The Famous and the Infamous in the West
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Once the richest and most enduring genre of Hollywood’s repertoire, the Western is now beyond revisionism and mere decline: it seems to me to be dead. Nearly 65 years ago, Robert Warshow could write that the Western “presents an image of personal nobility that is still real for us” (111). But this claim could hardly be made today; our tolerance for the Western’s rigid formulas and limited characterizations has all but disappeared. When the classic chase and showdown sequences could generate no further variations, the vitality of the form was sapped. This generic self-exhaustion was abetted, as well, by the rise of what became known as the revisionist Western—the “shoot-'em-up” that undermines its own conventions.

To some extent, revisionist or self-conscious Westerns have been around since the turn of the twentieth century. The Edison Company’s 1905 film *The Little Train Robbery*, for example, was a parody of its own success just two years earlier with *The Great Train Robbery* (which itself grew out of a nineteenth-century American theater that was rife with Western dramas). And the adult Westerns of the late 1940s and early 1950s, like *The Gunfighter* (1950) and *High Noon* (1952), showed their own forms of self-consciousness. They concentrated on the psychological or moral conflicts of the individual protagonist in relation to his society in an effort to make cowboys more realistic in contrast to the heroic, idealized figures of such epic Westerns as *The Covered Wagon* (1925) and *Stagecoach* (1939). To be sure, the latter-day revisionists also aimed at realism—showing the hypocrisy, violence, and meanness presumably missing from previous Western movies. Yet this alleged recovery of the real Old West actually amounted to little more than a revision of cinematic history, for filmmakers merely substituted new myths for the old ones.

Sam Peckinpah was the leading mythmaker of the revisionist movement, beginning with such early films of his as *The Deadly Companions* (1961) and *Ride the High Country* (1962). He shattered the image of personal nobility by having over-the-hill stars—William Holden, Ernest Borgnine, Randolph Scott, Joel McCrea—play distinctly ignoble, over-the-hill cowboys. Their weary, cynical, even mercenary screen personae thus cast as much doubt on the actors’ own careers as on frontier history. Peckinpah’s masterwork *The Wild Bunch* (1969), for instance, used armed robbers at its center, or Westerners who, having outlived their role and milieu subsequent to the closing of the American frontier, became outlaws rather than the victims of industrio-technological progress. His intent in featuring such thieving gunmen was not to glorify criminality but to enhance his own mythmaking. The first of these new myths was that the West gave the romance of the robber—the mounted robber—a panoply of glamor; the second was that the illegal behavior of such a criminal could be likened to the legal behavior of rapacious civilians (especially entrepreneurs) and marauding soldiers.

The invidious historicism of this kind of film was most apparent in *Little Big Man* and *Soldier Blue*, both released in 1970. Each of these pictures
purported to offer enlightened commentary on racism and (by implication) the Vietnam War (even on sexual liberation)—all in the context of a cowboy movie in which the hostile Indian savages of the cinema of the 1930s, the 1940s, and most of the 1950s were suddenly presented as a race of gentle, intelligent, defenseless people on whom the United States military establishment, through the agency of its cavalry troops or “horse soldiers,” had committed genocide. (The analogy with the 1968 My Lai massacre, in which hundreds of unarmed Vietnamese civilians were murdered by American soldiers, was inescapable and deliberate in Little Big Man as well as Soldier Blue.)

Of course, the genocide against the American Indians was depicted as graphically as possible in these films, as was carnage in other revisionist Westerns like Will Penny (1967) and Monte Walsh (1970). The intent of these pictures was not only to rewrite history, but also to revise (with the help of new technology) the conventions for the depiction of violence: to insist, for the first time in the history of American cinema, that the human body is made of real flesh and blood and does not have the resilience of rubber; that arterial blood spurts rather than drips demurely; that bullet wounds leave not trim little pinpricks but big, gaping holes; and, in general, that violence has painful, unpretty, humanly destructive consequences, rather than leading to a polite death that is simply a state of terminal sleep.

But, as we all know, the explicit violence that was such a large part of the revisionists’ vision—particularly Peckinpah’s—quickly passed from revolutionary innovation to accepted convention to exploitative cliché, becoming in the process as formulaic as the superior artistic source, was a huge popular success—or thematic heft (which includes a down-on-his-luck black cowboy, Morgan Freeman, in a co-starring role opposite Eastwood), into a tired genre.

Was there ever any hope for the future of the Western once it had begun to parody itself? Yes, some hope could once be found in a phenomenon that paralleled revisionism and that might be termed the cross-fertilization of genres. This cross-fertilizing was first demonstrated in John Sturges’s The Magnificent Seven (1960), a version of Akira Kurosawa’s The Seven Samurai (1954) set in the American West. (Kurosawa himself had been inspired by John Ford’s Westerns.) In both films, seven hardened warriors (gunmen in Sturges’s adaptation) fallen on hard times are driven to risk their lives, at first for a price and then increasingly out of a sense of honor, to defend the inhabitants of a small rural village from plundering by bandits. But The Magnificent Seven, unlike its superior artistic source, was a huge popular success and sparked an international trend toward samurai imitations that ultimately produced the spaghetti Western—violent, fateful films of the American West that were shot in Italy or Yugoslavia by Italian moviemakers, starring American actors.

The master craftsman of the spaghetti Western was Sergio Leone, whose Fistful of Dollars (starring Clint Eastwood)—a direct, almost scene-by-scene and sometimes even shot-by-shot copy of Kurosawa’s
Yojimbo (1961), itself reputedly a version of Budd Boetticher’s Buchanan Rides Alone (1958)—started the cycle in 1964. The films of Leone (who followed up his first hit with For a Few Dollars More [1965] and The Good, the Bad, and the Ugly [1966]) and his many Italian imitators tended to be stylish (featuring dynamic montage), musically innovative (with scores by Ennio Morricone), and excessively bloody, graphically depicting for the first time on screen the impact and exit wounds produced by bullets. Perhaps chiefly for their extreme violence, the spaghetti Westerns were enormously successful in the United States and produced a number of American-made imitations (for instance, Ted Post’s gratuitously brutal Hang ’Em High [1968], also starring Clint Eastwood).

Spaghetti Westerns also played a major role in conditioning American audiences to accept the new levels of violence that were to emerge toward the end of the 1960s not only in Peckinpah’s apocalyptic Wild Bunch, but also in the 1967 gangster film Bonnie and Clyde. (Bonnie and Clyde was directed by Arthur Penn, who also made Little Big Man as well as the earlier, adult Western The Left-Handed Gun [1958], a retelling of the Billy-the-Kid legend notable for its portrayal of the outlaw as a psychologically troubled, misunderstood youth.) But Leone himself finally resorted to parody, rather than revitalization, of all the mythic-cum-romantic themes of the traditional American Western in Once Upon a Time in the West (1968), even if his cross-fertilizing tendency continued into the 1970s with Red Sun (1971), which co-starred Charles Bronson (once voted the world’s most popular star) and Toshiro Mifune, Japan’s leading male actor at the time and himself the star of several samurai movies (including The Seven Samurai).

During this decade, international exchange continued apace with films like The Stranger and the Gunfighter (1974)—a joint Italian–Spanish production made in Hong Kong and starring Lee Van Cleef, veteran of countless cowboy movies, as well as Lo Lieh, a king of the Kung-fu spectacular—and Breakheart Pass (1975), another Charles Bronson movie that itself is an instance of generic swapping: this time through a reworking of Agatha Christie’s detective fiction Murder on the Orient Express (1934) in the form of a Western. The swapping, or the exchange, even continued into the 1980s when the Australian Bruce Beresford (more on Australia shortly) went to southwest Texas to shoot Tender Mercies (1983), which was about a down-on-his-heels country-and-western singer named Mac Sledge, or a Westerner with a guitar instead of a gun.

Alas, the hope that once spurred the cross-fertilization of the Western itself is by now long since dead. But the spirit that informs the genre, along with its legendary characters, its myths, its values, and its historical associations, is far from dead, though that spirit often turns up in unexpected forms and in previously unvisited places. (This was true, as well, of the Western’s stage equivalent 100 years ago or so, when Puccini converted a corny American melodrama into the opera La Fanciulla del West [The Girl of the Golden West, 1910].) It reappeared more or less simultaneously in three films from 2005—two in unexpected forms and one in a place that has not quite been unvisited but is hardly worn.

The first is Down in the Valley (2005), which uses its unexpected form to sobering intent. It depicts the effect that a film genre can have on a person’s mind, and thus also reveals the mental hunger that had been nourished by this movie model. A previous instance in another genre is Travis Bickle in Taxi Driver (1976): a forlorn man who needs to behave like a movie tough guy, a kind of urban vigilante, to flesh out his puny life. In Down in the Valley, as its geographically accurate yet mythically resonant title suggests, the self-dramatization is Western.

A young man named Harlan Carruthers arrives in Los Angeles from South Dakota in full cowboy persona, with Gary Cooper courtesy and chivalry, a lasso, and two Colt revolvers. He has no ambition to work in films (any more than Travis had, even though some of Harlan’s soliloquies—performed solo in his room, like Travis’s in Taxi Driver—suggest that he is rehearsing a part). Apparently, Harlan just wants to play his movie role in real life, in the area that spawned so many Westerns. Later he accidentally encounters the filming of a Western, but even though he is in Hollywood, he never wants to fulfill his fantasy on screen—he just wants to live it.

Eventually, Harlan gallantly throws over his bread-and-butter job at a filling station to go to the beach with a pretty adolescent girl named Tobe, and he wears his Stetson hat the whole time. His gentle, strong-man
behavior attracts the girl, and a torrid affair ensues. Her father—a policeman—is displeased, though Harlan fascinates Tobe’s kid brother. The ins and outs of the plot turns that follow, accordingly, are not hard to follow. They abut on two matters: on the one hand, there is Harlan’s imitation Westernizing, including some horseback sequences, all of which entrances Tobe (and her brother); on the other hand, there are the father’s objections, increasingly futile. Tobe’s attraction to the fantasist is a mirror image of Harlan’s own need for fantasy, and is a testament as well to the power of the Western in the cultural history of the United States.

The story of *Down in the Valley* winds along until, inevitably, shootouts arrive: fantasy, in this case (again, as in the case of *Taxi Driver*), leads to fatalities. Yet, looked at with a smidgen of rationality, this film doesn’t make any sense. (And there are unexplained details, such as where Harlan’s expensive saddle came from.) But since it’s about a young man whose life doesn’t make any sense, rationality is probably not the right criterion in this instance. Mythology is, and Harlan Carruthers is a dream-intoxicated being (brought to life here by the redoubtable Edward Norton) who believes in everything he says, no matter how silly or dangerous it sounds, and despite the fact that at the finish he is only a case who has met a case’s end. What he suggests, en route, or what his author-director David Jacobson meant him to suggest, is that the absence of genuine Westerns on screen has not wiped them out. They survive in the world’s mind. They persist because we still have a craving for them—for the spectacle of their action, the romance of their quest, and the nobility of the Westerner himself.

Australia is not a place previously unvisited by such nobility, quest, or spectacle, yet it is still so novel a locale that an Australian Western has an odd effect. It reminds us of what should be obvious similarities between that country and the United States: huge space in the west, for example; an indigenous population that was treated roughly by invading whites;
and invading whites who themselves were fleeing rough treatment of a kind in their own native land. The Australian film I’d like to consider, *The Proposition* (2005), is set in the late-nineteenth century, so a “captain of lawmen” can still have an ambition we have often heard voiced by Western lawmen in American movies: to civilize the wilderness, along with its savages. Moreover, even though much of this captain’s action is conducted against natives, he has an Aborigine scout at his beck, just as U.S. regiments in the Old West had Indian scouts.

The screenwriter of *The Proposition* was Nick Cave, who here remembers some of his country’s history and at the same time lets it remind him of Sam Peckinpah, whose unique—or uniquely violent—contribution to the Western is adopted by Cave with only limited success. A good deal of the time he simply wallows in the fact that a Western movie licenses violence, whereas Peckinpah, no matter how violent his films became, always kept in mind the rationale behind the violence. The very first scene, for instance, plunges us into a whirlpool of killing led by the captain and his men against outlaws; it is exploited from every angle, for every possible ferocity, by the director, John Hillcoat, and his cinematographer, Benoît Delhomme.

