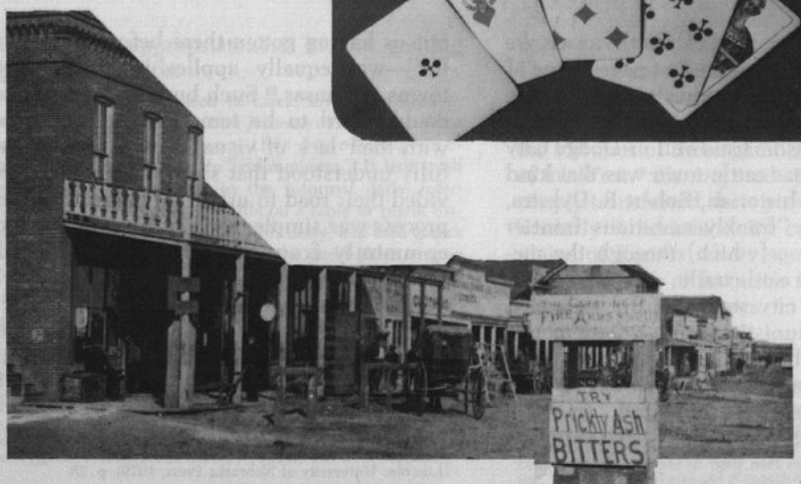
21. Robert R. Dykstra, *The Cattle Towns* (New York: Alfred A. Knopf, 1968), pp. 5-6.

22. *Laplata Miner*, Silverton, Colo., November 8, 1878, quoted in Elliott West, *The Saloon on the Rocky Mountain Mining Frontier* (Lincoln: University of Nebraska Press, 1979), p. 28.

23. "J. B. Edwards Miscellaneous Collection," manuscript department, Kansas State Historical Society; Wichita *Eagle*, April 30, 1874; Abilene *Chronicle*, July 18, 1872.

[In Progress] Kansas history: a journal of the central plains

Mike Meagher
(1844?-1881)



largely concluded: most of the cattle gone north, the cowboys south, and many of the professionals back east, with the rites of summer completed for another of what would be for those concerned, all too few years.[24] These were the days "when Texas cattlemen were legitimate prey of all classes, from the highest to the lowest . . ." and where numbers of "just . . . plain, everyday, bow-legged human[s]" came to town absolutely committed to having a good time regardless of whether they enjoyed themselves or not.[25]

The boom towns of the frontier, Abilene or Dodge City or any of the rest, were like modern Las Vegas,

> . . . the spot where the American ideal has been carried to its most logical and practical conclusion—the place where, regardless of difference in intelligence, background, taste or beliefs, money makes everyone equal . . . or at any rate can create such an illusion.[26]

HEYWOOD BROUN once remarked that "The urge to gamble is so universal and its practice so pleasurable that I assume it must be evil." [27] In Abilene, Ellsworth, and other cattle towns, that assumption had not yet been made. It would not be made as long as the towns were committed to the attraction and retention of the cattle trade which was often more akin to gambling than conventional business.[28] These were places where one's clientele might well consist of the aggregate male population of the entire town, committed gamblers all, who were, more likely than not, also congenital inepts at the tables. On the frontier wealth meant much more than mere money. It meant status, status that could mean privilege, and privilege that might mean civic responsibility or even municipal office, but most importantly, power.[29]

Gambling as practiced in the cattle trail terminals was a combination of individual enterprise, economic privilege, profitability, and chicanery. As long as a town's prosperity was based upon the visitors from Texas, the gambler enjoyed a local status which transcended the nature of his calling. The proficient gambler was not just another entrepreneur whose talents benefited the community as well as himself. He was a man of property with an acknowledged interest in the success of the community and a respected leader in local society. He was a self-made man of personal and financial independence who exuded both style and dignity, living in a place which venerated the first quality and badly needed the second. His success was economically based, but it was also socially, personally, and culturally determined. As William B. "Bat" Masterson recalled, "Gambling was not only the principal and best paying industry . . . at the time, . . . it was also reckoned among . . .[the] most respectable. . . ." [30]

One determining factor in the gambler's status derived from the background of the typical cowboy. A vast majority of these young men were natives of the South as were many of

24. Ellsworth *Reporter*, October 3, 1872. Those who remained were subject to the off-season doldrums: "Just at present his stock in trade is light. His bank roll, which last summer he flashed up on every occasion, now scarce ever sees the light of day. . . . In the place of twenties and fifties he has ones and twos, and only occasionally does a "five caser" meet his piercing eye. He makes no reckless bets, nor does he indulge in games whereof he does not understand. . . . his hand trembles even then as he lays his dollar on the board, and risks its loss. . . . [Gone are] the days when he won and lost by the thousand, and wore a diamond pin. At the recollection of those past flush times he sighs and says 'd--m such a country as this, the Black Hills is the place for me.' But after a second thought he takes it all back and concludes to wait for the cattle trade."

This was a common conclusion that the gamester and the rest of the community reached after considerable personal and social deliberations each winter. Come late spring the two of them would mutually and eagerly await the much desired and probably needed return of Texas specie.—Dodge City *Times*, February 23, 1878.

25. Kos Harris, "A Lawyer's Reveries of the Times When Wichita Was in the Gristle," in O. H. Bentley, ed., *History of Wichita and Sedgwick County, Kansas, Past and Present, Including an Account of the Cities, Towns and Villages of the County* (Chicago: C. F. Cooper and Co., 1910), p. 133; Ramon F. Adams, *Western Words: A Dictionary of the American West* (Norman: University of Oklahoma Press, 1968), p. 78.

26. Los Angeles *Times*, June 22, 1976, pt. 1, p. 21.

Election to public office rarely affected a gambler's true propensities. Mike Meagher was elected mayor of Caldwell in April, 1880, and was arrested four months later for running a keno game. He was killed in December of the following year during a gun battle in his saloon. In the photograph, *opposite*, of Dodge City's Front street in the 1880's, the upper sign on the well warns that the carrying of firearms is against the law. The gambler's personal and occupational penchant for carrying concealed weapons accounted for a number of convictions and was a source of local revenue. The derringer pictured with the poker hand is from the Historical Society's collections.

27. David P. Campbell, "Who Wants To Be a Professional Gambler?" in William R. Eadington, ed., *Gambling and Society: Interdisciplinary Studies on the Subject of Gambling* (Springfield, Ill.: Charles C. Thomas, 1976), p. 265.

28. Dykstra, *The Cattle Towns*, p. 78.

29. Herbert Asbury, *Sucker's Progress: An Informal History of Gambling in America From the Colonies to Canfield* (New York: Dodd, Mead & Co., 1938), p. 349; Jack M. Sosin, *The Revolutionary Frontier: 1763-1783* (New York: Holt, Rinehart & Winston, 1967), p. 167.

30. W. B. "Bat" Masterson, "Famous Gun Fighters of the Western Frontier," *Human Life*, Boston, v. 5, no. 2 (May, 1907), p. 5.

the professionals.[31] An intrinsic aspect of the Southern gambling heritage was that gaming was one of the proper pursuits of a gentleman, particularly one of leisure. As the local promulgators of leisure class behavior and social standards, the gamesters naturally acquired the attendant prestige. The local standing of gamblers was such that they plied their trade securely behind open doors, being properly visible to the streets and to all passersby.[32] Cattle town mores and interests being what they were, gambling was not an activity to be conducted in the dark secluded secrecy of enclosed back rooms. Wagering was not something to be ashamed of, rather it was something accepted and regarded as highly as any other successful local business endeavor. Under any circumstances, it would be a foolish and no doubt temporary town that would choose to conceal rather than showcase one of its more notable and popular attractions.

No doubt part of the local favor towards gambling can be attributed to the professionals themselves, most of whom seemed to have simply oozed personal charm at will. The elements involved might vary but the result was consistent. The gambler, given the proper appearance, demeanor, and style was perceived as a leader in society, one whose popularity knew no bounds. In an article entitled "A Nice Young Man," gambler-gunfighter Luke Short was described as "a regular dandy, quite handsome, and . . . [a local physician] says, a perfect ladies man. He dresses fashionably, is particular as to his appearance, and always takes pains to look as neat as possible. At Dodge City he associates with the very best element, and leads in almost every social event that is gotten up." [33] It was, however, more than mere superficial captivation, no matter how adroitly accomplished, that made numerous gamesters so well liked; it was basic personality.[34] Even those locals who found wagering distasteful at best "freely acknowledged their appreciation for many of its practitioners." [35] Perhaps the best illustration of the local stature accorded to professional gamesters occurred as part of the 1885 fourth of July festivities in Dodge City, popularly and likely historically as well, the cattle town. There locals paid 10 cents each for the privilege of selecting the most popular man in town. The overwhelming winner was none other than "Bat"—"I am a gambler by profession"—Masterson. From all accounts, no one was surprised.[36]

HAVING acquired a substantial base of popular support, numerous members of the sporting fraternity logically gravitated to the arena of local politics, the traditional medium for frontier businessmen to increase their economic efficaciousness.[37] Besides those of the profession who entered the political contests for sheriff and marshal, there were even some who campaigned successfully for the

31. E. C. "Teddy Blue" Abbott and Helena Huntington Smith, *We Pointed Them North: Recollections of a Cowpuncher* (Norman: University of Oklahoma Press, 1955), p. 24; J. Marvin Hunter, ed., *The Trail Drivers of Texas: Interesting Sketches of Early Cowboys and Their Experiences on the Range and on the Trail During the Days That Tried Men's Souls* (Nashville: Jackson Printing, 1925), *passim*.

32. *See*, for instance, Henry Chafetz, *Play the Devil: A History of Gambling in the United States From 1492 to 1955* (New York: Clarkson N. Potter, 1960), p. 16. For a more substantial historical analysis of the comparatively hedonistic orientation of Southern society in general, *see* William R. Taylor, *Cavalier and Yankee: The Old South and American National Character* (New York: Doubleday & Co., 1961). Ellsworth *Reporter*, July 25, 1872: Dodge City *Times*, September 1, 1877.

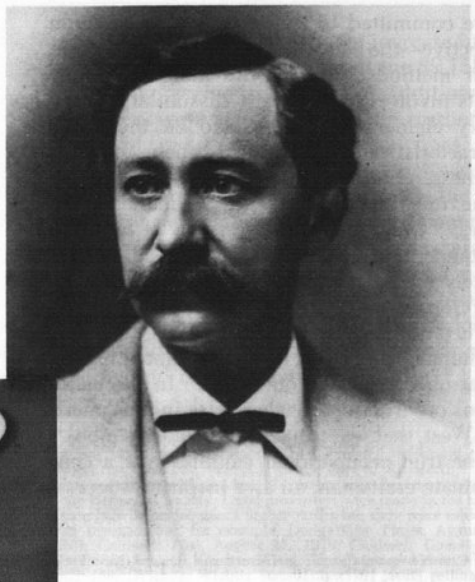
33. *Daily Kansas State Journal*, Topeka, May 18, 1883, reprinted in Nyle H. Miller and Joseph W. Snell, *Great Gunfighters of the Kansas Cowtowns, 1867-1886* (Lincoln: University of Nebraska Press, 1963), p. 397.

34. *Ford County Globe*, Dodge City, February 17, 1885. Men of personal quality who, for whatever reasons, chose a life of wagering were not, of course, limited to Kansas. The example of a Tombstone, Ariz., careerist called Napa Nick is illustrative. Napa Nick was "A professional gambler of the old school, . . . [who] looked more like a sedate judge. He was often called 'Judge' by many. He was white-haired, wore Uncle Sam chin whiskers and was always dressed in a sedate black suit. One day two men came to town and asked to see Judge Nicholls of Napa City, California. Directed to Napa Nick, they recognized their man but were much taken aback to learn he was a gambler. Later they told witnesses that Nicholls' residence at Napa City was one of the show places of the town and that the judge's wife and two pretty daughters moved in the best social circles. They concluded by stating that, although the judge was away most of the time, he was a liberal contributor to many charities, a leading benefactor of the town, and one of its most admired citizens."—Odie B. Faulk, *Tombstone: Myth and Reality* (New York: Oxford University Press, 1972), p. 123.

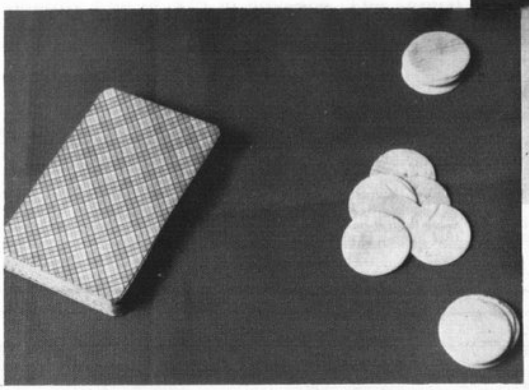
35. In the midst of the aftermath of the killing of Ellsworth's popular sheriff, Chauncey Whitney, by drunken gambler-gunfighter Billy Thompson, a situation which was in part a result of difficulties between Thompson's brother Ben and other local gamblers, the presumably antigaming editor of the Ellsworth *Reporter* wrote that "As a profession, too much can not be said against gambling, but there are in Ellsworth to-day [*sic*] several men who have no other apparent occupation, whose word is as good as gold, and who, aside from betting, act the part of gentlemen." This was not a strictly local phenomonon, *see*, Lynn I. Perrigo, "Law and Order in Early Colorado Mining Camps," *Mississippi Valley Historical Review*, Cedar Rapids, Ia., v. 28, no. 1 (June, 1941), p. 54. In this article on Colorado mining towns of the 1860's, an Isaac "Doc" Thayer is mentioned as being one of the gambling proprietors who were remembered as "men of character and often of high respectability," and as "pretty good fellows." Additionally, Thayer was also a very close friend of a local minister. A typically mobile and opportunistic frontiersman, Thayer later operated major gambling halls in both Newton and Wichita.