When the fight is finished, with the outlaws defeated, the captain offers the captive outlaw Charlie Burns a proposition. Charlie’s brother Arthur has escaped; but if Charlie will kill Arthur by Christmas, the captain will spare their other brother, Mikey, who is a prisoner and will otherwise be hanged. Hence the proposition of the film’s title and the presupposition for the action, violent or otherwise, that will follow. As story ideas go, it’s not entirely original—you can find a variation on it in Westerns where a former outlaw, now a sheriff, must kill a brother, or a friend, who is still an outlaw. But that’s not the problem so much as the fact that the film never comes to any point or purpose. It’s hollow, finally, and this despite the strong performances by Ray Winstone as the captain and Guy Pearce as Charlie Burns, and despite the miraculous John Hurt in an eccentric role that was put in just for spice (though such an addition should have immediately signaled the aesthetic dubiousness of the whole enterprise).

Some might argue that *The Proposition*’s aim was to show the civilizing of the outback, or to depict the
cruel treatment of the Aborigines (and, apart from the Burns-brothers’ plot, there is plenty of that). But these are not the film’s motives, just the excuses for its existence, for wallowing in violence and its exploitation of the visual paradox that Westerns allow. To wit: almost all the riding and fighting and rumination take place against settings of extraordinary beauty, the setting sun being one of Hillcoat and Delhomme’s chief assets. A scene near the end and the final scene consist of two of the Burns brothers seated outdoors, their backs toward us, contemplating action as they watch the sun set. The problem with such scenes, of course—especially when the filmmakers over-rely on them—is that, unlike the characters, we start to “goggle” more than “contemplate”; and the setting thereby becomes less of a character or force in the narrative than just another pretty picture gratuitously juxtaposed against the ugly or thrilling or suspenseful one that is the film’s action.

The visual paradox that Westerns allow is again on display in *Brokeback Mountain* (2005), where it works a little better than it did in *The Proposition*. The landscape in which most of the film takes place is majestic and thrilling (ostensibly Wyoming, but actually the Canadian Rockies). The cinematographer (Rodrigo Prieto) presents the scenic marvels of this place to us as if they were resplendent gifts but not gratuitous ones, for here the interweaving of the grand landscape with the narrative has a peculiarly synesthetic effect, absent from *The Proposition*. This is because *Brokeback Mountain*’s story is intimate—indeed, it’s a Western romance—and the poignant lyricism of the movie’s romantic theme winds almost musically through a cosmos otherwise shaped by only grand chords.

Oddly enough, *Brokeback Mountain* was directed by Ang Lee, who, born in Taiwan, is nevertheless at home in the West as well as the East (he received both his undergraduate and his graduate degrees in the United States). His major credits before *Brokeback Mountain*—*The Wedding Banquet* (1993), *Eat Drink Man Woman* (1994), *Sense and Sensibility* (1995), *The Ice Storm* (1997), *Ride with the Devil* (1999), and *Crouching Tiger, Hidden Dragon* (2000)—show his cross-cultural sensibilities. *The Ice Storm* and *Ride with the Devil* were each ultra-American pictures, the
one about Connecticut suburbanites, the other about the Civil War. Despite their American ease and societal comprehension, I didn’t care for either film; and I took away the feeling, especially after seeing the martial-arts extravaganza Crouching Tiger, Hidden Dragon (not to speak of his comic-book adaptation of Hulk [2003]), that Lee was an industry gun-for-hire as opposed to an independent auteur with a vision. I still feel this way, but that won’t keep me from saying that, precisely because of his remove from the subject at hand, as an artist, a Taiwanese, and a man, Ang Lee was the right choice to direct Brokeback Mountain.

The screenplay by Larry McMurtry and Diana Ossana, based on (and faithful to) a 1997 short story by Annie Proulx, is about two cowboys who become lovers. In 1963 in Wyoming, two young ranch hands named Ennis Del Mar and Jack Twist are hired to spend the summer tending 1,000 sheep on Brokeback Mountain. (Shepherds though the men are, through much of the film they call each other “cowboy” and we do see them later with cattle.) Ennis and Jack had not known each other previously, and they don’t spend a lot of time together now. Ennis sleeps somewhere off near the sheep, and Jack bunks away from them in a pup tent. One inclement night, however, they share the tent after sharing a bottle of whiskey. There has not been the slightest hint of physical attraction between the two men up to this point, nor is there now as they bed down together. Nonetheless, during the night, they find themselves—the phrase is apt—having sex.

In the morning Jack and Ennis are their customary laconic selves as they go about their jobs, but they are both marked for life—by love. That is, on this morning after their first sexual experience, they virtually decide they must be in love. They specify to each other that they are not “queer,” so the condition that allows them to be themselves without shame is to believe that they are in love. And they are, as truly as two people can be, yet they are grateful for it because this spiritual union licenses them to continue their beddings, and helps to justify each man to himself. Over the remainder of the summer, Jack and Ennis’s sexual and emotional relationship deepens, although they part ways at the end of their job. Later on, through the years—up to 1983—they continue to meet as often as they can, despite the fact that in time both men marry and father children.

The film traces the men’s torment when separated, their happiness at reunions, and their near-pride in their private selves: in short, the delicacy and pain and almost unbearable joy experienced by the two. Their marriages themselves are not so totally blissful—Ennis’s wife, for example, has seen the two men kissing—but they seem to accept marital trouble as part of the price they have to pay for their secret truth. Jack does broach the subject of creating a life together on a small farm, especially after Ennis’s wife divorces him, but Ennis refuses to move away from his two daughters and fears that such an arrangement can only end in tragedy (as it did for a gay couple who were tortured and murdered in the town where he grew up). So, unable to be open about their relationship, Jack and Ennis settle, after a bitter quarrel—become-desperate embrace, for their infrequent meetings (separated not just by months but sometimes by several years) on camping trips in the mountains.

Alas, their story does not finish as they might have wished: it couldn’t, given the world in which they live. But their relationship from beginning to end has a texture so fine-spun that it seems, more than the story itself, the purpose for which the film was made. Brokeback Mountain does not contain the slightest suggestion, by contrast, that its purpose is to chronicle a psychological case or a social problem. And that, as an aspiring work of art, is its problem, for, on the evidence of both Proulx’s story and Lee’s film, Jack and Ennis, in addition to being adulterers, are bisexuals—not homosexuals. (Just one of the pieces of bisexual evidence: after his divorce, instead of declaring his total “availability” to Jack, Ennis begins dating an attractive waitress he has met at a diner he frequents, though Ennis continues to see Jack as well.)

The film, like the short story, completely avoids this issue—that monogamous marriage, be it of the heterosexual or homosexual kind, presumes faithfulness or at least openness (not cheating as we see Ennis and Jack engage in it), and it cannot tolerate bisexuality (for a bisexual marriage would necessarily involve at least three partners!). The movie chooses instead coyly to treasure two human beings who, as it sees them, and as unlikely as we may have thought it for these two men, find themselves fixed in a discomfiting yet thorough passion that the filmmakers (and Annie Proulx) affirm. Jack and Ennis
may inhabit a world—the world of the Western—that vaunts macho masculinity and even loneness or isolation (not to mention the Westerner’s personal integrity as expressed in his code of honor; nonetheless, they seem secretly fortified by their mutual fate instead of self-sacrificially rejecting it or openly questioning it.

*Brokeback Mountain*’s coyness in this matter seems designed to pander to the gay community, to which (among other communities) its producers successfully marketed the film as a tragic, albeit same-sex, love story. It was not put forward as a social-problem picture about the difficulty of living an openly bisexual life in a society that venerates the institution of marriage as well as the pureness or absoluteness of sexual categories—not to speak of the difficulty of surviving in a West that prides itself on bashing anyone who even appears to be gay. (The poster for *Brokeback Mountain*, incidentally, was inspired by that of James Cameron’s *Titanic* [1997], which the producers chose as a model after looking at the posters of what they considered to be the 50 most romantic movies ever made.) And a neat trick this was on the part of the film’s marketing team, for neither *Brokeback Mountain*’s two leading actors, nor its director, nor the author of the story on which it is based, nor its screenwriters are gay. Those actors are the late Heath Ledger, an Australian who for this picture mastered a Western accent and bearing, and who gave Ennis a solidity through which his new experience shivers like a crack through a rock; and Jake Gyllenhaal, who creates in Jack a man of dogged sensitivity, one who has not previously lived by emotional finesse but now finds himself capable of it and will not relinquish it.

Ang Lee was the right choice to direct Ledger and Gyllenhaal, and to film the screenplay as written (not as I wish it had been written, by an auteur or writer-director), not only because he’s neither from the Western hemisphere nor a Western American and hence has no “investment” either in traditional or nontraditional Western conceptions of masculinity. Lee was also the right choice because he has shown himself in the past to be a consummately tasteful, acutely sensitive director of actors: witness, for one, Emma Thompson’s performance as Elinor Dashwood in *Sense and Sensibility*, which is buttressed by her comments about Lee’s directing in the diary she kept during filming (published by Newmarket in 2002).

Moreover, given that the film of *Brokeback Mountain* had to have handsome young heterosexual stars to insure its commercial success outside the gay market, it also had to have someone directing them who was sensitive to their needs as actors. Sensitive, too, to the general current of emotional need that floods around all men and women (but especially two men as isolated as these shepherds are for an entire season on *Brokeback Mountain*), and that looks for reification, for person and place, in one or another sort of gender relationship which may or may not include sex. The film needed someone sensitive to the needs of the overarching narrative itself. This movie adaptation further required someone who knows, as the characters of Ennis and Jack do and as does any real-life bisexual, that the line between acting straight and playing gay—especially for a cowboy-type who happens to fall in love with another man—is very thin indeed. That someone, again, was Ang Lee. (See *The Wedding Banquet* for additional evidence.)

Well, so now we have a gay or—my preferred term in this instance—a bisexual Western (Western in spirit, anyway) on our hands, trying in the twenty-first century to deal with some of the themes of the traditional American Western: rugged individualism, individual freedom, and self-reliance versus family values, individual restriction or constraint, and family-dependence; physical allegiance to nature, wilderness, and the environment versus moral commitment to the community, society, and civilization. But even a domestic Western like *Brokeback Mountain* is not as new as it seems, save for its homoerotic wrinkle. In 1971, for example, Peter Fonda made (and
starred in) The Hired Hand, in which a drifter, who had been roaming from town to town with his close friend and fellow wanderer, decides to make amends to the wife and daughter he abandoned seven years before by returning to them—offering to do penance by working on the family farmstead as a hired hand. (Fonda himself went so far as to call The Hired Hand “the first feminist Western” [Toby Thompson, 224].)

But The Hired Hand was still a real Western, replete with Western violence when the Fonda character ultimately has to choose between responsibility to his blood relatives and the obligation to aid his friend-in-need. Brokeback Mountain is an imitation of the genre, Down in the Valley an imitation-of-an-imitation, and The Proposition a bloody anachronism.

The Western is dead. Its ghost still haunts us. Long live the West of our imaginations.

WORKS CITED


R. J. CARDULLO is the author or editor of a number of books, including Soundings on Cinema: Speaking to Film and Film Artists (SUNY Press, 2008) and In Search of Cinema: Writings on International Film Art (McGill-Queens UP, 2004). He is also the chief American translator of the film criticism of the Frenchman André Bazin, with several volumes to his credit. Cardullo took his master’s and doctoral degrees from Yale University and taught for four decades at the University of Michigan, Colgate, and New York University. He currently teaches abroad.
Cliven Bundy and the Underrepresentation of Self and Place Identity in Multiple-Use Land Management Policy in the Western United States

Charles N. Herrick

On February 16, 2016, Nevada rancher, Cliven D. Bundy was arrested by agents of the Federal Bureau of Investigation (FBI) and charged with six criminal offenses, including conspiracy to commit an offense against the United States, assault on a federal officer by use of a deadly and dangerous weapon, interference of commerce by extortion, obstruction of the administration of justice, and two counts of use and carry of a firearm during and in relation to a crime of violence. Mr. Bundy’s arrest was prompted by events that took place in April 2014, when he is said to have organized and led an armed assault against federal law enforcement officials who had impounded approximately 300 head of his cattle. Bundy had trespassed his cattle on federal public lands for over 20 years, having refused to obtain the legally required permits or pay the required fees to keep and graze cattle on lands administered by the U.S. Bureau of Land Management (BLM). For his part, Mr. Bundy claimed that BLM administration of lands abutting his ranch near Bunkerville, Nevada, was an act of governmental overreach, going so far as to deny the basic legitimacy of federal ownership of land in the Western United States. In February 2018, U.S. District Court Judge Gloria Navarro declared a mistrial in the case against Mr. Bundy, strongly rebuking federal prosecutors for withholding potentially exculpatory evidence from the defense.