36. To commemorate the occasion, Masterson was given, appropriately enough, a gold watch chain, with a gold-headed cane to follow.—*Kansas Cowboy*, Dodge City, July 11, 1885; *Ford County Globe*, July 7, 1885.

37. Dykstra, *The Cattle Towns*, p. 295.



The true occupational gambler was a consummate craftsman, and his skill could be absolutely bewildering to his opponent. Harry Gryden (1843- ?), Dodge City judge, once described the accomplishments of the famed Dick Evans: ". . . there's something in his wink that neither man or woman can withstand, and he won my last chip on a pat flush. Why . . . he can tell by the smoke from our chimney top if there is a chip in the office; and he comes for it; and he gets it."



higher local offices, including mayor.[38] A few of the more ambitious and intrepid gamesters managed to participate at the state level. Of the delegates from Ford county to the 1878 state Republican convention in Topeka were the prominent gambling cohorts and occasional lawmen, Charles E. Bassett and the as yet undeified Wyatt Earp.[39] That men who were professional students of human nature and behavior, who were dependent upon their ability to attract and retain the attention, trust, and patronage of both new and returning customers, were able to advance, or perhaps descend, into politics should not be a cause of wonderment. But the fact that they also became vestrymen and deacons might be surprising. Yet these religious brothers of the green cloth were remembered as being "true to their offices and were regular attendants at the services, as well as the best people in town."[40]

Apart from the attitudes and achievements so far discussed, the gambler remained a businessman.[41] His economic orientation, values, and ambition were recognizably identical to those of the conventional local worthies.[42] Both

38. Election to public office rarely affected a gambler's true propensities. For example, sporting man Michael Meagher was first appointed and later elected city marshal at Wichita in 1871 and 1875 respectively. At the completion of his second term in office he moved to Caldwell where he was elected mayor in April, 1880. Four months later Mayor Meagher was arrested and fined five dollars for running a keno game. He was killed in December of the following year during a gun battle in his saloon.—"Records of the City of Wichita," 1871-1881, misc. papers, ms. box 168, manuscript department, Kansas State Historical Society; Caldwell *Post*, April 8, 1880, December 22, 1881; "Records of the City of Caldwell," 1879-1889, police docket, August 2, 1880, ms. box 144, manuscript department, Kansas State Historical Society.

39. One of the two alternates for the two Ford county representatives to that year's congressional convention in Wichita was Masterson.—*Ford County Globe*, August 13, 1878.

40. Hattie Palmer, "Wichita's First Church," in Bentley, *History of Wichita and Sedgwick County, Kansas*, p. 372; Samuel Carter III, *Cowboy Capital of the World: The Saga of Dodge City* (New York: Doubleday & Co., 1973); p. 152.

41. *See*, for example, Glenn G. Boyer, ed., *I Married Wyatt Earp: The Recollections of Josephine Sarah Marcus Earp* (Tucson: University of Arizona Press, 1976), p. 49.

42. "It seems clear that the dominant consensus at the cattle town was nearly always that of its business community."—Dykstra, *The Cattle Towns*, p. 356.

[In Progress] Kansas history: a journal of the central plains

were committed to the pursuit of a common objective—the acquisition of capital. Although their methods differed, the integral components involved were hardly dissimilar, for the "very elements considered to be the major characteristics of gambling, namely competitiveness, chance and uncertainty are, at the same time, part and parcel of the market economy." [43] Most important, in terms of local acceptance, was the fact that the gambler was largely an independent financial success. He represented money, so easily acquired that it seemed not to be earned, embodying that eternal human fantasy "of acquiring a lot of money all at once, and without effort." In the cattle towns or virtually anywhere else in the American West, that was the ultimate status symbol.[44]

The true occupational gambler was a consummate craftsman, an awe inspiring success, so good at what he did as to be absolutely bewildering to his opponents.

> . . . there's something in his wink that neither man or woman can withstand, and he won my last chip on a pat flush. Why . . . he can tell by the smoke from our chimney top if there is a chip in the office; and he comes for it; and he gets it.[45]

The extent of his activity, even more than his profitability, was a prime economic barometer, an acknowledged gauge of local commercial conditions.[46] And on a more direct level, through a system of licensing and fines, gambling clearly made its contributive presence felt.

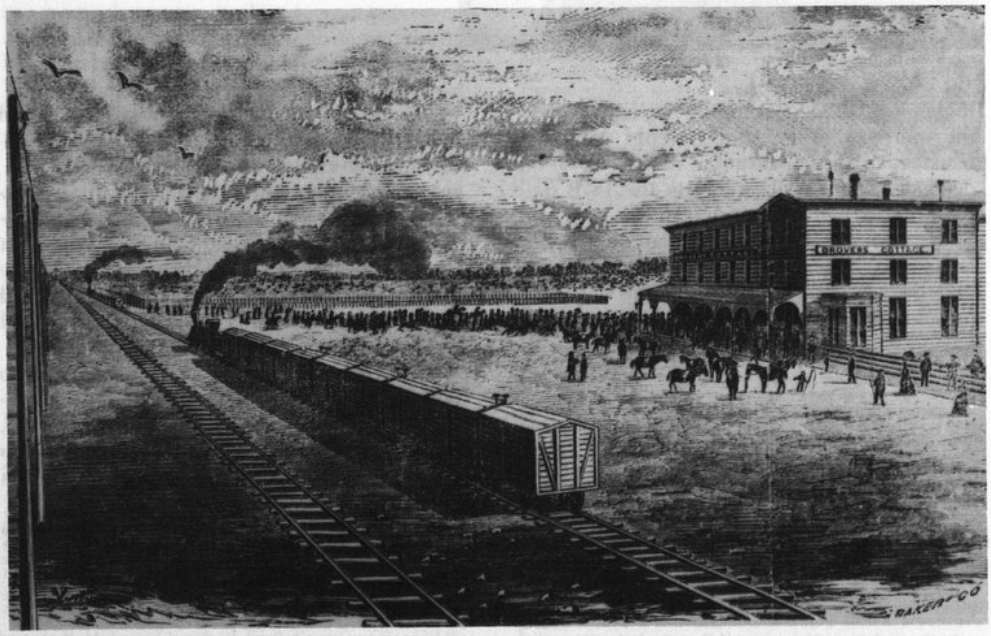
THE INAUGURAL implementation of periodic taxation on local professional gam-

43. Otto Newman, *Gambling: Hazard and Reward* (New York: Humanities Press, 1972), p. 10.

44. Roger Caillois, *Man, Play, and Games* (New York: Macmillan Co., 1961), p. 145.

45. The tortured but admiring speaker was Dodge City Judge Harry Gryden addressing County Attorney Michael Sutton on the accomplishments of the famed Dick Evans.—Dodge City *Times*, April 28, 1877.

46. Ellsworth *Reporter*, June 20, 1872. As the Dodge City *Times* of October 6, 1877, succinctly put it, "Gambling was better last week than it has been . . . for many a day. A good indication that money is plenty."



blers, as either practitioners or proprietors, was initiated in 1871 by Abilene Mayor Joseph G. McCoy, the father of the Texas cattle trade, and adopted in turn by each ensuing Texas trade center.[47] Individuals were fined at a rate varying between five and 10 dollars, plus costs, for their monthly violations. Proprietors contributed from $20 to as much as $75 for the privilege of conducting their businesses. To give some perspective to these figures consider the case of Joe Dagner, whom the city of Wichita allowed to commence operation of a keno room with the understanding that he would pay a monthly fine of $75 in advance. The annual sum involved, in just this one instance, amounted to a nearly 10 percent increase in the city's total revenue, based upon the $9,758.67 which it received in 1872.[48] Additionally, gamesters were also subject to the further expense of recurring misdemeanor fines and costs.[49] Drunk and disorderly conduct was the most common cause of such arrests, but the gambler's personal and occupational penchant for carrying concealed weapons also accounted for a fair number of convictions. Given the fact that few if any gamesters were willing to work without this particular net its ubiquity doubtless provided the local authorities with a repeating and reliable source of income.[50]

47. The legal heritage of this action can be traced to the city of New Orleans where, in 1823, a law allowing the city to license six gaming establishments at the rate of five thousand dollars apiece went into effect. Passed at the urging of local officials as a means of procuring needed municipal income, the law was only half utilized in its first year, but completely so thereafter until its eventual repeal.—Asbury, *Sucker's Progress*, p. 111; "Records of the City of Abilene," minute book, 1870-1876, pp. 69, 71, 94, ms. box 81, manuscript department, Kansas State Historical Society. For a convenient summary of the individual implementation of this policy, *see*, Dykstra, *The Cattle Towns*, pp. 126-127.

48. "Records of the City of Wichita," 1871-1881, misc. papers, ms. box 168; "Records of the City of Caldwell," 1879-1889, police docket, ms. box 144; "Records of the City of Ellsworth," 1871-1910, ordinance book, ms. box 172, manuscript department, Kansas State Historical Society. Legal provisions were made in the appropriate legislation for much higher tariffs but they were seldom if ever invoked. *See*, for example, Dodge City *Times*, August 10, 1878; Caldwell *Post*, August 21, 1878; Caldwell *Commercial*, March 10, 1881; L. Curtise Wood, *Dynamics of Faith: Wichita 1870-1897* (Wichita: Wichita State University, 1969), p. 11.

49. *See*, for example, "Records of the City of Wichita," 1871-1881, misc. papers, ms. box 168.

50. *See*, for example, Caldwell *Commercial*, September 28, 1882.

Joseph G. McCoy (1837-1915), *right*, was mayor of Abilene and father of the Texas cattle trade. In 1871 he was also the first to implement periodic taxation of local professional gamblers, a practice subsequently adopted by each ensuing Texas trade center. Individuals were fined at a rate varying between five and 10 dollars, plus costs, for their monthly violations. Proprietors contributed from $20 to as much as $75 for the privilege of conducting their businesses. The trains of cattle cars in the sketch, *left*, are waiting to leave Abilene for Kansas City. Cattle pens owned by McCoy are in the background, and at right of the cars is Abilene's famed Drovers Cottage, also owned by McCoy. Both sketches reproduced from McCoy's *Historic Sketches of the Cattle Trade of the West and Southwest* (Washington, D.C.: Rare Book Shop, 1932).

Dr. Samuel J. Crumbine
(1862-1954)

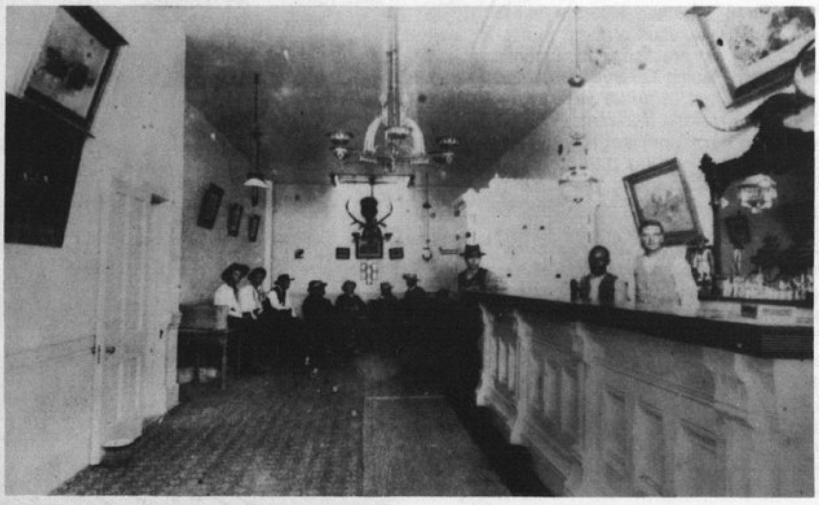
'THE OASIS.'

(South Side Railroad Track.)

Wm. Tilghman, Proprietor.

OPEN AT ALL HOURS OF DAY OR NIGHT.

THT BEST BRANDS OF LIQUORS AND CIGARS ARE KEPT AT THIS HOUSE.



A much more substantial source of income, both individual and communal, was represented by the gambling hall-saloons and dance houses, those places "where the unwary . . . [were] taken in and done for after the most approved style," many of which were owned by gamesters.[51] The demeanor and general atmosphere of these establishments varied greatly; some were designed to be places for subdued and congenial conversation while others seemed almost dedicated to promoting the manly arts of drunkenness, violence, and fornication, filled with "cuspidors which never seemed quite large enough for the expectorator who lacked pride in his accomplishment." [52] At their best they represented the nearest semblance of civilization on the frontier. At their worst they proved capable of giving vulgarity a bad name. But whether a model of selective decorum or one of overwhelming uproariousness, whether one's required imbibing consisted of fine French cognac or whiskey of dubious legitimacy and pernicious quality, the saloon was always "more than a store where men bought a chemical that helped them deal with the world around them." [53] It may have been patronized by multitudes of men dedicated to the pursuit of perfection in the art of whiskey soaking, but it performed other functions as well. As the young physician Samuel J. Crumbine recalled of his first tour of Dodge City,

> Our next visit was to the Long Branch, one of the larger and more orderly saloons on Front Street, the Fifth Avenue of Dodge City. Here I met merchants, ranchmen, traders and several of the "gentleman gamblers." Everything was comparatively quiet; in fact, the place suggested business. Later I learned that many large cattle deals were consummated there.[54]

Major business was conducted in such establishments for a sound economic reason, the same as that which underlies the modern "three martini lunch." As was observed regarding the skills of a local proprietor, "it is hinted that the manner in which he concocts a toddy . . . increases the value of a Texas steer about $2.75." [55]

To return to Crumbine,

> . . . we went on to the local gambling palace where I was struck by the formality with which the players dressed. Most of them had on frock coats, the kind we called a Prince Albert.
>
> As I watched these men playing poker, I was fascinated by their guarded movements. Their faces were blank. Nothing betrayed how they felt. Not a sign of tension was visible, though the "pots" were large. But as the play grew more exciting, one of the onlookers changed his position and stepped in close behind a gambler who was playing his hand close to his chest.
>
> What the man said was like a bomb exploding.
>
> "Git the hell out of here," he shouted . . . "and do it pronto while you can still move! Git!" [56]

The cattle town professional was a wandering craftsman who spent his nights engaged in pasteboard duels for momentary personal and economic supremacy and his days in sleep and leisure. A man of few words, he was a master of the looks that speak volumes. In his dress, in his manner, in his life itself, he was "Gilded Age" extravagance personified, frontier-style,

51. Abilene *Chronicle*, August 3, 1871. *See*, also, Floyd B. Streeter, *Ben Thompson: Man With A Gun* (New York: Frederick Fell, 1957), p. 32; Dale T. Schoenberger, *The Gunfighters* (Caldwell, Id.: Caxton Printers, 1971), p. 122. Ownership, apparently, could bring both respect and local prominence: "In the latter part of June [1877] Bat [William B. Masterson] bought a part interest in the Lone Star dance hall. He was definitely in the 'swim' for the office of sheriff in Ford County and wished to appear an interested citizen of Dodge and its surrounding territory."—George C. Thompson, "Bat Masterson; The Dodge City Years," *Fort Hays Kansas State College Studies*, Topeka, general series, no. 6 (1943), p. 15.

52. Representative institutions of the latter persuasion were fairly common; those of the former were rare. One such saloon was the moderately successful Alamo of Dodge City. "As a model of its line it takes the lead. It is new and bright and quiet. It will have no music, and those who resort to its well kept parlor can hear themselves talk as well as think."—Dodge City *Times*, June 2, 1877. *See*, also, George L. Cushman, "Abilene, First of the Kansas Cow Towns," Kansas Historical Quarterly, Topeka, v. 11, no. 3 (April, 1940), p. 242.

While a young physician Dr. Samuel J. Crumbine practiced medicine in Ford county and later described his experiences in the book, *Frontier Doctor*. He recalled Dodge City's Long Branch Saloon, interior view, *opposite*, as one of the larger and more orderly saloons on Front street. The atmosphere was quiet, he wrote, and many cattle deals were consummated there. At a local "gambling palace" he was impressed with the formal look of the gambler in a frock coat, and observed the concentration of participants in a poker game. The advertisement for the Oasis saloon appeared in the Dodge City *Democrat*, January 19, 1884. Its proprietor, "Big Bill" Tilghman, noted marshal and sportsman, was treated by Dr. Crumbine for pneumonia, and the doctor remembered him when ill as being submissive and "humble as a child."

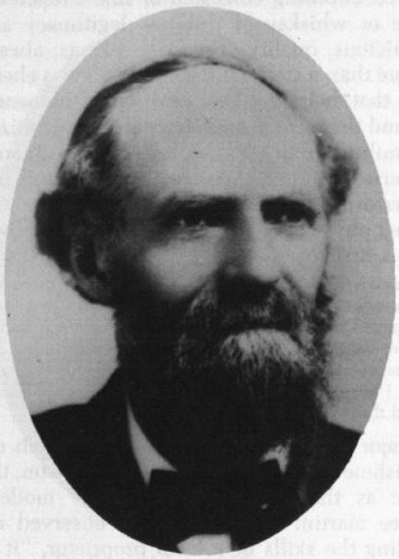
53. Dodge City *Times*, June 16, 1877; *Ford County Globe*, March 2, 1878, May 6, 1879; West, *The Saloon on the Rocky Mountain Mining Frontier*, p. 145.

54. Samuel J. Crumbine, *Frontier Doctor* (Philadelphia: Dorrance & Co., 1948), p. 27.

55. Dodge City *Times*, June 16, 1877.

56. Crumbine, *Frontier Doctor*, pp. 27-28.

[In Progress] Kansas history: a journal of the central plains



THE CHRONICLE.

V. P. WILSON, . . Editor and Proprietor

LIVE PAPER WITH LIVE READERS

Played Out.--It must be a source of satisfaction to the good people of our town and county to learn that McCoy's addition has played about out. The amount of crime, misery and damnation caused by the vile ulcer no human tongue can tell. If any of our citizens attempt the introduction of such houses here next year, and the officers of the law refuse to perform their duty in the premises, the citizens will have use for a considerable quantity of hemp. One element or the other must control. The devil's pimps have had their day—decent people will have a word to say hereafter.

As the cattle trade moved west from Abilene, the first Kansas cattle town, citizens of the community viewed gambling and its attendant evils with less tolerance. Where the gambler had once been welcome as a commercial attraction and source of local revenue, he was no longer. The East had caught up with the West and he moved on. Vear P. Wilson (1828-1899), editor of the Abilene *Chronicle,* was a leader of the town's reformist element. On November 16, 1871, he reported that "the devil's pimps" had "had their day."

conspicuous consumption on the plains of Kansas.[57] A man who saw gambling as an obvious form of personal initiative, he was always present-oriented, the future being too uncertain, too ambiguous for him to be otherwise. Understandably, ridding oneself of any surplus funds never presented any great problems for the gamester. As one of his contemporaries with a good deal of experience in such affairs put it, " 'Anybody,' said Jay Gould, 'can make a fortune. It takes a genius to hold onto one.' " [58]

Money, then, was to be treated cavalierly, to be generously and mindlessly squandered. Yet despite the seeming obsession with things material, money in itself was relatively unimportant. Gamesters desired money because its mere possession denoted winners, society's successes; not money for money's sake but money for its symbolic value was the point. For the professional wagerer, being mercenary did not preclude being charitable, in fact, it facilitated it.[59] Consequently, consolidation of

57. "He seldom lives frugally who lives by chance," the worldly Samuel Johnson wrote. "Hope is always liberal; and they that trust her promises make little scrupple of revelling today on the profits of the morrow."—Campbell, "Who Wants To Be a Professional Gambler?" p. 275.

58. Lucius Beebe, *The Big Spenders* (Garden City, N. Y.: Doubleday & Co., 1966), p. ix.

59. "As usual," Dodge City pioneer Robert M. Wright wrote, "the gang was flush, and you never struck a more liberal crowd when they had money."—Robert M. Wright, *Dodge City The Cowboy Capital and the Great Southwest in the Days of the Wild Indian, the Buffalo, the Cowboy, Dance Halls, Gambling Halls, and Bad Men* (Wichita, 1913), p. 211.

"Probably the most pitiable sight that has been seen on our streets was a young man, lately discharged from the U. S. army, who is in the last stages of consumption and only kept alive by stimulents [*sic*] furnished by the saloon men of our city. He was trying to get home but had no money. This was told to W. B. Masterson last Tuesday evening, and he in company with two others proceeded to canvass what is called the 'rough element' of the town, for funds to send the man to his home in Flint, Michigan. Mr. Masterson raised in less than an hour $22,00 [*sic*], which was turned over to the man, who could not find words to express his gratitude. It was a touching sight, one that will not soon be forgotten. It is a well known fact that whenever there is a contribution to be raised this element is the first to go down in their

[In Progress] Kansas history: a journal of the central plains

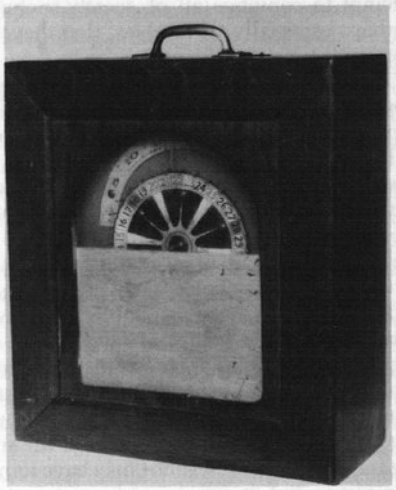
profits ranked considerably lower on the priorities than the ever-potential opportunities for greater winnings. Of course one does not need to be a compulsive gambler to realize that an obsession with endless victory will inevitably result in something quite different. But, as the renowned modern professional Nick the Greek has suggested, for the true gambler, "The next best thing to playing and winning is playing and losing." [60] And if, "In our culture, money is a measure of the investment of a player in a game," then the reckless improvi-

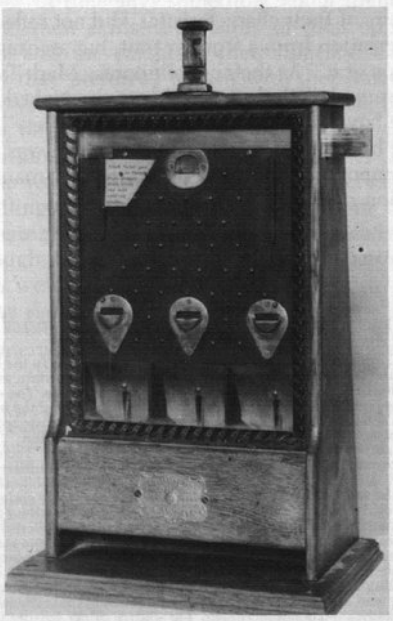
pockets and the most liberal givers."—Dodge City *Democrat*, October 24, 1885.

Cattle town historian Robert R. Dykstra has disputed the common conjecture that frontier professionals "removed the cash from incorrigible amateur players on a scale that is legendary," by maintaining that the rather exalted status accorded to the cattle town gamesters "probably [tempted] many with only marginal skill to adopt the sporting life as an occupation." However, it seems logical to assume that while a number of modestly talented individuals, in keeping with the prevailing entrepreneurial milieu, attempted to gamble on a professional basis, their lack of skill would guarantee almost immediate failure. In the highly competitive arena of professional gaming, only the substantially accomplished survive, let alone flourish, and those who do not win cannot continue to play. Thus it seems reasonable to conclude that those lacking in adequate aptitude and ability who nonetheless aspired to professional status would not remain in the occupation long enough to diminish its level of profitability. Indeed, the net result of their efforts undoubtedly added to, rather than subtracted from, the amount of capital gain enjoyed by the true professional.

The second part of Dykstra's argument—"Furthermore, the gambler's income remained especially subject to variations in the local economic picture"—is more substantial. Doubtless professional bettors, along with all other businessmen, felt the impact of general economic ills. (*See*, footnote 24.) Unlike the largely immobile local commercial interests, gambling was imminently transferable, temporarily or otherwise, to a more favored location. Numbers of the profession did so each winter anyway, leaving after the end of the shipping in late October or early November, returning in the late spring sometime prior to the arrival of the first herds. The relative dearth of cowboys in the winter months was somewhat modified as trailing gradually gave way to ranching in the 1880's, tempting more of the sporting fraternity to extend their residency. But as the prospective clientele was still rather limited, an increased amount of playing time was likely spent in intra-professional games. Over the course of a winter, those profits which were not expended in the continued pursuance of a prodigal life-style were probably lost at the table of an equally self-indulgent cohort, with consumption of capital rather than its accumulation being the basic result for all.—Chafetz, *Play the Devil*, p. 4; Dykstra, *The Cattle Towns*, p. 103.

60. Waller, *The Gamblers*, p. 10.





By the late 19th century the sporting community was on its way to becoming the corporate controlled and impersonalized industry that it is today. The basic unit was no longer the professional gambler but that marvel of symbolic technology, the slot machine. The early examples of coin operated gambling devices, *right*, are from the Historical Society's collections. The wheel of fortune, *above*, had a vertical roulette wheel that would spin at the insertion of a nickel and paid off the winner in cigars. It was in use in a Topeka drug store about 1900. The slot machine, *below*, was another low stakes game that could be played for a nickel. This model was patented in 1894.

dence of the gamesters represents something more than mindless hedonism; it stands for collective over-compensation, a largely futile attempt to convince all of society including, perhaps especially themselves, that they were not small-time contestants.[61]

There was also the matter of appropriate apparel. Stylish, fastidious, and simply reeking of personal vanity, it was, in many cases, difficult to distinguish from its wearer. The ultimate goal? To reduce the entire town to despair with one's sartorial splendor. Parsimonious in the pursuit of vanity they were not, but men then were not part of a modest age. On the other hand, their choice and style of apparel did demonstrate a commendable business appreciation for the values of advertising, self-merchandising, and the reinvestment of profits. Many even gave themselves up to the unusual, expensive, and thoroughly astounding practice of regular bathing.[62] For the sporting fraternity, more elegance may have implied less virtue but it proclaimed greater status. Their peacockism was physical evidence of their desire to rise above Western egalitarianism, to be seen as clearly set apart. This, like so many of their characteristics, did not reflect an aberration from a frontier trait, but an exaggeration of it.[63] As their contemporary Mark Twain observed, "Clothes make the man. Naked people have little or no influence in society"; for the brethren of the felt cloth, apparel was simply another, albeit the most apparent, manifestation of their ambition.[64]

61. Herman, *Gamblers and Gambling*, p. 6.

62. *See*, for example, William Elsey Connelley, *Wild Bill and His Era: The Life and Adventures of James Butler Hickok* (New York: Press of the Pioneers, 1933), p. 2.

63. Billington, *America's Frontier Heritage*, p. 101. In the larger cultural sense this interpretation accords well with certain aspects of Thorstein Veblen's *The Theory of the Leisure Class*. The extent of the parallels between Veblen's theoretical analysis of the leisure class and the behavior and goals of gamblers can be illustrated by a sampling of his chapter titles, *e.g.*, "Pecuniary Emulation," "Conspicuous Leisure," "The Pecuniary Stand of Living," "Pecuniary Canons of Taste," "Dress as an Expression of the Pecuniary Culture," and "Conspicuous Consumption." More specifically, a member of the leisure class typically "consumes freely and of the best. . . . Since the consumption of . . . excellent goods is an evidence of wealth, it becomes honorific; and conversely, the failure to consume in due quantity and quality becomes a mark of inferiority and demerit." If the constituents of the conventional leisure class find it essential for the maintaining of their social standing to publicly display their ability to spend, then the gamesters, who aspired to such social standing, would naturally have to do likewise.—Thorstein Veblen, *The Theory of the Leisure Class: An Economic Study of Institutions* (New York: New American Library, 1954), p. 64.