For the purposes of this article, I do not attempt to assess Mr. Bundy’s compliance with BLM grazing regulations. Nor will I opine on his presumed guilt or innocence with respect to federal charges associated with his 2014 standoff with BLM rangers. Rather, I use the Bundy family experience as a case illustration of the potential frictions between land and resource management regimes and occupant images of self and place. In this article, I adopt an interdisciplinary interpretive approach to evaluate how multiple-use regulatory regimes can impact the self and place constructs of regulatory targets.

The first section of this essay provides an overview of key anthropological, sociological, and folkloric concepts dealing with individuals and the nature of their relationship with specific places, emphasizing the comingling of self and place constructs.

The second section recounts the Bundy family history within and around the Virgin River Valley (VRV) and the area known as the Arizona Strip (AS). This section is based on (1) archival research, including review and ethnographic content analysis of first-person and biographical histories of the settlement of the VRV/AS during the period from 1850 to the present; and (2) critical review of news and opinion accounts of the Bundy incident, including formalized content analysis of 70 media accounts published between September 2013 and April 2018.

The third section describes the policy context for multiple-use management of public lands in the Western United States.

Section four draws on concepts from political theory and the policy sciences to explore whether and how self and place constructs might be more
meaningfully addressed in the context of land and resource management policy in the Western United States. Without attempting to reach definitive conclusions, the fourth section articulates some pragmatic and normative considerations that should fuel circumspection regarding efforts to more fully address self and place constructs in the policy context. It also explores factors that provide support for fuller application of these constructs in natural resource and land management policy regimes.

Section five provides an illustration of how existing federal statutes and programs take account of unique cultural perspectives and draws on the policy literature to support a forward-looking affirmation of the need for, and feasibility of, addressing self and place constructs in the context of multiple use management.

An appendix provides a chronological listing of events and other putative facts of relevance to the Bundy episode.

**Sense of Self, Sense of Place, and the Importance of Self-in-Place**

The United States National Park Service (NPS) defines culture as “a system of behaviors, values, ideologies, and social arrangements. These features, in addition to tools and expressive elements such as graphic arts, help humans interpret their universe as well as deal with features of their environments, natural and social. Culture is learned, transmitted in social context, and modifiable. Synonyms for culture include lifeways, customs, traditions, social practices, and folkways” (NPS 1998). As articulated by Schein, “...culture is the pattern of basic assumptions that a given group has invented, discovered, or developed in learning to cope with its problems of external adaptation and internal integration, and that have worked well enough to be considered valid, and therefore, to be taught to new members as the correct way to perceive, think, and feel in relation to problems (Schein 1984). As Ward Goodenough describes it, “Culture ... consists of standards for deciding what is, ... for deciding what can be, ... for deciding what one feels about it, ... for deciding what to do about it, and ... for deciding how to go about doing it” (quoted in Herrick and Pratt 2013).

A place is more than a simple compilation of physical features, it is also a cultural construct. Places are a composite of social relationships, geographical...
features, artifacts, resident self-images, and in some cases, symbolic meaning. The idea of people ascribing certain qualities to places, such as the embodiment of ethical values, has a long history in the social sciences (Firey 1945; Kudryavtsev et al. 2012). It is said that “places are nested collections of human experience, locations with which people and communities have particular affective relationships” (Hess et al. 2008). Constructions of a place often prove to be deep and lasting, and so too is fealty to traditions that facilitate survival there (Hess et al. 2008). As Shumway and Jackson write, “once a particular view of place is established, a ‘perceptual lock in’ occurs that is difficult to change . . . .” Once established, “place meaning achieves coherence and longevity . . . [and provides] a justification for certain types of events while limiting others, and gives places an identity not in terms of an open and changing milieu but as a statement of truth” (Shumway and Jackson 2008, 435).

Case Illustration of Self-in-Place:
The Bundy Family Heritage in the Virgin River Valley and the Arizona Strip

The Virgin River Valley and the Arizona Strip (VRV/AS) lie at the interface of the Mojave Desert and the Great Basin, just north and west of the Colorado Plateau. A desert hinterland of uplifted ridges, alluvial fans, and eroded plutons, the region has been a cradle of North American civilization since Paleo-Archaic times, an era that dates roughly to 5900 BC. Prior
to Spanish and Anglo-American intrusion and settlement of the region, it was subject to at least four distinct cultural occupations, including Archaic, Basketmaker/Puebloan, Patayan, and Southern Paiute (McGuire et al. 2014). The lifeways of these cultures tended to follow a generalized developmental pattern evolving from wide-ranging, residentially mobile, desert-adapted hunter-gatherers, toward agriculturally-oriented, riverine communities.

Situated in rough proximity to the Old Spanish Trail, the first white men in the VRV/AS region were probably members of the Dominguez and Escalante expedition in 1776, who traversed the area on their return from what is now central Utah (Foremaster 1965, USGS 1983, LUHNA 1999). It is reported that the trapper, Jedidiah Smith passed through the Arizona Strip and down the Virgin River Valley in about 1826 (Myhrer et al. 1990, Barbour 2011). The next white people to play a significant role within the region were Mormon colonists lead by Jacob Hamblin and Brigham Young. Radiating outward from Salt Lake City, Mormon scouting parties and missionaries moved into southern Utah and extreme northern Arizona during the 1850s seeking suitable lands for agriculture, grazing and settlement. Disputes between settlers and native tribes culminated in a conflict known as the Black Hawk Navajo Wars of 1866–1869, which was quelled partially due to Mormon paramilitary action (Foremaster 1965).

Both sides of the Bundy family have deep, well-documented roots in the history of settlement of the Virgin River Valley and Arizona Strip. In January 1877, a party of 23 people, led by Edward Bunker and Carol Bundy’s great, great grandfather, Dudley Leavitt left Santa Clara, Utah, and established the community of Bunkerville on the Mesquite Flat of the Virgin River (Brooks 1942, Zarate 2010). Originally intended to serve as a United Order cotton plantation, by 1880 the settlement party had built a diversion dam, excavated an extensive system of irrigation, and established crops and gardens. Homes were built using available materials, typically in the form of adobe bricks. The houses were no bigger than necessary and had little to no adornment. Over the years, Bunkerville and nearby Mesquite were periodically devastated by recurrent flooding on the Virgin River (Zarate 2010).

Named after Cliven Bundy’s paternal great-grandfather, Abraham Bundy, the community once
known as Bundyville (now called Mt. Trumbell) was established in 1916 (Kanigher 2014). The Bundys were among 131 homesteading families who proved up and received title to land along the Arizona Strip (Cox 1982). These pioneer families established themselves on these homesteads with the idea of growing dryland crops and raising livestock (Foremaster 1965). Bundyville once boasted a store, post office, school, church, cemetery, and perhaps as many as 300 inhabitants (LUHNA 1999). A hub of activity across the Arizona Strip, Bundyville was the site of Easter picnics, mutual night dances, and a thriving church organization. Bundyville was designated as a ward of the LDS in 1928, with Cliven’s grandfather, Roy Bundy, serving as Bishop (Parshall 2014). Bundyville would never have electricity, running water, telephones, or paved roadways (Cox and Russell 1973). Unregulated and unchecked grazing of domestic and feral cattle and sheep resulted in severe damage to the arid habitat of much of the strip area (LUHNA 1999). Bundyville was virtually abandoned in the 1930s due to a combination of drought, cancelation of a government-sponsored pipeline project, and grazing restrictions implemented under the Taylor Grazing Act (Cox and Russell 1973, Cox 1982). Although no longer a chartered or incorporated governmental unit, many in the area refer fondly to the area around Bundyville as “out home” and return for holidays and social gatherings (Cox and Russell 1973).

Six generations of the Bundy-Leavitt family have struggled against the harsh climate and landscape of the VRV/AS to rear cattle, run sheep, build homes,
secure water supplies, tend orchards and truck farms, raise children, and practice their faith. Their lives are intertwined with those of other pioneering families, such as the Whipples, Esplins, and Iversons (Cox 1982, Parshall 2014). All share in stories of courage, diligence, and faith; stories that have been handed down from generation to generation and are used as virtual proverbs for how to survive in a harsh land. The Bundy’s and other multigenerational residents of the Virgin River Valley and Arizona Strip take pride not merely in their ability to take what nature dishes out, but to enjoy their lot in life. As Roy Bundy puts it, “we were schooled in the university of hard knocks, so we could take it and like it” (Parshall 2014).

It can be argued that the Bundy’s attachment to and identification with ranching in the Virgin River Valley is more complicated than mere economic self-interest or NIMBYism. It can, I think, be argued that these multigenerational clans view cattle ranching in the VRV/AS as less of a business than a way of life. It is clearly a significant aspect in some people’s self-identity. If one were to operationalize the construct of self-in-place for the Bundys and other founding families of the Virgin River Valley and Arizona Strip, the following factors appear salient:

- LDS membership and Mormon faith: The Arizona Strip and upper Virgin River Valley lie within what has been referred to as the Mormon Cultural Region of the United States (Meinig 1965). The existence of the Mormons as a definite, cohesive, readily distinguishable culture within the broader patterns of American life has been described and analyzed by scholars in many fields (Hill 1959, Taylor 1963, Mauss 1984). As a group, Mormons “constitute a highly self-conscious subculture whose chief bond is religion and one which has long established its mark upon the life and landscape of a particular area” (Meinig 1965, 191). In the VRV/AS, Mormons quickly established a series of cohesive communities organized around the church. As White observes, “church leaders supervised the settlements, reminding settlers that brotherhood and cooperation should characterize their efforts and that they were engaged in a religious as well as secular pursuit” (White 1991, 301). Apart from the generic bond of religion, it
is also important to recognize how interpretations of Mormon dogma tend to compel or constrain specific perceptions and behaviors among faithful adherents. As described by Shawna Cox, at least some of Mr. Bundy’s actions during the April 2014 confrontation with BLM rangers were animated by a compulsion to act as a “priesthood bearer” in an ongoing “war on free agency” (Cox 2016, 82).

- Cultural isolation and anti-federalism: The history of Mormonism involves the pervasive specter of persecution. By the 1850s, the Mormons were one of the most despised groups in America; and their non-Mormon neighbors had murdered their leader and driven them out of settlements in Illinois and Missouri (White 1991). As Zarate writes, “The colonizers of the Virgin Valley had a common history. They had been forced to flee their previous homes in the East and were looking for a place so remote and desolate that no one else would want it” (Zarate 2010, 11). While Mr. Bundy is clearly animated by perceptions of federal overreach with respect to land and forage management, his forebears in the VRV/AS took an almost flagrant pride in their resistance to government efforts to halt polygamy, impede establishing an independent probate court system, and interfere with Indian-Mormon relations (Cox 1982). Indeed, the AS has been one of the last strongholds of the nineteenth-century practice of polygamy, even though the practice was disavowed by the LDS Church in the early 1890s. In other words, family lore may animate and fuel Bundy’s fervent and activist approach to anti-federalism.

- Ranching, grazing, and land stewardship: Not only did the Bundys, Leavitts and other pioneer families in the VRV/AS live off the land, they also expended tremendous effort to modify the landscape to support their way of life—creating wells, reservoirs, irrigation canals, trails, roads, bridges, windbreaks, corrals and ripgut fences, and a variety of maintenance and support structures (Cox and Russell 1973, Cox 1982). Mr. Bundy insists that his family has dug “100 wells . . . from beneath the desert scrub that bettered the lands” (Glionna 2013). They were also diligent students of their natural environment, learning where to winter cattle, how to find ephemeral seeps and sources of water, the location of flint deposits, Creosote and Blackbrush plant communities within the Gold Butte region. Photo by the author.
and passable routes through otherwise impenetrable terrain (Cox 1982). As Mr. Bundy articulates, “My forefathers have been up and down the Virgin Valley here ever since 1877. All these rights that I claim, have been created through . . . beneficial use of the forage and the water and access and range improvements” (Turbeville 2014).

**Cowboy persona:** While it is easy to find scholars who dismiss or deride the notion of a unique cowboy culture (Smith 1978, Worster 1992, Knize 1999, Donahue 2005), it is clear that the cowboy ethos is central to how Cliven Bundy and other family members frame issues and project themselves to others. As a biographer describes Mr. Bundy, he is one of the “real cowboys of the West who work hard and expect nothing less from their children and grandchildren and those around them. They have compassion and love for everyone” (Cox 2016, 39).