64. Clifford P. Westermeier, "The Cowboy and Six," in Charles W. Harris and Buck Rainey, eds., *The Cowboy: Six-Shooters, Songs, and Sex* (Norman: University of Oklahoma Press, 1976), p. 99.

NEAR THE end of the Texas trade era a cattle town journalist reported:

> Under the present order of things the *demi-monde* are permitted to visit the saloons and gambling houses after midnight. . . . Strange to say, very little, if any disturbances are witnessed. . . . [A] noticeable feature . . . is the appearance of the same individuals on every occasion. . . . Sam B. and S. P. Flo, are generally together. The "Rincon Kid" and "Little Dot" make another team, while "Eat-'em-up-Jake," Geo. Masterson, "Konk" and the "Stuttering Kid" bring up the rear with "Hop Fiend Nel," Nel Thompson, H. C. Sadie, "Emporia Belle," with "Scar-faced Lillie," "Barney the dude" and Miss "One Fin" as a strong reserve.[65]

Whether one referred to it with the then common euphemism "blacksmithing" or used something considerably more direct makes no difference: most gamblers were whoremongers. The joining of forces of the gentlemen of leisure and the ladies of joy formed a situation that was time-honored but simple—"She made the living for the two of them, and he spent his time gambling away the money she made and looking for prospects from whom she could extract more," was the way one Westerner described a particularly nonromantic example.[66] This was naturally a lucrative situation for the man, but aside from financial as well as physical considerations, there was an additional attraction involved, that of status. The West may have been a veritable land of plenty but not in terms of females, so "the scarcity of women gave their presence an importance far beyond their numbers."[67] To be the chosen man of a woman whose business was being chosen by men, in a land where men prided themselves on being men, was indeed status.

Of course not all whore-gambler relationships involved pandering, but nearly all had an economic component. If the woman were simply and solely the gamester's mistress, the exhibition of her attracting presence at his table was a marvelous means of engaging the atten-

65. *Kansas Cowboy*, September 26, 1885.

66. C. L. Sonnichsen, *Billy King's Tombstone: The Private Life of an Arizona Boom Town* (Caldwell, Id.: Caxton Printers, 1942), pp. 33-34; Colin Rickards, *Mysterious Dave Mather* (Santa Fe: Press of the Tetritorian, 1968), p. 17. The Caldwell *Post*, May 5, 1880, impishly put it, "Some of our young bucks are squealing because Justice Kelly fined two of the demi-monde so heavily last Monday. Why is this thusly?" No doubt this was yet another Western custom imported from the East, *see*, Herbert Asbury, *Gem of the Prairie: An Informal History of the Chicago Underworld* (New York: 1940), p. 75.

67. Carter, *Cowboy Capital*, p. 116.

tion of prospective customers.[68] If, additionally, the lady happened to be particularly décolleté she could, at the proper time with a properly improper movement, greatly facilitate if not completely camouflage her lover's less than conscionable techniques. Under such circumstances the customer would certainly lose, but likely not without at least an inner smile. He may have been thoroughly cheated but he probably walked away from the table feeling, if not thinking, that his loss was not without its moments. A minor consolation perhaps, but one he would likely remember the next time there was money in his pocket.

IN JUNE, 1872, an observant journalist noted,

> Game is abundant in Ellsworth, just now. Buffalo, draw-poker, antelope, old-sledge, venison, faro, quails, billiards, rabbits, euchre, elk and keno, are the prevailing varieties.[69]

For those who participate, the gambling table is the great American equalizer, one of the most efficient forms of financial redistribution known. To watch its progressions is to watch economic democracy in action. The special means used to achieve this end—the games themselves—often vary with time and place, and their individual popularity or lack thereof indicate something more than the current favored or unfavored vehicle for financial reassignment. Thus the nature of the games played is in a very real sense suggestive of the nature of those who choose to play them. There remains one constant in all of this, however, perhaps *the* fundamental rule of gaming: "If you keep on gambling, you will lose." [70] Unless, of course, you cheat. All forms of gambling involve the factor of "imperfect information," the "never not really knowing," to the point of complete assurance.[71] This continually nebulous situation proves greatly enjoyable to some, unbearably frustrating to others, and largely compelling to most. It motivates some men to gamble; it leads others to dishonesty. Individual reasons for manipulative deceptions vary, but it is the inherent inability to determine the outcome that fosters the recourse to predetermining it. This is especially true for the professional. Not only is his livelihood tied to that which theoretically cannot be controlled, but his self-image as well. There are very few successful losers in life or cards; professional gamblers by definition, are committed to the mathematically impossible—consistent and ultimate winning. That many all but managed to do so for improbable long periods of time says something about the degree of their skills, the quality of their opponents, and the extent of their honesty. Certainly they preferred to win with their talent, no doubt they were glad to win by luck, but when neither factor was operative, and the conditions were favorable, the obvious recourse was to cheat. The distinction between gambling and thievery is maintained in the following discussion of games and cheating, although it is not at all certain that the participants were quite so particular.[72]

IT IS reasonable to begin with that charming enterprise of highly dubious propriety

68. Asbury, *Sucker's Progress*, pp. 353-354. Since women and gambling made so effective a combination one might well expect that there were numbers of female gamesters, yet there is just one concrete mention of a feminine gambler in all of the cattle towns—"A new device to get the cow boy's [*sic*] money—and we are afraid it catches a good many others—a woman dealing hazard in one of the saloons." The commercial potential was there to be realized but apparently very few attempted to do so. One popularizer has suggested that feminine vanity was the cause for this dearth, that frontier women of unconventional bent preferred attention to their charms rather than their chips. Another has argued that women lacked the crucial ability to control their emotions. A more sensible explanation would be lack of opportunity. Daily training and experience were essential to a mastery of the craft. They were typically acquired through the tutelage of a master, the only alternative being actual gaming which was expensive schooling indeed. Likely most professionals were unwilling to take on female apprentices—no doubt partly because of sexism but also because of the first principle of economic self-preservation. Rare is the student who is more than a match for his teacher, all other things being equal. But if the student were a woman other things were not equal. By virtue of her sex she could easily be less skilled and still more successful. Obviously, she was not to be encouraged. A gambler did not collaborate with a woman with the intention of incurring an economic disadvantage.—Caldwell *Commercial*, August 31, 1882; Duncan Aikman, *Calamity Jane and the Lady Wildcats* (New York: Henry Holt & Co., 1927), p. 281; Cy Martin, *Whiskey and Wild Women; An Amusing Account of the Saloons and Bawds of the Old West* (New York: Hart Publishing Co., 1974), p. 222; Sonnichsen, *Billy King's Tombstone*, p. 57.

69. Ellsworth *Reporter*, June 13, 1872. *See*, also, Kos Harris, "Old New York Block—Schweiter Corner—A Narrative of Early Wichita," in Bentley, *History of Wichita and Sedgwick County, Kansas*, p. 266.

70. Warren Weaver, *Lady Luck: The Theory of Probability* (Garden City, N.Y.: Doubleday & Co., 1963), p. 330.

71. John D. McDonald, *Strategy in Poker, Business and War* (New York: W. W. Norton & Co., 1950), p. 14.

72. *See*, for example, Caldwell *Post*, November 6, 1879; *Ford County Globe*, January 6, 1880; Dykstra, *The Cattle Towns*, pp. 264-265. For example, there was a member of the fine touch gentry known as "Slippery Fingered" Jake, a man who "loathed playing with the small fry such as cowboys and small cattlemen, and preferred to engage the large cattle barons, where the sky was the limit." On one occasion, this singular individual was involved in a card game at Dodge City's justifiably celebrated Lady Gay dance hall. Apparently the normally adept Jake was having a less than adept day, for in his pasteboard manipulations, he managed to acquire, along with the desired hand, an undesired extra card, which he somehow managed to dispose of in an ordered sandwich, although not, apparently, in a completely effective fashion. Thereafter "Slippery Fingered" Jake was known to the sporting fraternity as "Eat-Em-Up" Jake, perhaps with personal pride, certainly with augmented status.—Dodge City *Journal*, October 28, 1948.

known as three card monte, a game aptly described as "so simple and so time-honored that it is no less than wonderful that it can still find victims." [73] Basically it is nothing more than a variation of the ancient "three shells and a pea, the hand is quicker than the eye" ruse played with cards, and traditionally its participants have been able to safely assume that they are being cheated. Still, there were some practitioners who were true gamblers, who concentrated on skill rather than theft, betting that they could indeed move their hands faster than others' eyes could follow. For those with skill and patience, the typical ruse that was monte was a thoroughly unnecessary recourse. So played, the game was a favorite, lacking neither patrons, including other professionals, nor ample wagering.[74]

When a cattle town resident referred to banks—"There has been a heavy 'run' on the banks of this city for several days, and some of them have been compelled to suspend for the time being"—he was talking about faro, not other, more conventional financial institutions.[75] Faro was a game which assumed a local significance far beyond what its economic success indicated because it fit the needs of the people and the times. A game instantly accessible to even the totally unfamiliar, faro was a true game of luck, not skill. Anyone could play it simply by picking any card on a layout and placing his wager on it. It was manifestly a game of action, played with intuition and feelings, requiring minimal concentration, a game of dynamics, not thought. To play faro was not to engage in a slow and intense contest of wills in which the final outcome might occur hours later; to play faro was to impulsively and mindlessly abandon one's money to the blind dictates of chance, repeatedly experiencing the day of reckoning at the rate of twice a minute. Having selected his card or cards, the player was, until the next selection, a spectator not a participant. That faro was the supreme money game was a function of its fundamental nature, equally appropriate to a myriad of small bets, a single huge one, or combinations thereof. Lacking any appreciable advantage for the banking player, it was also not a game which encouraged integrity, that appealed to men who were burdened by conscience or a fine sense of the general welfare. Those who could not cheerfully acknowledge and abide larceny were not in their element at the faro table.[76] Those who worshiped chance, who understood that "the *money motive* increases as chance predominates over skill," did not seem to mind.[77]

Unlike faro, which was favored by professional and amateur, resident and transient alike, the game of poker, the great American temptation, attracted a much more limited although no less enthusiastic following.[78] Again, the basis of the situation is to be found in the nature of the game and those who did and did not take it to heart. Foremost among the latter were the cowboys. Poker has always been those things which a game like faro is not—a game of concentration, patience, and objectivity. For the typically indulgent cowboy the appeal of a game which demands both patience and concentration is likely to lose whatever attraction it may have originally possessed for him as the night grows longer and the drinks get bigger.[79]

It has been argued that "Shrewdness, cunning, deception, conscious strategies, suspi-

73. Albert H. Morehead, "The Professional Gambler," *Annals of the American Academy of Political and Social Science*, v. 269 (May, 1950), p. 87.

74. *Dickinson County Chronicle*, Abilene, April 10, 1873; Ellsworth *Reporter*, July 3, 1873; *Ford County Globe*, June 10, 1884; Topeka *Daily Commonwealth*, September 17, 1871; George Jelinek, *Ellsworth, Kansas, 1867-1947* (Salina: Consolidated, 1947), p. 13; Abilene *Chronicle*, July 20, 1871. Despite its largely appropriate reputation as a vehicle supreme for fraud and theft, monte, in an ever-changing series of disguises and forms, has yet to suffer from any notable lack of victims. For a recent example of its unending success *see* the Los Angeles *Times*, February 6, 1980, pt. 5, pp. 1, 3, 6-7.

75. Dodge City *Times*, August 18, 1877.

76. "Cheating . . . became as much a part of faro in America as a pack of cards."—Asbury, *Sucker's Progress*, p. 13.

77. John Ashton, *The History of Gambling in England* (London, 1898), p. 2.

78. The influence of poker has never been limited, *see*, McDonald, *Strategy in Poker, Business and War*, p. 37.

79. An additional factor would be the young man's separation from home, a situation believed to be detrimental to one's interest and participation in agonistic-type games such as poker. In comparison, the greater the distance from home the more appealing games of chance rather than skill—faro, for example—become.—Herman, *Gamblers and Gambling*, pp. 86-87. Poker as played in the cattle towns, whether high, low, with or without jackpots, was primarily draw poker, the singular variation known as stud not appearing until late in the period. Herbert Asbury, among others, hypothesized that stud poker was a Western creation, that its name was the result of a stallion being "at stake the first time a game was played with exposed cards." The latter if not the former part of this contention is supported by the following recorded occurrence which was apparently unknown to Asbury: "Two gamblers were fined $40 each in the [Dodge City] Police Court on Monday . . . [for disorderly conduct and cheating]. The game is a new one in these parts, having been introduced a few weeks ago. It is called 'stud-horse poker.' "—Asbury, *Sucker's Progress*, pp. 27-28, 32-33; Dodge City *Times*, May 4, 1882.

cious appraisals of worth and character, and bold aggressions, all the repressed values of a competitive society are let loose and placed first in the order of proprieties" when men play poker.[80] Doubtless the cattle town professionals had little difficulty summoning such traits to the fore, along with other personal attributes like self-control and courage which were of equal prominence. While faro was a game to make money with, poker was the game with which to make one's mark. A contest for intensely competitive individuals not unfamiliar with quick recourse to violence, poker proved to be the healthiest and most obvious and accurate way to test and rate each other as players and as men. "Unlimited poker," wrote the modern theorist John McDonald, "is not a game but a duel executed with money instead of pistols."[81] It was more so for the professionals, armed and skilled men who lived the game rather than merely played it. Slow and intense poker, demanding the all and the best of those who would play it well, was the game for careerists, so well suited to their lives that had it not existed, one suspects that they would have tried to invent it.