**Landscape aesthetic:** Legacy occupants of the VRV/AS seem to share a palpable sense of the unique beauty of the landscape on which they live and work, a beauty that is intensified by the harshness of conditions. Not only is the landscape sublime, it provides them with a way to affirm and demonstrate character traits such as fidelity, self-sacrifice, hard work, deferred gratification, dependability, and common sense; but perhaps more fundamentally, it provides a vehicle through which they can exercise the will of God. As Roy Bundy’s granddaughter, Joanne Iverson Christy once said, “The Arizona Strip has been a great school for me. I’ve learned a lot about being independent and taking care of myself. And when people are puzzled by my obvious love of the strip and ask, ‘Why do you go out there and what do you do?’ I have a hard time explaining the excitement it gives me, and the beauty of it all. I only know that a good summer thunderstorm and smelling the wet sage and cedars and seeing a pond fill up—well, that is truly heaven (Cox 1982, 201).”

It does not seem far-fetched to argue that Mr. Bundy and his family have coherent and meaningful ties to the grazing lands, water sources, landscapes, current communities, and the historical culture of the VRV/AS region. They are part of a living history.
seems clear that Bundy’s relationship with federal lands in the VRV and AS involves more than the use of forage as a commercial commodity. I am suggesting that Cliven Bundy’s self-identity is tied to places within the region, and that this identity is based on deep, well-documented, and tangible physical, historical, and cultural circumstances.

**Multiple-Use Land Management and the Attenuation of Self and Place: The Policy Context**

For over a century, federal lands in the VRV/AS were under the de facto control of the ranchers who lived near them and worked on them. It was not until 1916 that a federal statute authorized homesteads for ranching, as opposed to farming purposes. In 1934 the Taylor Grazing Act authorized leasing grazing lands to ranchers. But during the period between 1934 and 1976, pressure from the livestock industry and its Congressional allies tended to ossify implementation of the Taylor Grazing Act. Passed in October 1976, the Federal Land Policy and Management Act (FLPMA) serves as the BLM’s organic act and establishes the agency’s multiple use mandate. The Act also specifies grazing permit terms and stipulates conditions under which permits can be revoked or modified. FLPMA authorizes BLM to discontinue grazing to use land for other public purposes; while at the same time stipulating that permit holders have first priority for renewal, but only if the land remains available and the permittee accepts the new conditions and remains in compliance with applicable regulations. While FLPMA authorizes cessation of grazing on BLM land, this aspect of the law has only rarely been employed for that purpose (Donahue 2005, Childers 2014).

In addition to issuing resource-specific permits, leases, and other concessions, the concept of multiple-use has been operationalized through governmental and public-private vehicles such as land-use plans, endangered species management plans, environmental assessments and environmental impact statements, river basin management plans, and more. As currently interpreted and practiced, the construct of multiple-use allows a constellation of activities, including military training and weapons testing; hunting, fishing, ATV riding, mountain biking, camping, hiking, and other outdoor recreation pursuits; a variety of conservation and preservation efforts; preservation of
historical sites and values; scientific monitoring and research; mining and mineral extraction; timber cultivation; and livestock production and grazing.

Language in FLPMA directs BLM to develop, maintain, and, when appropriate, revise land use plans which provide tracts or areas for the use of public lands (BLM 2016). FLPMA has made land use planning a key aspect of the federal, mixed use management regime, often in cooperation with state, county, and municipal governments (Leshy 2016). The FLPMA planning process thus provides a venue through which various coalitions can be structured. Of particular importance with respect to the case of the Bundy family, municipalities in Clark County, Nevada, have invested over $1 million to acquire five federal grazing allotments, water rights, range improvements, and the base property from existing ranchers in an effort to reduce grazing pressures in and around an area deemed critical habitat for the endangered desert tortoise (Nelson 2011). Amounting to over 900,000 acres, this purchase cleared the way for continued expansion and urban economic development in and around the Las Vegas area.

“Public domain landscapes in the Western United States are filled with activities that are not always compatible,” (Childers 2014, 11) and occupants are caught-up within struggles among residential, commercial, industrial, and municipal users, with interests ranging from economic development, environmental and conservation, resource extraction, and recreation. On levels both physical and intellectual, the landscape of multiple-use is contested and shifting. While multiple-use can be addressed in the technical parlance of federal policy, it can also be understood as an institutional mechanism with the potential to constrain an incumbent occupant’s sense of self-in-place.

**Recognition of Self and Place Constructs in the Multiple-Use Policy Context: Reasons to Be Circumspect and Reasons to Push Forward**

Political systems under the Western tradition are grounded in the moral primacy of the autonomous individual. The Western conception of autonomy is associated with values such as self-mastery, responsibility for individual behavior, and freedom to choose (Faden et al. 1986). Figuratively speaking, governmental authority and the exercise of coercive powers are legitimized through fictive contracts among individuals as a means to serve and execute their rights and maintain order (Dolbeare 1981). Individual autonomy is closely related to the legitimacy of political rule as manifested through policy regimes and other institutions of governance. Legitimacy is the conviction that a phenomenon is valid, acceptable, and situated on appropriate grounds (Connolly 1984). As summarized by Tyler, “legitimacy is a psychological property of an authority, institution, or social arrangement that leads those connected with it to believe that it is appropriate, proper, and just” (Tyler 2006, 375). Legitimacy arises from the widespread acceptance of a particular convention as a part of the policy landscape that is taken for granted and “goes without saying” (Bourdieu 1977). Perceptions of legitimacy depend on the salience of ideas that underlie policies, the credibility and competence of involved institutions, and the certainty that outcomes will be achieved (May and Jochim 2013).

Given the nature of political legitimacy, it could be argued that acceptance of self constructs is consistent with and perhaps elemental to adequate treatment of the individual within American political and ideological systems. However, land and resource management policy in the United States is typically based on a broadly utilitarian framework within which policies tend to be generalized interventions that address common aspects of a problem, rather than collections of individualized prescriptions (Lasswell and McDougal 1992, Fiorino 1995, Clark 2002). There are good reasons for this, including ease of enforcement, cost, and administrative burden.

Although it seems reasonable to argue that self and place constructs ought somehow to be addressed in the formulation of multiple use policy regimes, skeptics could maintain that the prospect of implementing self and place constructs is untenable. A mandate to respect or consider any given place construct could imply that land and resource management policy regimes should be constructed to accommodate the unique perspectives and needs of an individual or group at the expense of the larger community. It could be argued that this would be tantamount to knuckling under to the whims of scofflaws and self-interested stakeholders at the expense of the broader public interest, a clear indication of bad governance. If
nothing else, such recognition would make the policy implementation process more cumbersome and burdensome. At a minimum, serious policy practitioners should ask whether and how place and self constructs should be addressed in a real-world context.

Beyond issues of practicality, there are also normative challenges that should be addressed before self and place constructs can be operationalized in a policy context. As Lasswell and McDougal (1992) describe it, policy formulation is a process of authoritative decision making through which members of a community attempt to secure their common interests. Given this, it should be asked whether and how recognition of an individual or group’s sense of place should differ from any other type of individual interest. The question, then, is whether occupant constructs of self and place should be treated in the same manner as other economic or environmental interests, or whether they are somehow deeper and deserving of different treatment. Further, it could be asked whether all self or place constructs are equal. A non-occupant real estate developer and a multigenerational ranching family can both have intense feelings with regard to a particular landscape or allotment of real property, but should they each count the same? Or are some types of self and place constructs genuine while others are merely ephemeral or ancillary? In other words, does recognition of the legitimacy of self and place constructs commit us to a crippling relativism with regard to policy formulation?

Operationalizing Self and Place Constructs in the Context of Multiple-Use Land Management: A Way Forward

It is not uncommon for U.S. government programs to address cultural factors that can either impinge on or be negatively impacted through implementation of agency programs. The National Historic Preservation Act (NHPA) of 1966 laid the groundwork for U.S. and state policies and programs intended to identify and protect culturally significant and historic places. The National Park Service Register of Historic Places (RHP) is the official list of the nation’s places deemed worthy of preservation. Implemented through state-level historic preservation offices, guidance for the selection of places under the RHP is provided through a series of NPS Bulletins. Of particular relevance to this article, RHP Bulletins 36 and 38 define...
“traditional” and “cultural” landscapes and properties (NPS 1998). The Bureau of Land Management recognizes this guidance in Handbook H-1790-1, which implements the National Environmental Policy Act (NEPA). Under this guidance, properties and places of cultural significance are defined as geographic places prominent in a group’s cultural practices, beliefs, or values. Further, these places must be: (i) widely shared within the group, (ii) have been passed down through the generations, and (iii) have served a recognized role in maintaining the group’s cultural identity for at least 50 years (BLM 2008).

Earlier in this article, I outlined five factors that serve as the basis for a coherent narrative of the Bundy sense of self and place. I am not suggesting that the Bundy’s and other multigenerational Mormon ranching families in the VRV or AS constitute a “cultural landscape” under the stipulates of RHP Bulletins 36 and 38. Perhaps they do, but a fuller investigation is beyond the scope of this paper. However, I would argue that the logic and values that provide a rationale for policy instruments such as the traditional culture or traditional landscape designation would also support a mandate that self and place constructs are deserving of consideration in other policy contexts. Indeed, to do so is merely a matter of cultural competence in the process of governance. For example, at the U.S. Department of Health and Human Services, cultural competence is the ability to interact effectively with diverse population groups. In this context, culture is a term that goes beyond race or ethnicity, and also refers to characteristics such as geographical location, religion, occupation, age, gender, and education. As a metric of good governance,
cultural competence is an evolving, dynamic process and occurs along a continuum (SAMHSA 2018).

While meaningful adoption of self and place constructs in the context of Western land management policy entails normative questions and practical challenges, there are still reasons to argue that it might be morally and practically reasonable to attempt to address these challenges. Even if we cannot agree that the precept of individual autonomy entails policy incorporation of self and place constructs, it seems likely that individuals will be more likely to obey and internalize policies that they view as legitimate or basically consistent with their mindset and core values. Conversely, individuals are more likely to challenge, and perhaps even disregard policies that are antithetical to their values and self-understanding. This points to the potential for practical benefits such as reduced governmental costs and burden for the enforcement of land use policy regimes and avoidance of complex and drawn-out litigation (Herrick 2018).

Policy design refers to the form, content, and substance of public policy. Policy designs involve the characterization of target populations, stipulation of problems to be addressed, and specification of policy tools. The characterization of target populations is a normative and evaluative activity, through which groups whose well-being or behavior will be affected by public policy are portrayed in “positive or negative terms [by means of] symbolic language, metaphors, and stories” (Schneider and Ingram 1993, 334). Not surprisingly, the characterization or social construction of a target population is subject to contention among potentially impacted parties. Within the policy sciences, it is well-demonstrated that “the greater the disjuncture between images informing policy and the characteristics of persons who are the targets of policy, the greater the likelihood of policy failure” (Loseke 1995, 279). Or to use Scott’s conceptual parlance, policy prescriptions must be mutually legible to be maximally effective (Scott 1998). If governmental authorities recognize that implementation and/or execution of a policy provision is inconsistent with, and perhaps even oppositional to, a regulatory target’s sense of self or sense of place, then the target’s resistance to that policy should be predictable, or at the very least, come as no surprise. Indeed, when a policy is framed in a manner that is perceptually “intangible” (Few et al. 2007), and incites or provokes active opposition from its regulatory target population, it begins to assume the characteristics of a coproduced crisis in policy implementation (Carter 2018).

The Bundy episode is nothing if not provocative, and in the minds of many thoughtful Americans, Mr. Bundy is simply a criminal. Nevertheless, the Bundy case is significant because it can be viewed as an instance within a larger and ongoing constellation of issues. This article focuses on the Bundy family, but it could just as easily have focused on Dwight and Steven Hammond, Mary Bullard, Kit and Sherry Laney, or other less notorious, but equally frustrated consumers of the public domain (Cawley 1993, White 2008). And while this article focuses on grazing on federal lands, it could just as easily address other uses of the public domain such as management of wildlife pests and invasive species, management of endangered species, climate change adaptation, flood plan management, reintroduction of species such as the red wolf, or establishment of fishery catch limits under the Magnuson-Stevens Act.