WHEN THE first wave of reform finally hit the first cattle town, Abilene, the local editor, Vear P. Wilson, wrote that the gamblers were "licentious and stealing characters who . . . crawled into this place in violation of the laws of the State and the ordinances of the Town."[82] What he neglected to mention was that they had also been welcome. But the transformation of the social and economic nature of the towns, from urban and commercial to rural and agrarian, ended the viability of locally condoned gaming. What for the majority of the cattle town populace had been a social habit was now, for the new majority, a social cancer. Much of the longstanding tolerance of gaming had been based upon the widespread opinion that it was at the very worst a victimless crime. Now it was perceived as quite the contrary, with society itself being deemed the repeated victim. The consensus was clear: Abilene or Ellsworth or any of the others would join the ranks of those "towns with less name but better repute."[83] "The devil's pimps . . .," as Vear Wilson smugly concluded, had "had their day."[84] So had the cattle towns.

The very onset of this transformation signified one very personal thing to the gamesters: what they had perceived as the mean little circumscribed minds that they had known so well at home, the ones that had perceived them not as men of personal enterprise but as some sort of green felt vultures, the ones that they had tried so hard to escape and forget, had caught up with them again. When those of this disapproving, reformist bent arrived it meant but one inescapable fact to the gamesters: the West, as they knew it, had become the East, as they had known it. Still, their faith in the future was easily sustained. Their goals, like those of other frontiersmen, may not have been particularly realistic, but then, the West was not a place that attracted the easily satisfied. To be a pioneer was to engage in risk-taking, an activity with which the gamblers had more than a passing familiarity.

Thus the gamesters began again to play out the frontier process of rebirth, repeatedly going westward to "grow up with the country," in a country already grown up. It was a situation with many players and only a few winners, but then, throughout the history of the frontier it has always taken but a few winners to keep the rest of the players continually in the game. As a modern researcher has suggested,

> "The gambler is full of optimism and never learns from defeat." Despite losses and reversals, the mathematics of chance and all logic, he "conveys the impression of a man who has signed a contract with Fate stipulating that persistence must be rewarded."[85]

When gambling was forced behind closed doors and became symbolically sordid, most who were professionals departed, if they had

80. McDonald, *Strategy in Poker, Business and War*, p. 44.

81. *Ibid*, p. 25. "Competition among players is the central and most basic property of poker. Only one player captures the pot in each deal; all other players are losers. Poker is also one of those very few games that have no meaning without gambling. The betting intervals are essential. The fact that all players are rivals has suggested to many observers that poker is a miniature expression of basic competitive values of the wider culture. As Marshall McLuhan put it, poker 'calls for shrewdness, aggression, trickery, and unflattering appraisals of character. . . . Poker is intensely individualist, allowing no place for kindness or consideration, but only for the greatest good of the greatest number—the number one.'"—Herman, *Gamblers and Gambling*, p. 13.

82. Abilene *Chronicle*, July 27, 1871.

83. Dodge City *Times*, February 7, 1884.

84. Abilene *Chronicle*, November 16, 1871.

85. Lindner, "The Psychodynamics of Gambling," p. 95.

not already done so.[86] They had been accustomed to plying their trade with no more sense of wrong doing than a bureaucrat, and certainly with a good deal more justification. They would go to other places where the men of the green felt cloth were men of importance. This was possible for awhile.[87] As a bookmaker stated regarding horse racing (but equally applicable to all forms of gambling), "Let's face it, the race tracks sell dreams. It's amazing what a guy'll pay for a dream." [88] In the end, those who did not finally desist proved to be more gullible than even their clients. To compete was still perchance to win, and to win was to be one of the elect. That the realities of probability stood in conflict did not matter, for facts have never been all that important to those Americans who have believed in their own frontier sense of mission.

86. "Many of the old-timers, . . . have 'gone West' to grow up with the country. They are here and there in Colorado, New Mexico and Arizona; and all doing well."—Dodge City *Times*, January 8, 1881.

87. *See*, for instance, William R. Cox, *Luke Short and His Era* (Garden City, N.Y.: Doubleday & Co., 1961), pp. 25, 63, 83; William M. Walton, *Life and Adventures of Ben Thompson, The Famous Texan* (Austin: 1884), p. 141; Dodge City *Times*, July 21, November 10, 1877, November 9, 1880; *Ford County Globe*, April 9, 16, 1878, January 20, April 27, 1880, January 30, 1883, January 13, February 17, November 17, 1885; Leadville (Colo.) *Daily Chronicle*, as cited in David Lavender, "This Wondrous Town; This Instant City," *American West*, Palo Alto, Cal., v. 4, no. 3 (August, 1967), p. 14.

88. Waller, *The Gamblers*, p. 91.

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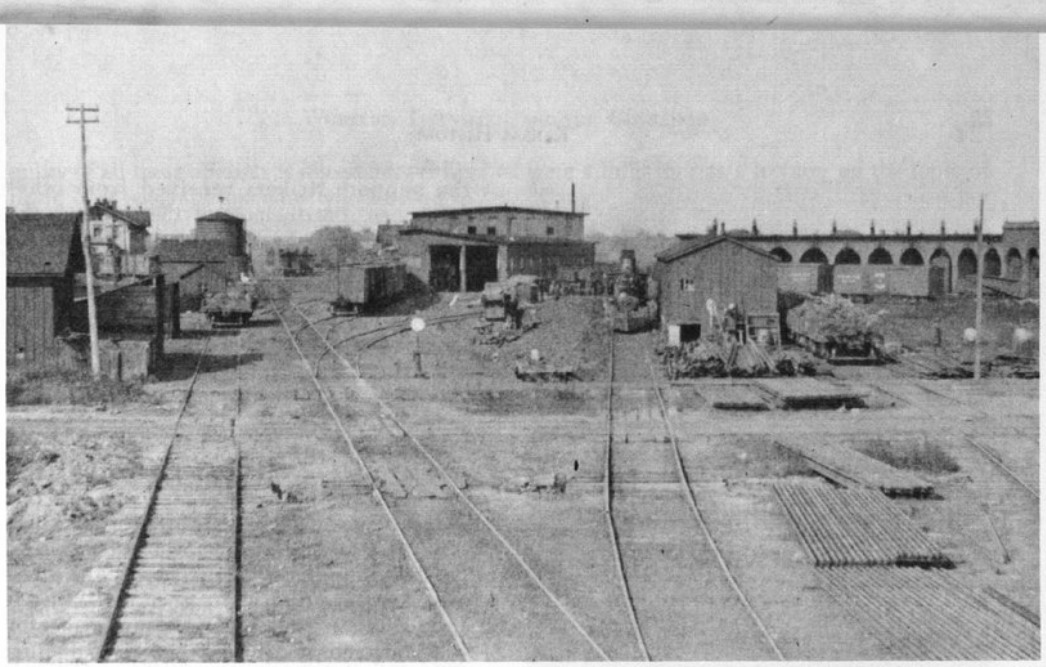


WORKERS, TOWNSMEN, AND THE GOVERNOR: THE SANTA FE ENGINEMEN'S STRIKE, 1878

JAMES H. DUCKER

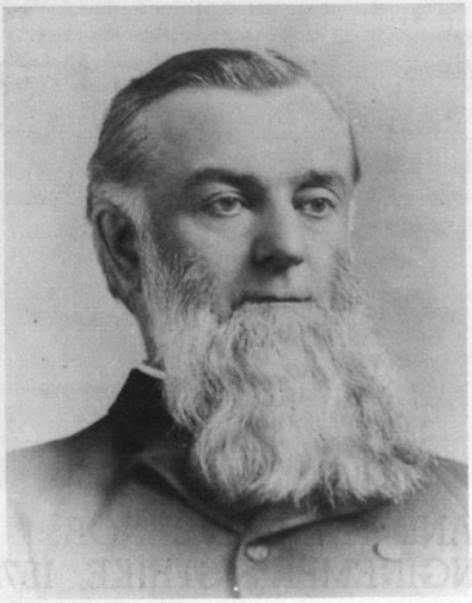
SHORTLY before 11:00 a.m. on April 4, 1878, east-bound Santa Fe train number 22 pulled into Emporia junction. Within seven minutes passengers boarded or disembarked, mail and baggage were exchanged, and all was in readiness for a fresh engine to hitch onto the train. But the assigned engineer, John W. Thatcher, refused to couple on, and when the conductor, W. J. Janney, got the roundhouse foreman to act as engineer, Thatcher and other engineers threatened them and disabled the locomotive. Not until 4:00 p.m. did the train pull out toward Topeka. By then engineers and firemen throughout eastern Kansas were on strike against the Santa Fe railroad.[1]

Title-page photo: Engineers and firemen who struck against the Santa Fe railroad in eastern Kansas in 1878 were motivated more by personalities than by principles. Most of the turmoil was at Topeka and Emporia, and the size of those cities had much to do with the public response to the strike. At Topeka, where there was too large a population to sustain a sense of community, there was not much sympathy for the strikers. But at Emporia, townsmen of all classes supported the enginemen, because the town was small enough for most of the people to be acquainted with some of the strikers. The photograph, *above*, shows the Santa Fe shops and yards at Topeka about 1879.

1. Besides Emporia and Topeka newspapers, Governor Anthony's papers help reconstruct the events of the strike. Included in the governor's papers are the reports of four company officials' experiences during the strike. These reports are in "Gov. George T. Anthony Papers," correspondence received, box 5, railroads 1877-1878, archives, Kansas State Historical Society.

Strike turmoil centered in Emporia and Topeka. Insults, beatings, rock throwing, and the display of pistols marked the next three days in both towns. On the second day Topeka railroaders ignored the reading of the riot act and law officers accepted a de facto compromise—passenger trains could run but freight would not. In Emporia there was no such compromise; any train that moved was stoned and on the third day all the locomotives in town were disabled.

In the meantime law forces mustered their strength. Topeka citizens, including many community leaders, formed two militia companies to assist outnumbered municipal officers. Emporia's lawmen, pressed by Gov. George T. Anthony, deputized two dozen men. By the fourth day of the strike, authorities probably had sufficient strength to resume freight traffic without fear of violence. But Anthony felt it necessary to have overwhelming power and delayed resumption of full service an additional day until two regular militia companies were in place in Emporia and Topeka. The militia was received quietly at the state capital but with great anger among Emporia citizens. In neither town, though, did the



William B. Strong (1837-1914), Santa Fe general manager, was in Colorado when the strike began. He met with local officials in Emporia and reported to Governor Anthony that 50 men would be needed there to insure the safe resumption of freight traffic.

enginemen make any significant resistance and the strike collapsed.

BESIDES the incidents of violence, the Santa Fe walkout displayed several noteworthy developments. For one there was the paradox of stated causes and the composition of the striking workers. Strike leaders repeatedly claimed that the men were quitting their posts primarily to protest the arbitrary rule of the road's western division superintendent who, they charged, reduced the men to a state of degradation "which has no parallell save in the case of Russian serfs or Mexican Peons. . . ."[2] Yet only a handful of the engineers on the western half of the Santa Fe, which stretched from Newton into Colorado, struck while nearly all those east of Newton quit.

Another point of interest was the sympathy Emporia strikers received from their nonrailroading fellow citizens. Historians investigating labor conflicts have remarked on the support strikers received from other townsmen. But in most of these studies the strikers composed a large percent of the town population so that merchants and politicians saw their own self-interest tied to that of the workers.[3] This was not the case in Emporia where railroaders probably constituted no more than 10 percent of the working population and enginemen were an even smaller proportion.[4]

Finally, the action of Governor Anthony in sending state militia to Emporia was surrounded by controversy. Emporians saw this as insulting and totally unwarranted since they claimed that local forces were adequate to quell whatever trouble might arise. And when a militiaman accidentally shot and killed a town minister, Emporia's rage found sympathy statewide and helped make Anthony the first Kansas governor since the Civil War to fail to win two terms in the statehouse.[5]

STRIKE leaders in explaining the workers' stance charged that the company had reduced wages in violation of the previous year's contract and that a lengthening of the enginemen's runs and the foisting of new responsibilities on them had increased the hours of their workday. Most complaints, though, revolved around the treatment of the men by local officials, particularly William H. Pettibone, division superintendent of the western half of the Santa Fe based at Newton. The strikers held Pettibone guilty of flagrant favoritism and of hiring incompetents for engineers instead of promoting deserving firemen. Pettibone, they complained suspended and dismissed men arbitrarily and harbored a hatred for union men that led some to believe he was systematically trying to weed out all members of the Brotherhood of Locomotive Engineers (BLE). Some further charged him with opening the mail of a brotherhood man and using its contents against him. Whether Pettibone was

2. Topeka *Daily Blade*, April 9, 1878.

3. Herbert. G. Gutman, "Worker's Search for Power: Labor in the Gilded Age," *The Gilded Age, A Reappraisal*, H. Wayne Morgan, ed. (Syracuse: Syracuse University Press, 1963), pp. 38-53; Shelton Stromquist, "Community Structure and Industrial Conflict in Nineteenth Century Railroad Towns" paper given at the convention of the organization of American historians, New York City, April 12, 1978; Martin H. Dodd, "Marlboro, Massachusetts and the Shoeworkers' Strike of 1898-99," *Labor History*, New York, v. 20 (Summer, 1979), pp. 376-397.

4. *Emporia City Directory*, 1877 (no imprint); "U.S. 10th Census," Kansas, 1880, Emporia.