There are proven and frequently-employed policy instruments that recognize and enable the rational management of noncompliant activities within generalized policy regimes. Examples include exemptions, grandfathering provisions, variances, and inholdings, all of which are commonly used in the context of zoning and land use planning. And while the issuance of such exceptions is in most cases grudgingly tolerated rather than encouraged, they at least provide an institutional space for self and place perceptions that may depart from a norm (Elliott 2008). As Leisl Carr Childers writes, Judge Navarro’s dismissal of the Bundy case “sets no legal precedent. Its outcome failed to answer any real questions about the use and management of federal lands. Neither did it legalize armed resistance to federal authority. But the reality is, in lieu of a definitive decision, this mistrial with prejudice has left a vacuum. Which narratives will fill it?” (Childers 2014). Perhaps a small, but tangible, step forward would be to explore a provision for exemptions or similar instruments within the context of multiple use management regimes during the next round of BLM reauthorizations.
REFERENCES
Adger, W. N., Barnett, J., Chapin, F. S., and Ellemor, H. 2011. This must be the place: Underrepresentation of identity and meaning in climate change decision-making. Global Environmental Politics. 11(2).
CBD (Center for Biological Diversity) 2016. A 24-Year History of Cliven Bundy’s Illegal Grazing and Armed Conflict at Gold Butte Nevada. Tucson, AZ: Center for Biological Diversity.
Herrick, C. 2018. Self-identity and sense of place: Some thoughts regarding climate change


APPENDIX

A Chronology of Putative Facts in the Bundy Incident—Cliven Bundy was granted his first federal grazing permit in 1973. In 1989 the desert tortoise was designated for protective status under the federal Endangered Species Act because of widespread destruction of its desert habitat due to a variety of factors, including urbanization, recreational activities, mining, grazing, military exercises and facility development, wildfires, and invasive species. Two years later, the U.S. Fish and Wildlife Service (FWS) issued a draft Biological Opinion (BO) governing the management of desert tortoise habitat. The BLM developed a timetable to meet the requirements of the FWS BO, and shared the requirements and timetable with permittees, including Mr. Bundy, whose cattle grazed in tortoise habitat. In early 1993, Mr. Bundy sent two Administrative Notices of Intent to the BLM asserting that the agency had no legal jurisdiction over federal public lands and stating his intent to continue to graze cattle pursuant with his vested grazing rights. Bundy stopped paying his grazing fees in February 1993; and in July of that same year, BLM responded by sending him a Trespass Notice and Order to Remove, setting a timeline for removal of his cattle.

On September 30, 1993, the Nevada State BLM director requested injunctive relief to address Bundy’s continued and unlawful cattle grazing. In October 1998, the BLM approved a new Resource Management Plan for the Las Vegas Field Office allowing for the closure of grazing allotments in critical tortoise habitats, including the Bunkerville allotment. Consistent with the BLM RMP, Clark County purchased and then retired the federal grazing permit to the Bunkerville allotment. In April 2008 the BLM sent Mr. Bundy a notice of cancellation, revoking his range improvement permit and a cooperative agreement. The notice called for removal of range improvements constructed by the Bundy family, including gates and water infrastructure. In 1998, the U.S. Attorney filed suit requesting that the federal district court order Bundy to remove his cattle and pay outstanding grazing fees. On November 3, 1998, the United States District Court for Nevada permanently enjoined Bundy from grazing his livestock within the Bunkerville allotment. The court assessed fines against Bundy and affirmed federal authority over federal land. Mr. Bundy did not comply with the order and filed an emergency motion to halt the court ruling while he appealed the case to the Ninth Circuit Court. In May 1999, the Ninth Circuit Court denied his appeal and upheld the District Court decision ordering the removal of Bundy’s cattle from the Bunkerville allotment. On September 17, 1999, after Bundy refused to comply with the court’s earlier orders, the federal district court again ordered Bundy to comply with the earlier permanent injunction and assessed additional fines.

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Herrick: Cliven Bundy and the Underrepresentation of Self and Place Identity in Multiple-Use Land Management Policy
In 2011, BLM sent Mr. Bundy a cease-and-desist order and notice of intent to round up his trespassing cattle. In July 2013, the U.S. District Court again affirmed that Mr. Bundy had no legal rights to graze cattle; and ordered him to remove his cattle within 45 days. The court further authorized the U.S. government to seize and impound any remaining cattle thereafter. In October 2013, after an appeal by Mr. Bundy, the federal court again affirmed that he had no legal right to graze cattle on federal public lands. The court ordered the removal of cattle within 45 days and directed Mr. Bundy not to interfere with the round-up. In March 2014, the BLM issued a notice of intent to impound Bundy’s trespassing cattle and closed the area to the public for the duration of the action. On April 5, 2014, the BLM initiated roundup activities. Within less than a week, heavily armed militia from across the United States converged on the Bundy Ranch and confronted federal officials conducting the round up and on April 12, about 300 cattle that had been rounded up were released by the BLM after militia members aimed rifles at federal agents. Shortly thereafter, the BLM canceled the roundup due to safety concerns for employees and the public (CBD, 2016).

On February 16, 2016, Mr. Bundy was arrested by agents of the Federal Bureau of Investigation and charged with six criminal offenses, including conspiracy to commit an offense against the United States, assault on a federal officer by use of a deadly and dangerous weapon, interference of commerce by extortion, obstruction of the administration of justice, and two counts of use and carry of a firearm during and in relation to a crime of violence. Mr. Bundy and two of his sons were placed on trial with 14 other participants in the Bunkerville stand-off with BLM Rangers. In February 2018, U.S. District Court Judge Gloria Navarro declared a mistrial in the case against Mr. Bundy, strongly rebuking federal prosecutors for withholding potentially exculpatory evidence from the defense.

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Late in the summer of 1829, Spokane Garry accompanied the Hudson’s Bay Company’s southward journey across the Canadian Rockies and returned to his Spokane peoples south of the Canadian border. Garry left his village as a child but returned as a young man who held the knowledge of Christianity. He began preaching the words of the new Christian God, with a leather-bound copy of the King James Version of the Bible, the New Testament, and the Book of Common Prayer of the Church of England, all at his disposal. News of his reappearance and possession of power quickly spread throughout the greater Columbia Plateau region of the Pacific Northwest and the Salish and Sahaptin speaking societies who inhabited the region, including the Nimi’ipuu (Nez Perce). A year later, in response to their Spokane neighbor’s acquisition of power, the Nimi’ipuu sent four of their own men to travel with Hudson’s Bay representatives to St. Louis to obtain the book of the Master of Life. The group travelled eastward across the Rocky Mountains and arrived on the bustling streets of St. Louis in 1831 with the anticipation of accessing the white man’s powers.

The Nimi’ipuu pursued the white man’s powers in 1831, but they were unaware of the ramifications of their demand. Western religion has often divided indigenous North American societies and peoples; the Nimi’ipuu were no less susceptible to this religious chasm. The effects of Western religion were ultimately detrimental to the Nimi’ipuu way of life and cultural values and altered their perceptions of the new world surrounding them. Foreign Western religious beliefs partitioned the tribe and all of the included bands; some bands accepted the teachings while others denounced the beliefs and sought to remain in their natural state, both spiritually and geographically. Beginning with the arrival of the French-Canadian fur trappers to the Pacific Northwest in the early 1810s, new Western Christian religious beliefs were introduced to Nimi’ipuu society. However, the efforts of early Christian missionaries lay in the vanguard of the destruction of Nimi’ipuu culture and spirituality. Consequently, missionary efforts facilitated a divide within Nimi’ipuu society. By the onset of the 1855 treaty, the Nimi’ipuu nation faced a division between the Christianized and non-Christianized Nimi’ipuu. The religious divide...
Christianity and new potential allies reached the Columbia River Plateau with Meriwether Lewis and William Clark. In September 1805, Lewis and Clark arrived in Nimi’ipuu territory in the Pacific Northwest, calling for peace with all white men and explaining the religion practiced to the east. Lewis and Clark lived amongst the Nimi’ipuu on the Columbia River Plateau for two separate seasons, the fall of 1805 and again during their return in the spring of 1806. Before leaving the Nimi’ipuu in the fall of 1805, Lewis explained the powers of a “book of light” (the Bible) to Chief Red Bear of the Nimi’ipuu. While explaining the book to Red Bear, Lewis closed one eye with one hand and pointed to the sky with the other hand. Red Bear believed this meant that more light from the moon, stars, or spirit could be obtained and bring great power. Showing one eye and pointing to the sky asserts that one God judges and graces the people from the moon and stars above and thus Red Bear believed that light, which in this instance translates to prosperity, would be brought to the Nimi’ipuu peoples.\(^3\)

When Lewis and Clark returned to the Columbia Plateau in the spring of 1806, they distributed American flags and Thomas Jefferson’s peace medal, which signified a treaty of peace for any future whites or traders who passed through Nimi’ipuu lands. With the help of their travelling companion, Sacajawea, and a Western Shoshoni man who had been living amongst the Nimi’ipuu and spoke the Sahaptin dialect, Lewis and Clark were able to describe the powerful nation to the east that they represented. Coming to a unanimous decision, the chiefs agreed to make peace with their rivals and befriend any foreigners from the east who arrived in their nation. The chiefs believed that the people of the east could be helpful allies and potentially bring great prosperity and trade to the Nimi’ipuu on the Columbia Plateau. Red Grizzly Bear, a Nimi’ipuu chief assured the Americans that the Nimi’ipuu “would always give them [Americans] every assistance in their power; and that they [Nimi’ipuu] were poor but their hearts were good.” During Lewis’ return and before his departure in the spring of 1806, Red Bear approached him with questions about the Bible; although, Lewis and Clark departed for St. Louis a week later, they had left a lingering interest in the white man’s spiritual book.\(^4\)

Many Nimi’ipuu believed they possessed spiritual powers and thus paralleled their beliefs with the presence of the white man, believing they held powers as well. Powers were obtained through vision quests taken during the early teenage years, or spiritual powers were inherited, and spirit guardians were attributed to specific abilities and qualities in life. The acquisition of a guardian spirit and the powers it possessed filled the Nimi’ipuu with the strength needed to ensure a successful life. Dating back to the first encounter with Lewis and Clark, the Nimi’ipuu tested the strengths of the white man’s spiritual powers. While residing with the Nimi’ipuu in 1805, Clark gave a Nimi’ipuu man a liniment to rub on his knee for a pain that he had complained about. Clark notes that the man recovered and never complained of this ailment again. It is without doubt that the Nimi’ipuu were testing the spiritual healing powers of the white men’s guardian spirits and rivaling these powers to the powers of shamans.\(^5\)

In the context of the guardian spirits, great wealth indicates significant spiritual assistance. With the arrival of Canadian and American fur traders in the 1810s, their great amount of wealth was further proof of great spiritual powers. And if the Nimi’ipuu attained this spirit, it could bring great prosperity to their nation. If someone displayed a great amount of material wealth, this was evidence of a successful relationship to the spiritual worlds. Therefore when the Nimi’ipuu saw an abundance of trade goods at fort Walla Walla and fort Nez Perce, they began to realize the power of the trader’s spirits. Furthermore, the unfamiliar technology of all foreigners symbolized a different source of spirits. The important relationship between the person and the spiritual power the person possessed would come to influence the Nimi’ipuu nation’s acceptance of Christian teachings in the coming years.\(^6\)

By the beginning 1820s, the Nimi’ipuu were becoming exceedingly susceptible to religious acculturation, and the local Hudson’s Bay Company believed it needed to Christianize the Nimi’ipuu to strengthen trade relations. The Hudson’s Bay Company was aware that the Nimi’ipuu were the gatekeepers to...
the Columbia River and Pacific Northwest, and thus needed to be respected and kept on terms of alliance. The London Committee for the HBC believed it was “incumbent on the Company . . . to allow missions to be established at proper places for the conversion of the Indians.” Analogous to the beliefs of the Hudson’s Bay Company, HBC governor George Simpson relayed his reasoning for the Christianization of the Nimi’ipuu, stating:

The Nez Perce tribe is by far the most powerful and warlike in the Columbia and may be said to hold the Key of the River as they possess and are Masters of the country from the Okenagan down to the Chutes a distance a little short of 300 miles . . . If we were in self defense to kill any of the Nez Perces not only would we have thereafter to pass through an Enemy’s Country on our way back with the returns & for fresh supplies but all communications between the interior and the Coast might be cut off which would be certain ruin and destruction to the whole [Columbia] Department . . . I therefore consider it an object of the first importance to keep on terms of friendship with the Nez Perce and not venture the chance of rupture with them which would involve such serious consequences . . .

Simpson’s notes exhibit fear for the survival of the HBC if the Nimi’ipuu were angered in any way. The Nimi’ipuu were the most powerful nation in the Pacific Northwest, and the commissioners of the Hudson’s Bay Company were aware of their power. Modeling other European civilizations residing on the borders of larger tribes within North America, the English and the HBC wanted to have Christianized neighbors to ensure prosperous trade and relations.

Beginning the religious acculturation of the Columbia Plateau, Simpson chose to escort a boy from the Spokane tribe to a missionary school, but he was not aware of the implications of his actions and inadvertently strengthened the Nimi’ipuu desire for the white man’s spiritual power of religion. In early April 1825, Simpson wrote to Alexander Ross, the head of the Spokane House fur-trading outlet in Flat Head territory, explaining his mission to take young native children to the Red River Missionary School located near Fort Garry in modern-day Winnipeg Manitoba, Canada. Ross received the letter on April 7 and asked the Indians about sending their son Garry to the Red River School, to which they replied “we’re looked upon as dogs—willing to give up our children to go they knew not whither?” But when he explained that they were going to a minister of religion to learn the ways of God, they stated we might have “hundreds of children in an hour’s time.” The Spokane’s eagerness and desire for the white man’s religious teachings is reflective of their surrounding neighbors; many tribes of the Columbia Plateau wanted to gain the white man’s powers of religion, including the Nimi’ipuu. Simpson arrived at the Spokane House on April 8, 1825, and escorted Garry to the Red River Missionary School. Garry returned late in the summer of 1829, and preached to his Spokane peoples, expounding scriptures to them and singing hymns. Unbeknownst to Simpson, the Nimi’ipuu were eager for the white’s teachings and a future chief of the Nimi’ipuu Hol-lol-sote-tote (chief lawyer) was present during Garry’s preaching. Unsurprisingly, the neighboring Nimi’ipuu witnessed the teaching of Garry and relayed the information to the tribe. Further noticing the desire for the Christian religion, Samuel Black, a prominent fur trader at Fort Nez Perce located in at Fort Walla Walla in Nimi’ipuu territory, notes in the fall of 1829, “Indians in general are very acute & far from being dull of Comprehension very inquisitive fond of stories from far &other places . . . They are seeking for light sitting in darkness.” Intentionally, Simpson’s actions proved successful and in 1830 the Nimi’ipuu sent two children to be educated at the Red River School, thus beginning the chase for religious power amongst the tribes of the Columbia River.

The Nimi’ipuu, being the largest and most powerful tribe on the Columbia Plateau, needed to contend with the Spokane and needed to secure the white men’s book of spiritual power for themselves. According to aboriginal spiritual practices of the Nimi’ipuu, it was considered unwise to allow anyone to acquire detailed information about a person’s power, and thus the Nimi’ipuu needed to gain more knowledge than the neighboring Spokane.

After sending two Nimi’ipuu boys to the Red River School in 1830, the Nimi’ipuu sent a delegation of four men to St. Louis to find William Clark and the...
coveted “book of light” that he referenced several decades ago; this was a rival response to Spokane Garry and his attainment of new spiritual knowledge for the Spokane. The Nimi’ipuu needed to find more knowledge of the white man’s God to properly assert their dominance as the strongest tribe amongst the Columbia Plateau and gain the prosperity and wealth that was accessible through their God. The decision to send a delegation to St. Louis was made by Chief Red Bear but the idea was heavily aroused and finalized when a young Hol-lol-sote-tote, later to be known as chief lawyer, returned from hearing Garry preach and expressed his envy and need for a Bible. Hol-lol-sote-tote could speak both Salish and Sahaptin dialects and could understand Garry’s Spokane language. The decision was finalized and four men, two being Chief Red Bear’s descendants, followed Lucien Fontenelle, a man involved in fur trading, en route to St. Louis. The group arrived in early fall of 1831 and were taken to Clark’s residence. Clark did not give them a “book of light” but he did direct the men to a church where they received a cross that they kissed repeatedly and clenched. Sadly two of the men died in St. Louis and the third man died on route back west but Hi-yuts-to-henin (Rabbit Skin Leggings), Chief Red Bear’s descendant, survived the duration of the trip and brought a cross to the Nimi’ipuu. Although the delegation sent to St. Louis did not receive a “book of light,” or Bible, the sheer implications of the trip prove the Nimi’ipuu desire to have more information than any neighboring tribes. There has been much contention throughout the depiction of Nimi’ipuu history pertaining to why the delegation was truly sent. The only plausible conclusion is the desire for more information and power, thus maintaining their status as the most powerful tribe on the Columbia River Plateau. The Nimi’ipuu culture is prominent for seeking and accepting useful knowledge, and in this paradigm the knowledge they are seeking is related to power.12

Sending the delegation to St. Louis ushered in an era of Protestant missionaries’ activity lasting for a decade and furthered the religious acculturation of the Nimi’ipuu. In the summer of 1836, the Whitman-Spalding party arrived at the American Fur Company’s rendezvous on the Green River in the Rockies. Hol-lol-sote-tote was one of the men who welcomed the Whitman-Spalding party and expressed his gratitude for arriving to teach the ways of the Master of Life to the Nimi’ipuu. Later in 1836, Henry and Eliza Spalding set up a mission among the Nimi’ipuu at Lapwai. The preaching began and the Nimi’ipuu were becoming exposed to the religion they longed to acquire. On a visiting trip to the Spalding’s missionary in 1836, Reverend Samuel Parker recounts the advancements of the Nimi’ipuu religious acculturation: “The Indians are assembling in great numbers from different and distant parts of the country, to enquire about the religion that is to guide them to God and heaven; and which they also think has power to elevate them in the scale of society in this world, and place them on a level with intelligent as well as Christian white men...”13

Gaining spiritual power was of initial importance to the Nimi’ipuu but religion would uplift them to the same power and social level as whites. In the changing world around them, fur companies and white men travelling to their nation, many Nimi’ipuu became aware that the white men would stay. However, the Nimi’ipuu semi-sedentary lifestyle would be relinquished and further religious acculturation. With regard to the semi-sedentary lifestyle, Spalding asserts in 1839:

Permit me to repeat what I have often expressed in relation to locating this people. An increased knowledge of the character of this people & the natives of the country only fasten the conviction upon my mind that this people must soon become settled or annihilated. Consequently if this mission does not make this a leading object in all its
movements, in my opinion it has nothing to do but prepare funeral sermons for the coming generations at least & return home . . .

A probable sign of future events and rules, Spalding’s language resonates with the future plans of religious acculturation of the Nimi’ipuu. Spalding’s baptizing of two prominent Nimi’ipuu chiefs in December 1838 initiated the foundation for the Nimi’ipuu fissure. By 1838, Spalding had sufficiently mastered the Nimi’ipuu Sahaptian dialect and began preaching in it, which increased affection. The two notable Nimi’ipuu chiefs he converted were Tuekakas (Chief Joseph the elder) and Ta-moot-sin (Chief Timothy), who had many followers to whom they relayed the powerful message of Protestantism throughout their nation. As Spalding recorded, “Joseph spoke most affectingly, urging all present to give their hearts to Jesus Christ without delay.” The praise of religion relayed by Tuekakas had an impact on his people and by January 1838 hundreds of Nimi’ipuu gathered for worship at the Spalding missionary house.

Fractures appeared almost immediately, and not surprisingly from the traditional spiritual elders. The Shaman Apash-Wyakaikt (known as Looking Glass Sr. to the whites) confronted Spalding in April 1839 and explained his disdain for the Christian teachings. Apash-Wyakaikt often expressed that he had the power to cause an Indian’s death by merely wishing it on them. Being a man of equal spiritual power, Apash-Wyakaikt explained the irreconcilable differences between Christianity and his native spiritual teachings. Shamans in the Nimi’ipuu nation accepted and agreed with the beliefs of Apash-Wyakaikt and their followers believed as well, thus signifying the beginning underpinning of Nimi’ipuu partitioning. A year later, in 1840, Apash-Wyakaikt induced a group of Nimi’ipuu to march with him to Asa Smith’s residence, a missionary who was located at Kamiah in Nimi’ipuu territory and demanded that Smith pay for the land he occupied, or, in Smith’s words, “In the most absolute terms to leave this place.”

Following the religious disproval of the Nimi’ipuu shamans, the foreign practice of “head chief” was instated to easily influence the Nimi’ipuu to fulfill Christian ideals. In 1842, the Oregon Board of Missionary Affairs sent Dr. Elijah White, a reverend, Doctor of Psychology, and the first U.S. government appointed agent for Indians west of the Rockies, to the Nimi’ipuu territory. Dr. White promptly enacted laws for the Nimi’ipuu on his arrival. Supplementary to the laws, White believed that one governing head chief and subordinate chiefs of bands should be instated. Following the plans and facing little opposition, Chief Ellis was initiated as the governing “head chief” of the Nimi’ipuu nation on December 13, 1842. As a young boy, Ellis was sent to the Red River Missionary School and continued to uphold his Christian teachings. Dr. White chose Ellis due to his Christian teachings from the Red River missionary school. With a newly appointed Christianized head chief, the United States government would be able to influence the decisions, both present and future, of the Nimi’ipuu nation. Dr. White needed someone that he could trust as the “head chief”; Ellis being a Christianized chief of high decree in the Nimi’ipuu nation, was the perfect fit. Ellis was subject to proclaim the American Christian beliefs on the Nimi’ipuu peoples and help aid in submitting Christian ideals, ultimately relinquishing their semi-sedentary lifestyle. Dr. White departed from the Nimi’ipuu territory on December 20, 1842, but he left a growing division within the Nimi’ipuu nation due to the “head chief” system.

Chief Ellis was chosen as head chief due to his acceptance of white domination on the Nimi’ipuu nation and instructed his successor to accept the laws of the Christians as well, which allowed for greater Christian predominance on the Nimi’ipuu. After maintaining the role of head chief for more than five years, Ellis died while on a hunting trip in 1847. Hol-lol-sote-tote (chief lawyer) assumed Ellis’ position and heeded the instructions left by Ellis: “Whenever the Great Chief of the Americans shall come into your country to give the laws, accept them. The Walla Walla’s heart is a Walla Walla: a Cayuse heart is a Cayuse; as is a Yakima’s heart, a Yakima; a Nez Perce heart is a Nez Perce; but they will all receive the same white law.”

Advising Hol-lol-sote-tote to accept all the changes that the Americans bring, Ellis was both keeping the best interests of the Nimi’ipuu in mind and willing to trust the Americans due to their religious and spiritual powers. Hol-lol-sote-tote would use Ellis’ advice...
as a blueprint for future endeavors with the Americans, and accepted all treaties and laws imposed. The powerful roots of Christianity were now embedded within the Nimi’ipuu head chief and followers alike. Ellis believed that the American’s could bring prosperity to the Nimi’ipuu nation, similar to the prosperity brought to him as a child when he was taught the ways of Protestant Christianity.18

Succeeding the death of Ellis, the influence of Christianity amongst the Nimi’ipuu head chief and subordinate chiefs is demonstrated through their response to the outbreak of the Cayuse war in 1847. Tensions between the Cayuse, missionaries, and the American forces within Cayuse territory began before 1847. But the famed Whitman Massacre of 1847 helped incite an impending war amongst the Cayuse and Americans. Due to war, the majority of subordinate chiefs to the head chief began to assert their disdain for the actions of some Cayuse men but claimed the Cayuse peoples were of good heart. Equating Nimi’ipuu Christian beliefs with the Cayuse, seven chiefs, Joseph, Jacob, James, Red Wolf, Timothy, Richard, and Kentuck, individually explained that they (the Nimi’ipuu and Cayuse) were all of one heart that was filled with the peace of Christianity. “Now I show my heart,” Joseph the Elder defends, “When I left my home I showed my heart. I took the book (the Bible) in my hand and brought it with me—it is my light.” In response to Joseph and in reference to the Cayuse and Nimi’ipuu, Chief James believed “All these chiefs are of one heart,” meaning, the Cayuse were Christian as well and should be treated peacefully. Acting as the mediators of peace, seven of the twelve subordinate chiefs spoke of the high influence of Christianity upon the Nimi’ipuu and surrounding tribes.19