5. William Frank Zornow, *Kansas: A History of the Jayhawk State* (Norman: University of Oklahoma Press, 1957), pp. 132-133.

guilty of all these offenses is uncertain, yet his firing of a telegraph operator who refused to reveal the contents of a confidential Western Union telegram sent by strikers during an earlier Santa Fe walkout, showed him to be a man quite capable of exercising power in a capricious and high-handed manner.[6]

Still, contemporary observers noted that confusion surrounded the enginemen's motivation. The Atchison *Daily Champion*, finding no two accounts of grievances to agree, labeled the matter "one of the worst pieces of muddled business we have ever heard of. . . ."[7] Personal factors best explain the initiation of the strike and the division between those eastern men who supported it and those on Pettibone's own division who stood by the company. The strikers were led by three Emporians—Thatcher, Charles Fletcher, and Thomas J. Tarsney. Apparently it was Pettibone's dismissal of Tarsney at the end of March which impelled all three to utilize their contacts among engineers along the line to plan the strike. These contacts were plentiful since Thatcher and Fletcher had played key roles in 1876 in founding the BLE lodge to which most Santa Fe engineers belonged, and Fletcher was still its second-ranking officer.[8] Their identification with the strike gave it the prestige of a union action, although officially it was a wildcat walkout sanctioned neither by the local nor national organization.

The personalities of these men were crucial to the instigation and development of the walkout. Little is known of their earlier lives, but their subsequent careers proved the three Emporia leaders to be unusually talented and ambitious. After the strike failed Fletcher set up a law practice and Thatcher established a grocery store and later a clothing store. Both successfully entered Emporia politics in 1879; Fletcher as a justice of the peace, an office in which he served into the 1890's, and Thatcher as a city councilman, serving as acting mayor in 1885. Tarsney's career exhibited an even more obvious hunger for recognition and self betterment. Among his subsequent endeavors were a brief tour as a lecturer on the topic of "Capital and Labor," an undistinguished political career in Colorado, a controversial stint as head of the Colorado militia, and a year or two prospecting in the Rockies. In 1898, failing to have found his fortune in the mountains, he was laying plans for a venture in Mexico when the Spanish-American War broke out. Telling a friend that he felt this was "my last chance," he became a sutler. Somehow he wangled the rights to the sole concession on Corregidor Island, his business prospered and by the end of the century Tarsney could take satisfaction that soldiers referred to him as the "King of Corregidor."[9] Proud, ambitious, and capable of leadership, Fletcher, Thatcher, and Tarsney possessed personalities which may have made it impossible for them to long endure any superior, much less an arrogant one such as Pettibone. Moreover, their leadership qualities and the prestige of their position among union men swayed many other workers to join their cause.

That western engineers largely remained loyal to the company indicates that most who worked under Pettibone felt the strikers' intense anger at the superintendent to be unwarranted. It further suggests that whatever peer pressure reinforced the strike effort in the eastern towns, did not extend to Newten's workers who appeared to accept a separate set of leaders. To the extent that Pettibone practiced favoritism, some of the work force may have remained loyal to the man who had their interests at heart. But westerners also lacked sympathy for some of the stated causes of the strike. Particularly, the strikers charged that Pettibone had unjustly dismissed engineer J. W. Winters. This accusation found little backing among those who had known Winters and Pettibone from day-to-day contact on the job. In addition, the strike leaders' own personalities may have worked against them. The westerners could have found the Emporians pretentious and overly ambitious. Those in

6. Emporia *Ledger*, April 11, 1878; May 9, 1878; Emporia *News*, April 12, 1878; July 27, 1877; *The Commonwealth*, Topeka, April 11, 1878; Topeka *Daily Blade*, April 9, 1878.

7. Atchison *Daily Champion*, April 9, 1878.

8. "Atchison, Topeka & Santa Fe Railroad Collection," vouchers, series 3, no. 4350-4351, engineers (payroll), March, 1878, manuscript department, Kansas State Historical Society; *Locomotive Engineers' Journal*, directories of officers of lodge Number 130, 1876-1878.

9. A. T. Andreas and William G. Cutler, *History of the State of Kansas* (Chicago: A. T. Andreas, 1883), p. 861; E. M. Forde, comp., *Revised Ordinances and Rules of the Council of the City of Emporia, 1885* (Emporia: Rowland and Co.'s Steam Print, 1885), pp. 74, 78-79; *Locomotive Engineers' Journal*, Cleveland, v. 25 (February, 1891), p. 172; Emporia *News*, June 28, 1878; *Harvey County News*, Newton, June 13, 1878; R. G. Dill, *The Political Campaigns of Colorado* (Denver: Arapahoe Publishing Co. and John Dove, 1895), pp. 205, 284; Durango *Herald*, October 26, 31, November 2, 1894; Marshall Sprague, *Money Mountain; The Story of Cripple Creek Gold* (Boston: Little, Brown & Co., 1953), pp. 157-161; Denver *Times*, October 15, 1899, p. 22.

Gov. George T. Anthony (1824-1896), fearing riots similar to the ones at Pittsburgh, Pa., the previous year, called out the state militia to bolster local officials and make a show of force. The troops were received quietly at the state capital, but there was great anger among Emporia citizens. When a militiaman accidently shot and killed a town minister, Emporia's rage found sympathy statewide and helped make Anthony the first Kansas governor since the Civil War to fail to win two terms in the statehouse. Photograph reproduced from *Portrait and Biographical Record of Southeastern Kansas* (Chicago: Biographical Publishing Co., 1894).

Newton had their own men with leadership capabilities and high self-esteem. James M. Anderson, a Newton councilman, took the lead among fellow engineers in defending Pettibone. The majority of western engineers at a meeting held at Newton felt that the Emporia group acted as imperiously as they accused Pettibone of being when they called for a strike without seeking the advise and consent of the full BLE membership. Indeed the expulsion after the strike of many of the western engineers by the Emporia lodge tends to confirm the impression of a clique of influential but arrogant men controlling the Santa Fe BLE local.[10] Lines of support for the strike, therefore, appear to have been drawn more by personality and place than by principle.

ALTHOUGH Topeka was important during the strike, Emporia proves more interesting. In contrast to Topeka in which the local economic and political leadership stood against the strikers, Emporians of all classes supported the stance of the enginemen of their town. This support arose from the small size of the community which lent itself to a good degree of intimacy among most of the citizenry. In 1878 there were 9,000 Topekans while Emporians numbered about 3,000.[11] Topeka was too large to sustain a sense of community among all its citizens. But in Emporia the vast majority of inhabitants knew a number of the strikers. This close contact muted class divisions and disposed all groups to sympathize with their stance against outside corporate managers.[12] Fletcher's and Thatcher's elections to government positions in 1879 bears testimony to the town's respect for these men.

The strike leaders wasted no time in attempting to bring their grievances to the general public. On the second evening of the strike they called a public meeting at the courthouse. Tarsney and Fletcher presented the strikers' case, emphasizing their complaints and peaceful efforts before and during the strike to pro-

10. *Harvey County News*, April 11, 1878; Newton *Kansan*, April 18, 1878; May 2, 1878. The purging of many nonstrikers identified through the payrolls can be seen in the lists of expulsions in the *Locomotive Engineers' Journal* in the months following the strike.

11. Kansas State Board of Agriculture, *Fourth Annual Report, 1875* (Topeka: Public Printer, 1876), pp. 182, 267; *Second Biennial Report, 1879-1880* (1881), p. 523, 530; *First Biennial Report, 1877-1878* (1878), p. 287

12. Thomas Bender, *Community and Social Change in America* (New Brunswick: Rutgers University Press, 1978), p. 74.

test these injustices. A "good many" citizens openly endorsed the workers' position.[13]

Emporia's sympathy for the strike was reflected further in the lack of local police action to prevent strikers from interfering with Santa Fe commerce in the first three days of the walkout. In contrast to Topeka where law officers strove to control unruly strikers and the citizenry formed two militia companies to aid the police, Emporia lawmen showed great reluctance to take strong steps against their striking neighbors. On the first day of the walkout the county deputy sheriff in Emporia was slow to intervene when Thatcher and other engineers acted to prevent Thatcher's train from leaving town. That night the water tank at nearby Neosho was disabled and at Emporia junction a group, reportedly under Fletcher's guidance, derailed three locomotives, though no one was ever arrested for these crimes. The following day saw the stoning of the few trains that arrived and the harrassment of the men who ran their engines. On the third day of the shutdown, company officers moved an engine out of the roundhouse. When they tried to move another, strikers, some said to have been armed, surrounded them. The engineers agreed to run the locomotives to a sidetrack but once there they removed the fires and drained the water. At the same time they emptied the yard water tank. All of this was done without prompting any police response.[14]

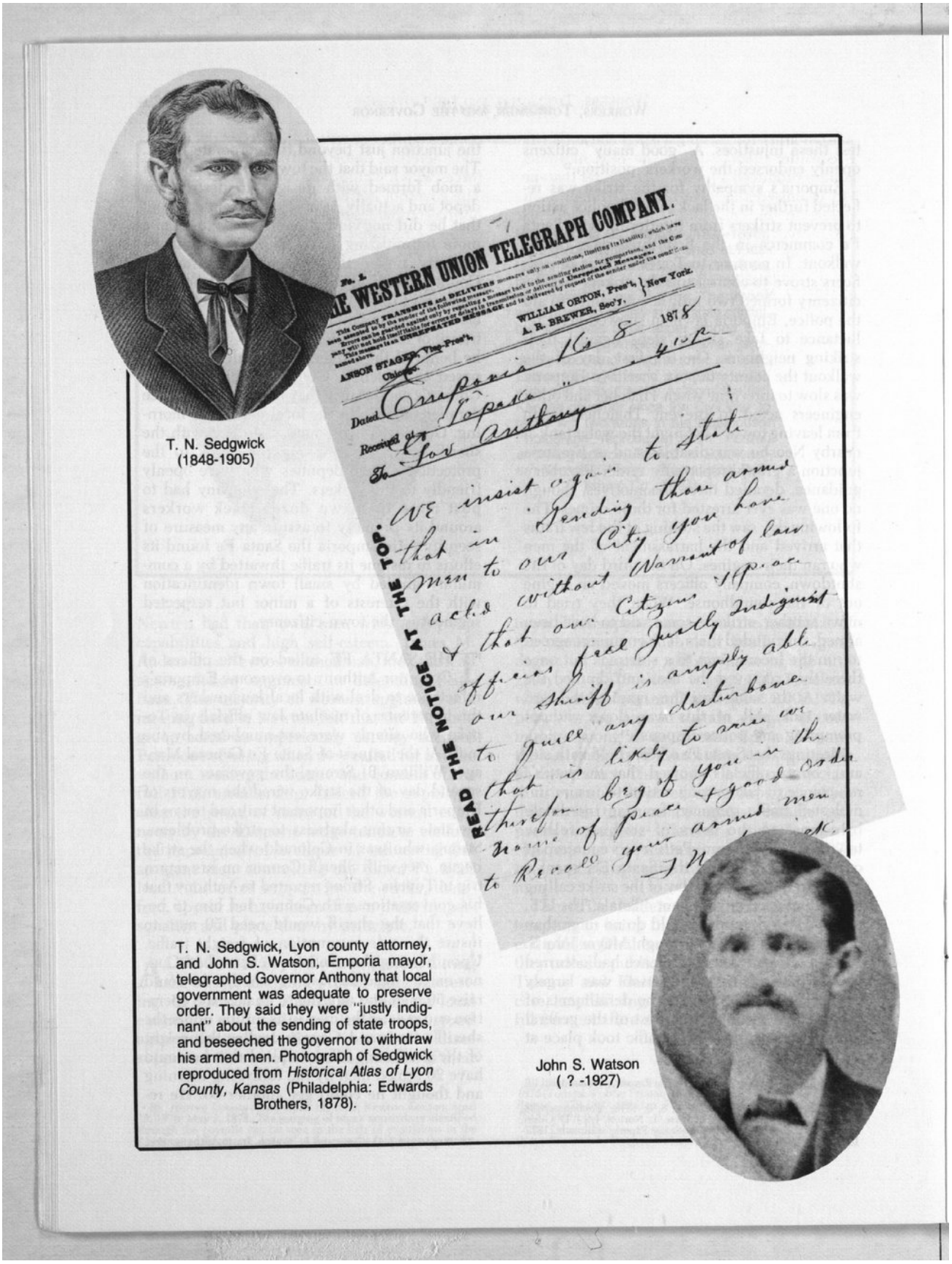
Meetings that Santa Fe officers held with city and county officials showed that the latter's reluctance to take strong action to insure unmolested traffic stemmed from an inordinate blindness to the flaws of striking fellow townsmen. J. D. Gunn, Pettibone's counterpart on the eastern half of the Santa Fe, spent a good part of the second day of the strike calling on leading local government officials. The U.S. marshal stated that he would do no more than insure that the mail got through. Mayor John S. Watson claimed that no violence had occurred within his jurisdiction. Watson was largely correct on this point since the derailments of the previous evening and most of the general turmoil and disruption of traffic took place at the junction just beyond the corporate limits. The mayor said that the town would respond if a mob formed with designs to destroy the depot and actually committed violent acts, but that he did not view it as his duty to form a more intimidating force to protect Santa Fe property under the present circumstances. County Sheriff H. Connor displayed no more eagerness to allay company fears. He refused to create a larger police force to guarantee safe transit of trains through the county saying that he believed the strikers to be orderly and opposed to violence. Gunn was dismayed by Connor's words since they both had seen three derailed engines in the local yards that morning. Gunn was even more disturbed with the sheriff regularly assigning the yards to the protection of two deputies who were openly friendly to the strikers. The company had to post more than two dozen track workers around its property to assure any measure of security.[15] In Emporia the Santa Fe found its efforts to resume its traffic thwarted by a community guided by small town identification with the interests of a minor but respected segment of the town citizenry.