Ensuing the Nimi’ipuu attempt to maintain peace, Hol-lol-sote-tote (chief lawyer) succeeded Ellis as head chief in 1848 and agreed to the treaty of 1855 with other Christianized Nimi’ipuu chiefs, as religion began to divide the tribe. By 1850, all missionary efforts left the Pacific Northwest and Columbia Plateau region due to the Cayuse war of 1847, as Indian agents and Eastern American migrants began to inhabit the region. Heightened migration brought a new wave of Indian policy and the Nez Perce Treaty was proposed to the Nimi’ipuu in 1855. This treaty would uproot the Nimi’ipuu nation from their traditional boundaries and place them on reserved plots of land. The eleven-article Nez Perce Treaty of 1855 forced the Nimi’ipuu to “cede, relinquish and convey to the United States all their right, title, and interest in and to the country occupied or claimed by them,” and further addressed that “there is reserved from the lands above ceded for the use and occupations of the said tribe,” thus placing them on reserved lands. The head chief and his subordinates had the power to make executive decisions for the Nimi’ipuu nation and accepted this treaty to keep on terms of peace with the American’s. Due to previous peaceful interactions with missionaries, it is clear that the Nimi’ipuu also believed that their fellow Christian Americans held the interests and needs of the Nimi’ipuu in high regard. In May 1855, 2,500 Nimi’ipuu men and women arrived at Fort Walla Walla to view the signing of the treaty. Among the signatures of the treaty, marks were made by Hol-lol-sote-tote (chief lawyer), Looking-Glass Jr. (son of Apash Wyakaikt, Looking-Glass Sr.), Joseph (Tuekakas, see footnote), James, Red Wolf, Timothy, while Richard, Kentuck, and Jacob were not included in the treaty. The lack of signatures from these three men confirms the beginning of a deviation within the Nimi’ipuu nation.20

Eight years after the 1855 treaty, the Nez Perce Treaty of 1863 was instated and a clear division within the Nimi’ipuu tribe becomes prevalent due to religious and spiritual differences, thus creating two separate divisions: the treaty or upper region and nontreaty or lower region bands of Nimi’ipuu. The upper bands of the Nimi’ipuu region were considered the Christianized Nimi’ipuu and the treaty of 1863 included the majority of upper Nimi’ipuu signatures, 26 out of 27 signatures of the 1863 treaty were upper region Nimi’ipuu peoples.21 Heeding the ramifications of the signatures, the upper Nimi’ipuu willingly gave away the lands of the lower Nimi’ipuu regions, whether Christianized or not. The Nez Perce Treaty of 1855 holds the signatures of Christianized Nimi’ipuu but the majority of the signatures in 1863 vowed not to sign another treaty with Americans due to the loss of land and restrictions placed on them by forcing the Nimi’ipuu to reside on reserved plots of lands. Chiefs present on the 1855 treaty such as Looking Glass Jr., James, Red Wolf, and Timothy were not present during the treaty of 1863; these chiefs were a part of
the lower region Nimi’ipuu. Commenting on and verifying the distinctions between upper and lower region Nimi’ipuu, Heinmot-Hihhih (Yellow Wolf) justifies this claim:

They told us (Upper Region Nimi’ipuu) we had to give up our homes and move to another part of the reservation. That we had to give up our part of the reservation to the white people. Told us we must move in with the Nez Perces turned Christian, called Upper Nez Perce by the whites. All of same tribe, but it would be hard to live together. Our religions different, it would be hard. It was those Christian Nez Perce who made with the Government a thief treaty [1863]. Sold to the Government all this land. Sold what did not belong to them. We got nothing for our country. None of our chiefs signed that land-stealing treaty. None was at that lie-talk council. Only Christian and Government men.22

Broadening the religious division within the tribe, many non-Christianized Nimi’ipuu angrily opposed the treaty of 1863. The signing of 1863 treaty took place in front of the guardhouse at Lapwai within the Nimi’ipuu territory, with unarmed Indians but armed government officials. Attendees at Lapwai included United States Army General Oliver Otis Howard and the Indian Agent of the Nez Perce, J. B. Monteith. While Agent Monteith and a translator read the treaty out loud, Chief Toohoolhoolzote interrupted and proclaimed that the land among the Columbia Plateau had always belonged to the Indians and that it was passed down from their fathers. Expanding on this and interrupting Monteith again, Toohoolhoolzote declared that the land must not be sold and that it may remain as natural as the Earth-Chief had intended. The identification of an Earth-Chief boldly emphasizes that Toohoolhoolzote, and the Nimi’ipuu he spoke for, did not identify with a God or Master of Life but instead distinguished themselves as followers of the Earth-Chief, denoting their nonconformity to Christianity. The Nez Perce Treaty of 1863 initiated a clear division amongst the Nimi’ipuu nation; two separate religious factions were present, which allowed the lower region or nontreaty Nimi’ipuu to become ostracized from the unity of the Nimi’ipuu tribe.23

The signatures of the upper region and Christianized Nimi’ipuu on the treaty of 1863 left the lower
regions without organized lands and without the support of their tribe, which left them susceptible to deviant behavior. The decisions of the Christianized Nimi’ipuu began to fare negatively for the lower non-Christianized Nimi’ipuu. After the proceedings of the treaty of 1863, the nontreaty and non-Christianized bands were referred to as the “Heathen party” by the Idaho superintendents. “The opposition, known as the Heathen party,” Caleb Lyons, Governor of Indian Affairs of the Idaho Territory, confirmed, “headed by Big Thunder, Red Horn, White Bird, and Eagle-against-the-Light, were in favor of joining the Blackfeet and Crow, in a raid against the overland mail route . . .” The non-Christianized and nontreaty Heathen party sought to act in aggressive behavior because the government and their fellow Christianized Nimi’ipuu people had abandoned them through the relinquishing of their land to the Americans. The adoption of Christian ideals, which were further propagated by Hol-lol-sote-tote (chief lawyer), pushed the non-Christianized Nimi’ipuu off the reserved lands and farther into possible American malice.24

Due to the division and isolation brought from the Christianized Nimi’ipuu signing the treaty of 1863, the Heathen party was subject to violent persecution from Americans. During the summer of 1864, Three Feathers, a leading chief among the Christianized Nimi’ipuu nation, left the Nimi’ipuu territory and travelled into Flathead territory to acquire horses. Once he arrived he found that the Flathead had a large amount of stolen horses from the whites. Three Feathers then met with Eagle-from-the-Light, a leader of the Heathen party, and explained the stolen horses. Shocked by this information, Eagle-from-the-Light was approached by Americans who accused him of stealing their horses. He explained that they were with the Flatheads but the Americans did not mind the excuse and killed Te-a-po-o-hike, a member of the Heathen party and the brother of Eagle-from-the-Light. The Heathen party and non-Christianized Nimi’ipuu were left alone with no land, fortifications, protection, or a full tribe and nation that supported their beliefs. The roots of religious acculturation not only forced the division of the Nimi’ipuu, but forced unwanted abandonment from the non-Christianized, leaving the various lower region Nimi’ipuu bands to maintain their own defenses and without the help of the greater Nimi’ipuu nation. All Nimi’ipuu, treaty and nontreaty, were susceptible to American violence, both on and off the reservation, but the semi-sedentary nontreaty Nimi’ipuu were in constant threat within a changing world that held Americans within every direction throughout the Columbia Plateau.25

Clinging to hope and trying to take back a culture stolen by the religious acculturation of Christianity, Neinmot-tooyalakekt’s (Chief Joseph Jr.) band remained within the Pacific Northwest, refusing to settle on a reservation in the Idaho Territory. During this era from 1865 to 1876, and more than a decade after being placed on reservations, the number of Nimi’ipuu dwindled due to disease and famine from being placed on reservations and the expulsion of their semi-sedentary lifestyle. By 1876, there were only 2,800 among the Nimi’ipuu tribe, and around 500 acknowledged Neinmot-tooyalakekt as their chief. However, out of the 500 who followed Neinmot-tooyalakekt’s band, only 35 men, and some women and children remained in the Columbia Plateau region, as the remaining nontreaty bands succumbed to the reservation due to lack of food and supplies. In trying to revitalize the nontreaty Nimi’ipuu peoples and unite the remaining bands plagued by Christian acculturation, Neinmot-tooyalakekt sought the influence of Smohalla and the Dreamer Faith religion.26

Charting a new course for religious revitalization, the beliefs of Smohalla the Dreamer prophet and the Dreamer religious movement ignited inspiration and hope within Neinmot-tooyalakekt’s band. Smohalla used traditional religious beliefs of the Columbia Plateau that equated spirits with the lands and infused these beliefs with traditional Christian teachings implemented by missionaries of the 1830s and 1840s, instructing that the creator had created the earth, heaven and all things, and that the creator called on the animals, birds, and plants to come forth into the world. The Dreamer religion expanded on the traditional and non-Christian Nimi’ipuu faith and organized ceremonies that included arranged procedures, paraphernalia, instruments, dance, songs, prayers; all similar to the Christian faith. However, differing from previous Indian prophets before him, Smohalla did not...
advocate for the extermination of whites, which made the dreamer faith even more appealing to the non-treaty Nimi’ipuu, as they remained a peaceful people. Trying to maintain peaceful actions and negotiations, Neinmot-tooyalakekt took an interest in the spiritual beliefs of the Dreamers; “He and his band have fallen under the influence of the ‘dreamers,’” explains the Report of the Nez Perce Commission at Lapwai in 1876, “the dreamers teach that the earth being created by God, should not be disturbed by man, and any voluntary submission to the control of government, are crimes from which they shrink.” Neinmot-tooyalakekt, remembering his father’s dying wishes to never relinquish the land in which he is buried in the Wallowa valley, accepted the influence of Smohalla and detested the overtaking of Nimi’ipuu lands by the government. Opposing the religious ascendancy on the Nimi’ipuu nation, Neinmot-tooyalakekt was encouraged by the Dreamer religion to remain off the reservation and continue to peacefully negotiate for the land lost through religious acculturation and the decisions implemented by the Christianized Nimi’ipuu.27

Neinmot-tooyalakekt was forced into war with the American government in 1877 but did not win. After several months of tactical military expertise, Neinmot-tooyalakekt was overtaken by General Oliver Otis Howard and forced onto a reservation in Oklahoma. The Americans and their Christian religion that was adopted by the Nimi’ipuu nation overcame Neinmot-tooyalakekt, similar to the Nimi’ipuu nation.28

From the onset of Lewis and Clark’s arrival, the Nimi’ipuu culture and identity was dwindling. The generation of Nimi’ipuu witnessed by Lewis and Clark were not as healthy or as successful as their predecessors of past generations—they looked to Christianity as a new form of guidance that could lead them to success. However, as the Nimi’ipuu believed they were gaining the secrets of Christianity, and thus gaining the source to a successful future, the Americans believed that religion could be a cause for Indian submission. Christian acculturation facilitated the greatest extraction of wealth and resources from the Nimi’ipuu lands, and thus the religious acculturation of Protestant Christianity split the Nimi’ipuu nation throughout three periods from 1804 to 1877. Initially, the first period of acculturation was brought with the arrival of Easterners, which facilitated the advent of the Christian faith. The group headed by Lewis and Clark were the first Easterners to pass through the Blackfoot nation and successfully arrive in the Pacific Northwest; until 1804, no other Eastern American group had accomplished such a feat. The Lewis and Clark adventure through the West, allowed fur traders access to the Western lands that were fruitful with beaver, salmon, and untouched resources. The coming of fur traders administered the foundation of Christianity, acting as the second stage of religious acculturation, which led to heightened missionary activity within the Columbia Plateau and Nimi’ipuu territory. Children such as Spokane Garry and Ellis were exposed to Christianity at a young age to lead a life of Christianity and deviate completely from their aboriginal teachings. The children returned to spread their newly attained powers and the envy of the Nimi’ipuu fortified future missionary activity within the Columbia Plateau due to the St. Louis delegation in 1831. The final and third phase of religious acculturation came through the head chief system and the treaties signed by the Christianized Nimi’ipuu. The Nez Perce treaties of 1855 and 1863 upheld the strongest divide within the Nimi’ipuu nation, separating the Christianized and non-Christianized Nimi’ipuu. Resentful of the actions fulfilled by the Christianized Nimi’ipuu, the non-Christianized Nimi’ipuu vowed not to associate with the upper region and Christian division; indefinitely separating the tribe in two.

Although the religious acculturation of Christianity is the largest contributing aspect to the deterrent of Nimi’ipuu culture and society in the 1800s, it is a part of a larger issue, which is the acculturation into American society in general. In conforming to Christianity, the Nimi’ipuu believed they could compete with the whites and hold an equal position of power. But the Nimi’ipuu collided with the established European Christian monolith that upheld centuries of religious acculturation and domination of foreign peoples. And thus, similar to all native tribes throughout North America, the Nimi’ipuu fell prey to American dominance and were overcome by the purveyors of religious acculturation.
BIBLIOGRAPHY

Primary Sources


McWhorter, L. V. *Yellow Wolf: His Own Story.* Caldwell, Idaho: Caxton Press, 1940.