THE SANTA FE called on the offices of Governor Anthony to overcome Emporia's reluctance to deal with local lawbreakers and the impotence of resolute law officials in Topeka who simply were out-numbered by the mob. At the request of Santa Fe General Manager William B. Strong, the governor on the second day of the strike wired the mayors of Emporia and other important railroad towns in the state urging alertness to strike problems. Strong, who was in Colorado when the strike began, met with Sheriff Connor on his return trip to Topeka. Strong reported to Anthony that his conversation with Connor led him to believe that the sheriff would need 50 men to insure the safe resumption of freight traffic. Upon hearing this Anthony telegraphed Connor on the third day asking whether he could raise 50 men and offering to finance the operation and muster the men in as militia under the sheriff's command. Connor, feeling the weight of the governor's office, replied that he could have 20 armed men by the following morning and thought he could get another 30. He re-

13. Emporia *Ledger*, April 11, 1878; Emporia *News*, April 12, 1878.

14. Topeka *Daily Blade*, April 6, 8, 9, 1878; *Commonwealth*, April 11, 1878; reports of C. F. Morse, L. Norton, Jr., J. D. Gunn, and J. Armstrong to Anthony, "Anthony Papers," railroads, 1877-1878.

15. Reports of J. D. Gunn and L. Norton, Jr., to Anthony, *ibid.*



T. N. Sedgwick
(1848-1905)

THE WESTERN UNION TELEGRAPH COMPANY.

READ THE NOTICE AT THE TOP.

Dated Emporia Kas 8 1878

Received at Topeka

To Gov Anthony

We insist again to state that in sending those armed men to our City you have acted without Warrant of law & that our Citizens & our officers feel justly Indignant to quell any disturbance. our Sheriff is amply able that is likely to arise we therefor beg of you in the name of peace & good order to Recall your armed men

T. N. Sedgwick, Lyon county attorney, and John S. Watson, Emporia mayor, telegraphed Governor Anthony that local government was adequate to preserve order. They said they were "justly indignant" about the sending of state troops, and beseeched the governor to withdraw his armed men. Photograph of Sedgwick reproduced from *Historical Atlas of Lyon County, Kansas* (Philadelphia: Edwards Brothers, 1878).

John S. Watson
(? -1927)

quested arms for 25 and wished the authority to consider them militia. The next morning, Connor produced a force of 25, greater than he had promised the governor, and under their protection the company began to restore its locomotives to operating condition. Had orders come from Topeka to resume freight traffic, it was possible that the company would have succeeded, and any harrassment by the strikers would have been quelled by Connor's men.[16]

But Anthony had decided from the outset that his duty was to forestall any test of strength until he was sure of the superiority of law forces. Although he cooperated with corporate officials, even to the extent of letting them determine when state assistance was no longer necessary, Anthony needed no guidance in formulating his course of action. Aware that the greatest loss of life and property in the great Pittsburgh, Pa., railroad riots of the previous year came when confrontation erupted before law forces were strong enough, Anthony had cautioned company officials not to precipitate trouble by too quickly resuming freight traffic. On the first and second days of the strike local lawmen in both Emporia and Topeka failed to establish firm control of the situation and disturbances were kept to a minimum only by the company surrendering all efforts at moving freight. Anthony feared a sharp clash would result from restarting the freight trains.[17] The disabling of all the company's locomotive power at Emporia on the third morning of the strike confirmed in the governor's mind the inadequacy of local government forces.

Anthony that morning and afternoon took steps to bring the necessary power to bear. He considered a request for federal troops in order to bring "order without conflict" but never took that step. It was at this point that he urged Connor to augment his forces and offered to allow him to do this at state expense. However, Anthony lacked confidence either in Emporians' ability or willingness to act decisively and therefore immediately called upon state forces which would take control from Connor. The governor notified the commanders of two militia companies that the services of their men might be required. By the next evening 60 of Capt. J. B. Zeigler's troops from Independence and 40 more under Capt. J. C. Walkinshaw from Leavenworth were on their way to Topeka. By 8:00 a.m. on the fifth day of the strike Zeigler's troops were in place in Topeka's yards and the Leavenworth company plus 10 of Zeigler's force rode south toward Emporia. Following them came the first freight train to move on the eastern half of the Santa Fe since the fourth.[18]

Anthony's lack of faith in Emporia officials was manifested in his failure to inform them of the decision to use out-of-town militia until only a matter of a few hours before they were to reach the town. The previous day the governor wired Connor that a morning train "will bring what you need" which the sheriff could only infer meant the stands of arms he had earlier requested. Moreover, instead of making Connor's force a militia unit as promised, Anthony issued orders that Walkinshaw was to command both his own troops and Connor and his men.[19]

The imposition of outside authority incensed Emporians. Connor met Walkinshaw's train at a station 15 miles east of town and protested his coming. He further refused to take custody of the arms the militia train carried for him. The mayor, county attorney, sheriff, and the chairman of the county board of commissioners jointly telegraphed vehement appeals to Anthony and Santa Fe General Supt. C. F. Morse. They saw the move as an insult to the community's ability to take care of itself. Not only did they insist that the local government was at all times adequate to preserve order, but that since the outbreak of the conflict six men were all that had been necessary for police duty. They beseeched the gov-

16. W. B. Strong to Anthony, April 5, 1878, *ibid.*; Anthony to mayors of Atchison, Emporia, Topeka, Newton, and Dodge City, [April 5] 1878, "Governor's Letters," 1878, no. 11, archives, Kansas State Historical Society; *Message of George T. Anthony, Retiring Governor, to the Legislature of Kansas, January 13, 1879* (Topeka: Kansas Publishing House, 1879), exhibit A; reports of L. Norton, Jr., and J. Armstrong to Anthony, "Anthony Papers," railroads, 1877-1878.

17. Anthony to W. B. Strong, April 9, 1878, "Governor's Letters," 1878, no. 11; Anthony to C. F. Morse, April 5, 1878, *ibid.*; Joseph F. Tripp, "Reactions to the Birth of the Labor Problem in Kansas: 1877-1883" (unpublished M.A. thesis, University of Kansas, 1967), p. 49.

18. Anthony to Pres. Rutherford B. Hayes (not sent), P. I. Bonebrake, H. Connor, Capt. J. C. Walkinshaw, Capt. J. B. Zeigler, all dated April 6, 1878, "Governor's Letters," 1878, no. 11; Capt. J. C. Walkinshaw to Adj. Gen. Peter S. Noble, April 11, 1878, "Adjutant General's Correspondence," 1878-1879, archives, Kansas State Historical Society.

19. Anthony to H. Connor, April 7, 1878, "Anthony Papers," correspondence received, box 5, military affairs; Anthony to Connor, April 8, 1878, *ibid.*; Anthony to Walkinshaw, April 8, 1878, *ibid.*

H. W. McCune
(1869 - ?)

J. R. Graham

Jacob Stotler
(1833-1901)

Editors of the Emporia *News* and Emporia *Ledger* reflected the temper of the community in its outrage at the imposition of outside authority by the governor. H. W. McCune, editor of the *Ledger*, said there was no necessity for the employment of the militia. The *News*, published by Jacob Stotler and J. R. Graham, said the sending of state troops was a ridiculous farce. Photographs reproduced from *Historical Atlas of Lyon County, Kansas* (Philadelphia: Edwards Brothers, 1878).

ernor to withdraw the troops and warned that should the militia remain "we will not answer for the consequences." Walkinshaw also reported that Emporians wanted responsibility for the safety of their town. Reacting to these notices, Anthony instructed Walkinshaw to remain prepared but leave law enforcement to local officials. Walkinshaw wired Morse that trains were moving without interference from the mere dozen strikers on the scene. He further noted that the citizenry was highly excited and that he, the sheriff, and the top-ranking company officer in town all agreed that the Santa Fe would be best served by the removal of the troops. Morse passed this message along to Anthony adding that it appeared that the strike had collapsed and the militia could be removed. But when Emporia officials again called for the withdrawal of Walkinshaw's men, Anthony showed he was unsure that all was yet safe. Both in Topeka and Emporia he feared a night of reprisals by frustrated strikers, and told the Emporia leaders that the troops "will not be withdrawn until the possibility of their need at any point is passed." [20]

Evidently Connor shared some of the governor's misgivings, or possibly he simply wished to let his own men rest. He requested that the militia company guard the yards, depot, and water pump station on the grounds the night could hold dangers. Walkinshaw agreed but the fifth night of the strike passed uneventfully. Early the next morning the militia captain sent word of the peacefulness of Emporia, and Anthony responded that his company would be relieved as soon as possible. Anthony also sent a message to General Manager Strong suggesting that the need for troops was coming to an end and asking that he and Morse meet him when they thought the militia could be sent home.[21]

Tragically the removal of the troops would come too late and in a less orderly fashion than anyone wished. An Emporia Congregationalist minister, O. J. Shannon, visited the Leavenworth troops to lift the spirits of these men who had been torn from their normal daily pursuits

20. Numerous correspondence dated April 8, 1878, between the principals mentioned in text to be found in *ibid.*

21. Walkinshaw to Noble, "Adjutant General's Correspondence," 1878-1879; Walkinshaw to Anthony, April 9, 1878, "Anthony Papers," military affairs; Anthony to Walkinshaw, April 9, 1878, "Governor's Letters," 1878, no. 11; Anthony to Strong, April 9, 1878, *ibid.*

at short notice and sent to a town which openly rumored that they were criminal low-life. He was speaking to some of these troops in one of their passenger cars on the sixth morning of the strike when a militiaman, a 17-year-old miner's son named O'Neil, carelessly handled his weapon at the rear of the car. The gun discharged and killed Shannon instantly. A flurry of telegrams were sent to the governor informing him of the situation and Anthony ordered Walkinshaw to avoid "any complication or collision" and run his train out of the county. The governor quickly determined to relieve all the militia forces and by the next night both the Leavenworth and Independence troops were home.[22]

THE AFTERMATH of the strike was filled with recriminations. Strike leader Fletcher made the dubious charge that the Newton engineers had promised to strike but at the hour of decision were overcome by cowardliness. Tarsney brought a complaint of mail tampering against Pettibone. There was substantial basis for the charge but a Newton court acquitted Pettibone and sent Tarsney off for a short stint in a Wichita prison for bringing false and malicious charges to court. The governor spent the rest of his term defending his use of the militia. After he failed to get another term as governor, the still-appreciative financiers behind the Santa Fe hired him in 1881 as a superintendent of their Mexican affiliate line. And Pettibone, possibly because higher company officers found him too controversial, left the Santa Fe within about a year of the strike.[23]

22. Norton to Morse, April 9, 1878, "Anthony Papers," military affairs; Emporia *News*, April 12, 1878; Emporia *Ledger*, April 11, 1878; numerous telegraph messages between Morse, Anthony, and those in Emporia, "Anthony Papers," military affairs; Walkinshaw to Noble, "Adjutant General's Correspondence," 1878-1879.

23. Emporia *Ledger*, April 18, 1878; Emporia *News*, May 3, 1878; Newton *Kansan*, April 25, 1878; May 2, 1878; *Message of George T. Anthony . . . January 13, 1879*, pp. 28-30; P. I. Bonebrake, "George T. Anthony," *Kansas Historical Collections*, Topeka, v. 6 (1900), pp. 202-206; *The Biographical Directory of the Railway Officials of America for 1887* (Chicago: Railway Age Publishing Co., 1887).

George W. Reed
(1844-1914)

John A. Martin
(1839-1889)

In Topeka, where there was less sympathy for the strikers, George W. Reed, editor of the *Daily Blade*, commented that Governor Anthony's calling out of the state militia may have been premature, but it was probably justified. The Atchison *Daily Champion*, edited by John A. Martin, noted the confusion surrounding the enginemen's motivation and labeled the matter "one of the worst pieces of muddled business we have ever heard of. . . ."

THE ENGINEMEN'S walkout of 1878 reveals several points of importance to the history of strikes. Too often it is assumed that rank and file support for a strike stemmed from agreement with the position on grievances voiced by union leadership. Certainly an assessment of economic issues and the fairness of company management influenced men in many strikes and may have done so in this Santa Fe action. Yet such a hypothesis falls far short of explaining the activity of most of the 1878 enginemen. Those suffering under what strike leaders claimed to be the most onerous supervision stood by the company, while some who walked out did so with little inkling of why the leaders called the work stoppage. The division in the ranks of enginemen suggests that the personalities of worker leaders and the effects of close employee association with local peers were pivotally important in determining the stance of workers faced with the decision of whether to strike. This should not be surprising when it is remembered that strikes rarely took place in an atmosphere conducive to calm consideration of issues. In a tumultous environment, men forced to choose sides were particularly susceptible to the claims of personal loyalty and emotional attachment.

BONDS of sentiment also explained Emporia's sympathy for the strikers and local government's reluctance to crack down on rebellious Santa Fe men. In the late 19th century communal attachments were deteriorating in many American small towns.[24] By the Pullman strike of 1894 Emporians would number over 8,000 and would be divided along class lines. Consequently Santa Fe employees who walked out failed to get strong support from the businessmen and professionals who controlled the local economy and government.[25] Yet in 1878 the town was only about a third its size of the 1890's. In such a community everyone knew just about everyone else. Class divisions had not yet begun to define one's circle of friends. As an 1898 history of Emporia remarked, it was not until a boom in town population in 1879 and 1880 that lines of wealth separated the citizenry.[26] At the time of the enginemen's strike, Emporia was still an "island community" whose residents supported the actions of their neighbors against outside forces without regard to differing economic or social status.

The actions of Governor Anthony further reflect the human element in the story of the 1878 strike. Anthony's actions were marked with a certain amount of irrationality engendered by fear of a Pittsburgh-like calamity in his state. While friendly to the Santa Fe, Anthony pursued a policy of his own design. The passage of time may have been adequate to diffuse the possibility of violence and by the fourth day of the strike local law enforcement was probably adequate to handle any trouble that could arise at Emporia. Yet the governor was not ready to take any chances. Given the history of the strike in Kansas, it was premature to send the militia to Emporia, and especially unforgivable to do so without properly notifying local officials. Yet it was quite understandable that Anthony would call on overwhelming force when it is realized that he reacted less to what was happening than to his worst nightmare of what could occur. Just as worker camaraderie proved more vital than issues for the Santa Fe enginemen and communal attachments more potent than respect for legal responsibilities for Emporia citizens and officials, so Governor Anthony was guided as much by his fear of unbridled upheaval as by a realistic evaluation of the crisis.

24. The theme of deterioration of community is examined in two excellent books by Robert H. Wiebe: *The Search for Order, 1877-1920* (New York: Hill & Wang, 1967) and *The Segmented Society: An Introduction to the Meaning of America* (London: Oxford University Press, 1975).

25. Kansas State Board of Agriculture, *Tenth Biennial Report, 1895-1896* (Topeka: Kansas State Printing Co., 1896), p. 668; James Howard Ducker, "Men of the Steel Rails: Workers on the Atchison, Topeka & Santa Fe Railroad, 1869-1900" (unpublished Ph.D dissertation, University of Illinois, 1980), pp. 171-182, 342-347.

26. Jacob Stotler, *Annals of Emporia and Lyon County* (Emporia: [1898]), p. 99.

KANSAS AND THE HIGHWAYS, 1917-1930

MARY ROWLAND

THE PEOPLE of Kansas witnessed a number of changes in their state government after World War I. Trends toward centralization of services, the movement for efficiency through regulation and standardization, and the rise of professional groups appeared in almost every facet of state enterprise. Control of the state's road system is illustrative of these changes. When the state government assumed administrative responsibility over most roads during the 1920's, it signaled a new relationship with the 105 counties, inaugurated a different stance with the federal government, and led to a dominance by professional engineers who used regulatory means to insure their control over the newly centralized system.

From 1917 to 1930 Kansas greatly expanded its highway network with improved roads because of the demand for good roads, the lure of federal money to finance them, and the willingness of county governments to construct them. This unparalleled expansion created a conflict between the counties which wanted autonomy in road building and the Kansas Highway Commission which wanted a centralized and efficient system of highways. At the same time, the state had to respond to stronger demands of the federal government for a well-ordered highway system, and the lever which Washington used to force compliance with federal regulations was the same that the state used over the counties: money.

Title-page photo: From 1917 to 1930 Kansas greatly expanded its highway network because of the demand for good roads and the lure of federal money to finance them. This expansion was accomplished despite conflicts between interest groups and by the resolution of various political and financial crises during the period. When the Kansas Highway Commission was established in 1917, commissioners wanted to combine the best of the old, local autonomy, with the best of the new, federal aid. By 1929 it was apparent that state government was the unit of government most responsive to the public's demand for a good highway system. This photograph of a Dickinson county road is reproduced from *Kansas Highways*, Topeka, v. 1, no. 4 (July, 1918). Inset is the logo of the Kansas Highway Commission which appeared in the first issue of the commission's magazine in October, 1917.

The manner in which state government responded to the federal government and the counties reflected administrative changes toward centralization, regulation, and professionalism. The establishment of the highway commission in 1917, the various political crises under Gov. Henry J. Allen, the financial crisis of 1925, and the ultimate resolution of the highway issue in 1928 demonstrated these managerial responses.

Establishment of the Commission

HISTORICALLY, control of roads was a county responsibility, paid for by citizen labor, with no trained engineers, few regula-

William C. Markham (1868-1961) was the first secretary of the Kansas Highway Commission. The first issue of the commission's magazine, *Kansas Highways*, October, 1917, included his poem, "Trails," and an editorial in which he suggested: "Kansas has given prohibition, health laws and the 'blue sky' to the nation. Why should she stand at the foot of the class in making the highways of her commercial and social life what they ought to be?" Photograph reproduced from *Men of Kansas* (Topeka: The Topeka *Capital*, 1905).

tions, and little planning. The persons who most used the roads controlled them, and the counties enjoyed an unchallenged right to this authority. But in the early part of the 20th century, voluntary groups took note of the burgeoning automobile business and its effect on roads. Many good roads organizations, established to support permanent all-weather roads, lobbied for the improvement and expansion of highway systems. Also, such voluntary associations increased public awareness of the need for state action in the roads business. More importantly, these organizations crossed county lines, since their membership was statewide, regional, or national. This broadened geographical representation tended to reduce the membership's allegiance to county road construction. The existence of so many organizations reflected the growing demands of automobile owners for good roads generally.[1]

Acceptance of good roads was not only a Kansas phenomenon. The federal government recognized similar pressures by enacting legislation providing that the United States should aid the states in the construction of rural post roads, and for other groups.[2] Signed by Pres. Woodrow Wilson on July 11, 1916, the law channeled federal money through a single state agency for construction of roads designated as part of a state system. The law made clear that, if the states did not comply with the regulations of the Bureau of Public Roads in the Department of Agriculture which administered the funds, state aid could be withheld.

Kansas joined in the rush for federal dollars, and the counties were enthusiastic about the prospect for new money for road building.[3] Almost immediately the legislature noted the

1. Wayne E. Fuller, "Good Roads and Rural Free Delivery of Mail," *Mississippi Valley Historical Review*, Cedar Rapids, Ia., v. 42, no. 1 (June, 1955), p. 67; Oscar Osburn Winther, *The Transportation Frontier: Trans-Mississippi West, 1865-1890* (New York: Holt, Rinehart & Winston, 1964), p. 148; Kirke Mechem, ed., *Annals of Kansas, 1886-1925* (Topeka: Kansas State Historical Society, 1954, 1956), v. 1, p. 309; v. 2, pp. 17-18, 39, 93, 117, 145, 160, 209, 281, 304; Charles Moreau Harger, "Automobiles for Country Use," *The Independent*, New York, v. 70 (June 1, 1911), p. 1211.

2. *U. S. Statutes at Large, 1915-1917*, 64th Cong., 1st Sess., ch. 241 (Washington: Government Printing Office, 1917), v. 39, pt. 1, pp. 355-359. *See*, also, W. V. Buck, "Kansas Highway Development and Road Legislation," in William E. Connelley, ed., *History of Kansas, State and People* (Chicago: American Historical Society, 1928), v. 2, p. 978.

3. Kansas City *Journal*, July 27, 1916; Kansas City *Star*, July 20, 1916; Topeka *Journal*, July 26, 27, 29, 1916; Topeka *Daily Capital*, September 14, 1916.

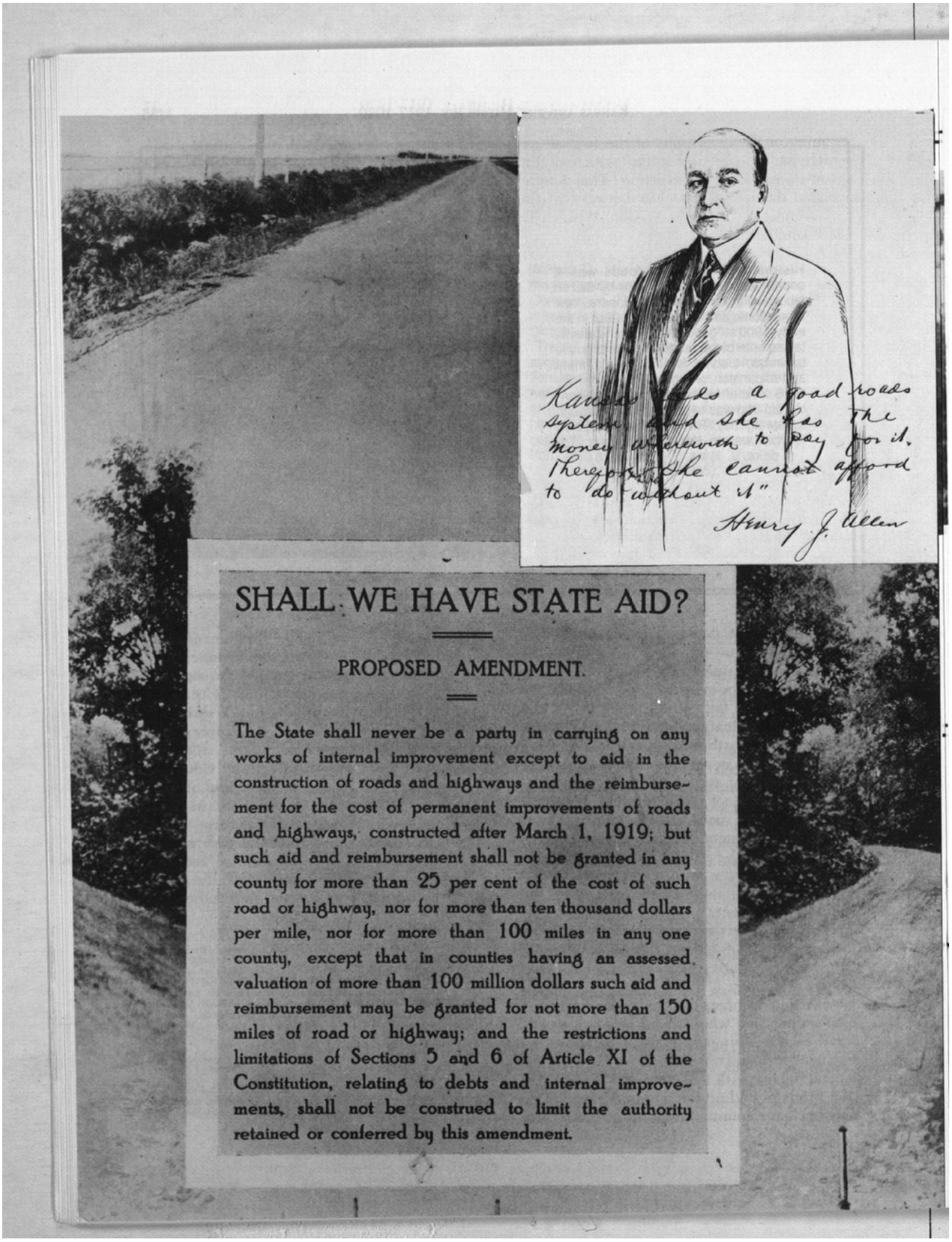
Historically, control of roads was a county responsibility, paid for by citizen labor, with no trained engineers, few regulations, and little planning. But in the early 1900's "good road" organizations, taking note of the burgeoning automobile business, lobbied for the improvement and expansion of highway systems. By 1916 federal legislation provided financial aid that was to be channeled through a state agency. This photograph, labeled "stuck," was in *Kansas Highways*, Topeka, v. 1, no. 3 (April, 1918).

absence of a centralized highway commission, but since the law provided for a three-year period in which such an agency could be organized, there appeared to be no problem. In the summer and fall counties planned to hire road superintendents and to set up road benefit districts similar to those already existent. There apparently was never any intention of not using the county system to build roads. The benefit district kept payment of roads within the counties and roads had been, in fact, built under the old system. The public mood was to take the best of the old, localism, and blend it with the best of the new, federal money. The unknown ingredient was the extent of the state's involvement.

The Kansas legislature of 1917 responded to the temptation of federal money amid pressures from counties eager to receive these funds by passing a highway bill. Signed by Gov. Arthur Capper, the law created a three-man commission whose major function was to serve as a clearinghouse for federal funds. Payment of road construction was to be from federal money with township and benefit district funds providing the required match. The new law gave counties authority to draw road plans, deposit federal money locally, and control road building within the counties. Although the commission retained the right of supervision of these projects, counties did not see any threat to their power, nor did they realize the implication of the supervisory function of the commission. In the words of the governor, "The State Highway Commission was created for the sole purpose of centralizing the energies of the state in road building and enabling us to make use of the $2,148,000 offered by the federal government to be expanded during the next five years." [4]

Unfortunately, the structure of the state highway commission did not meet either the

4. *Session Laws of Kansas, 1917* (Topeka: Kansas State Printing Plant, 1917), ch. 264; *Kansas Senate Journal, 1917* (Topeka: Kansas State Printing Plant, 1917), pp. 25, 129, 246, 398; *Kansas House Journal, 1917* (Topeka: Kansas State Printing Plant, 1917), pp. 66, 273, 374, 509, 596. *See*, also, "KHC—The First 50 Years," in *Central States Construction*, Topeka, v. 20, no. 1 (April, 1967), p. 14; Arthur Capper, "The Kansas Highway Commission," *Kansas Highways*, Topeka, v. 1, no. 1 (October, 1917), p. 4; L. W. Page, "Need of Centralization in Highway Control," *ibid.*, p. 5; "Good Roads Are Keys That Open Safe Deposit Vaults," *ibid.*, v. 2, no. 1 (October, 1918), p. 3; "Kansas Moves Out in Road Building," draft of an article probably written for the U. S. Department of Agriculture, Office of Public Roads and Rural Engineering, in response to a letter from L. W. Page, director, on September 27, 1918, Records of the Governor's Office, Arthur Capper correspondence, numerical file, general, 1917-1918, no. 69, archives dept., Kansas State Historical Society.


Kansas needs a good roads system, and she has the money wherewith to pay for it. Therefore she cannot afford to do without it"
Henry J. Allen
SHALL WE HAVE STATE AID?
PROPOSED AMENDMENT.
The State shall never be a party in carrying on any works of internal improvement except to aid in the construction of roads and highways and the reimbursement for the cost of permanent improvements of roads and highways, constructed after March 1, 1919; but such aid and reimbursement shall not be granted in any county for more than 25 per cent of the cost of such road or highway, nor for more than ten thousand dollars per mile, nor for more than 100 miles in any one county, except that in counties having an assessed valuation of more than 100 million dollars such aid and reimbursement may be granted for not more than 150 miles of road or highway; and the restrictions and limitations of Sections 5 and 6 of Article XI of the Constitution, relating to debts and internal improvements, shall not be construed to limit the authority retained or conferred by this amendment.