Secondary Sources


NOTES

1. According to H. V. Velten, the Salish and Sahaptin belong to one *Sprachbund:* an area of linguistic convergence. For this article, however, the Salish-speaking Flat Heads and Spokanes will be the only Salish references. Specifying areas of language is important for this project due to the language convergence of Nimi’ipuu and Spokane peoples; the Nimi’ipuu are Sahaptin speakers but some Nimi’ipuu could communicate with...
their Flat Head and Spokane neighbors. Furthermore, for this article the “Nez Perce”—translated to “Pierced Nose”—will be replaced with their aboriginal name “Nimi’ipuu”—translated to “Real People” or “We the People.” “Nez Perce” is an assigned name given by nonnative speakers and federal agents of authority and will be used within the paper in that context. (Haruo Aoki, “The East Plateau Linguistic Diffusion Area,” International Journal of American Linguistics, 41:3 (1975), 184; H. V. Velten, “The Nez Perce Verb,” The Pacific Northwest Quarterly, 34:3 (1943), 271; J. Diane Pearson, The Nez Perces in the Indian Territory: Nimi’ipuu Survival (Norman: University of Oklahoma Press, 2008), 6; “NI MÍI PUU,” nezperce.org, last modified August 4, 2010, http://www.nezperce.org/official/Nimi’ipuu.htm.)


6. Cebula, 68.


8. “Governor Simpson’s views on the Nez Perce people, written at Fort Nez Perces in November 1824,” in Encounters with the People, 124.


14. “Excerpts from the extensive letters, diaries, and writings of the Rev. Henry Harmon Spalding, who lived with his wife Eliza among the Nez Perce at two locations on Lapwai Creek from November of 1836 until the autumn of 1847,” in Encounters with the People, 232 (Quotation).

15. Drury, Chief Lawyer, 47.


19. “The Nez Perce in the Cayuse War, 1847–1850,” in Encounters with the People, 259; “Reports on the work of the Governor of Oregon’s Nez Perce Peace Commission: Oregon City Spectator,” in Encounters with the People, 266–267. The names assigned to the chiefs were names given by American figures of authority but these are the same names that are present within the treaty of 1855, and thus have been used here as well.
22. McWhorter, 35.

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Bill Cook  
Outlaw in the Indian Territory, 1894–1895

Lonnie E. Underhill

On November 16, 1894, the Little Falls (MN) Weekly Transcript reported, “The misdeeds of the notorious Dalton gang, wiped out at Coffeyville, dwindle into littleness when compared with the criminal exploits of the Cook gang, which has been terrorizing the Indian Territory.” Twice in one month, the Cook gang, estimated at eight members, was accused of robbing the railroad station and express office at Ft. Gibson, then an express train at Marshall, followed by a hold-up of two railroad cars filled with passengers. They also held-up the Cherokee National Treasurer, taking a reported $5,300 even though there were heavily-armed guards and soldiers from Ft. Gibson present. In Choteau, on the Missouri, Kansas & Texas Railroad, the railroad agent and five stores were robbed. In Okmulgee, the train station was held-up, as well as the U.S. Post Office, James Parkinson’s store, and a half-dozen men inside the store. The railroad station at Claremore was looted by a group of five outlaws. Two banks were robbed in the same town within one week, scoring $2,200 in one of the hold-ups. The train station at Ft. Gibson was robbed again, the mail sack was pillaged, and three stores were held-up. Twenty-six miners were robbed at Bull Creek Coal Camp. At Buckner, the Ham Goodman Store was pillaged, and the town marshal, Jack Doughty, was disarmed and relieved of his pistol, $70 in cash, and a watch. Newspaper reporters laid these crimes at the feet of the Cook gang. It is not known for certain how much of this violence was actually committed by Bill Cook and his gang, but the authorities announced a punitive response: “There were several hundred men in pursuit of the outlaws. Bill Cook is to be shot on sight—if possible!”

Throughout the final decades of the nineteenth century, violence in the Indian Territory was commonplace. Some outlaw bands used the Territory as a refuge, committing crimes in bordering Kansas, Missouri, Arkansas, or Oklahoma Territory. Yet, other bands of mixed-blood Indian and Negro Freedmen [following the Civil War, former slaves became known as “Freedmen” and were given unique tribal statuses] terrorized the Indian Territory’s main travelled roads, railroad express agents, local banks, and merchants. Newspapers throughout the country reported the outrages, but neither the local authorities nor the United States deputy marshals seemed capable of preventing the surge of violence.

There were several reasons why these gangs were not quickly brought under control. The federal government was unable to provide an adequate force of deputy marshals. The Indian police and the U.S. deputy marshals complained of inadequate pay for the dangerous task of confronting desperadoes. Receiving just $15 per month with no travel reimbursements, the deputies argued that they should be paid at least $50 per month plus expenses. Rewards often went unpaid by the authorities when suspects were brought in dead. Judicial jurisdiction also complicated matters. The land was sparsely settled, and thousands of acres of virgin forests and dense undergrowth were perfect hiding places for the bandits. Also, a good deal of inaccurate information circulated concerning the whereabouts of the outlaws. There were delays in investigating many reports. Some reports were made by frightened citizens who purposely reported inaccurate information. Perhaps, the greatest obstacle to capturing the outlaws was that they had many friends who offered protection, food, ammunition, fresh horses, and intentionally misled the officers.

The deputy marshals gladly accepted assistance of the Indian police who knew the Indian Territory better...
Underhill: Bill Cook: Outlaw in the Indian Territory, 1894–1895

and were trusted by the Indian citizens. In response, U.S. Marshal George J. Crump recommended implementing martial law and increased rewards to $250 each for Bill Cook, Crawford Goldsby, Buck “Bitter Creek” Wightman, Columbus Means, James French, Sam Brown, Perry Brown, Thomas Quarles, George E. Jennings, Charles Clifton, George Newton, “Slaughter Kid,” and Bill Doolin, payable “dead or alive.”

At one time or another, a number of other men were reported as members of the Cook gang, including Jim Cook, Bob Harden, Richard Crittenden, Henry Munson, Curtis Deason, Thurman “Skeeter” Baldwin, Lonnie Gordon, Sam “Verdigris Kid” McWilliams, Jim Turner, George Sanders, Jess Snyder, William Farris, Elmer “Chicken” Lucas, Thomas Root, Buss Luckey, Charles Clifton, Bill Doolin, Tulsa Jack, Alexander Dobbins, Sam Green, and Zip Wyatt.

In late 1894, the New York Times interviewed an Indian who had lived in the Indian Territory for 28 years, and he had fed outlaws at his house more times “than he could remember.” The man had never refused the outlaws anything, because a neighbor of his had “once, and he is now in his grave, where he went within a few hours of his refusal.” The Indian added, “Besides, when [the outlaws] are flush, they pay well for all they get, sometimes four or five times what it’s worth, so we do not lose when we take care of them for nothing.” He admitted that when an outlaw needed a horse, he took one, but usually returned a “half dozen head of stock for each taken.” Outlaws befriended in this manner had ensured safety to the man’s wife and children. The man concluded that “their friendship means our prosperity, and their enmity means our death and the outraging of our wives and daughters . . . What have I to lose by being friendly to them?” The band of outlaws the man had provided refuge, food, and fresh horses was led by the daring Bill Cook, a mixed-blood Cherokee around whom a great amount of local legend developed in 1894.

Formation of the Bill Cook Gang

In the early 1870s, James Cook Sr., married a quarter-blood Cherokee widow who lived near Ft. Gibson in the Cherokee Nation. Mrs. Morton already had two children: George (Tom) and Lulu. The Cooks added William “Bill” Tuttle Cook (born Dec. 19, 1873), James “Jim” Cook Jr. (born 1877), and Rose. As the girls matured, they were described as “pretty and promiscuous.” When James Cook Sr., died in 1878, Mrs. Cook rented her farm and moved the children to Ft. Smith, Arkansas. After a short time, she returned to Ft. Gibson in the Indian Territory and remarried. The stepfather moved the family to a settlement at Fourteen-Mile Creek west of Tahlequah, and shortly after that the mother died. The stepfather took his deceased wife’s possessions and deserted the children. A relative took the children to Tahlequah and placed them in school at the Cherokee Orphan Asylum. However, they were promptly discharged because of their ineligibility to attend the asylum.

Bill Cook, then just fourteen-years-old, went to the Creek Nation where he worked on F. A. Sawyer’s cattle ranch. Cook had learned to read at an early age and

had been praised as potentially “brilliant,” the “envy of all his fellow cowboys.” He worked for a while on the Mule Shoe Cross Ranch and he helped trail drive nearly 5,000 head of cattle from Abilene, Texas, to the ranch near Okfuskee in the Creek Nation. He also worked on the Spike S Ranch, Captain Frederick Severs’ FS Ranch, and Dave Carr’s DC Ranch.

Cook associated with “reckless” men who told him he could not be a “cow-puncher unless he learned to shoot, drink whiskey, and play cards.” His first act outside the law was selling whiskey to the Indians, and in 1892, the U.S. deputy marshals issued a warrant to arrest Cook. To avoid arrest, Bill Cook went to New Mexico where he worked for a while on the Puerto de Lina Ranch. On returning to the Creek Nation, he was arrested and sentenced to 40 days in the federal jail at Ft. Smith, Arkansas. After his release, he served as a posse member under U.S. Deputy Marshal William C. “Bill” Smith. Cook’s service was excellent because he knew where many of the outlaws hid out, and he arranged for Lonnie Gordon, a companion, to surrender on liquor violation charges with the hope of acquittal. In spring 1894, Bill Cook gave up his duties as a posse member and went to the Creek Nation in search of his brother Jim who had been accused of stealing a horse. Bill Cook would be credited with organizing a notorious and violent outlaw gang of mixed-blood Indians and freedmen.

It is interesting to compare a description of the twenty-one-year-old Bill Cook with his reputation described by newspaper reporters throughout the country. By the end of 1894, he was both a “coward and a lion-hearted man; a rich bandit and a pauper criminal; as an old man and as a beardless youth; a representative as anyone but himself.” He was also described as quiet, not inclined to “shoot off his mouth; a voice well-modulated and deep; feet and hands disproportionate to his size; quick movements; walked with his head up, chin drawn in, mouth shut; not brutal; not decidedly more lawless than many others found in the West; rebellious.” He stood 5’ 8–10”-inches tall, weighed 140 pounds, had light hair, fair complexion, no facial hair, small gray eyes, a thin light mustache, rather large head, and an awkward appearance. Bill Cook was also described as a “mild-mannered young fellow, very unlike the descriptions of Cook” that appeared in the newspapers. Another report compared the resemblance of Bill Cook and outlaw Frank James, while other reports compared Cook and Bill Doolin.

In May 1894, Crawford Goldsby, a freedman, joined Bill and Jim Cook after he shot a man at Ft. Gibson. Goldsby, like the Cooks, entered a life of crime at an early age. His father was a Scotch-Irish army officer in the Ninth Cavalry stationed at Ft. Gibson. In 1870 George Goldsby married Ellen Beck, a freedman of half Cherokee blood. Crawford, one of four Goldsby children, was born about 1875. In 1882 he attended the Negro School at Ft. Gibson. Crawford, one of four Goldsby children, was born about 1875. In 1882 he attended the Negro School at Ft. Gibson. Crawford, one of four Goldsby children, was born about 1875. In 1882 he attended the Negro School at Ft. Gibson. Crawford, one of four Goldsby children, was born about 1875. In 1882 he attended the Negro School at Ft. Gibson.

In 1890, Lynch moved the family to Nowata and homesteaded. Crawford Goldsby accused Lynch of mistreating him, and he returned to Ft. Gibson where he lived with Bud Buffington and worked for Alex R. Matheson cleaning Matheson’s store. Matheson described Goldsby as a quiet, good-natured,
hard-working boy, well-liked by all who knew him, with a muscular build of 190 pounds and small blue eyes. In 1893, Goldsby worked for James W. Turley on the Halsell Ranch.10

About this time while at a Ft. Gibson dance in early 1894, Crawford Goldsby had a fight with Jake Lewis, another freedman, and Lewis gave him a severe beating. Goldsby borrowed a gun, went to Lewis’ house, and shot Lewis several times. From that time on, Goldsby ran from the law. Soon after the shooting, he joined Bill and Jim Cook. Goldsby made a striking figure. He wore a large white hat with a red band and constantly made strange gobbling noises imitating wild turkeys. In June 1894, the Cherokee Advocate, published at Tahlequah, reported that 13 rustlers, identified as the newly formed Cook gang, had stolen over 100 horses in the Tulsa area. Bill and Jim Cook and Cherokee Bill quickly acquired the “unenviable reputation” as desperate outlaws. Bill Cook later excluded Cherokee Bill from the gang because Cherokee Bill wanted to kill someone from “pure wantonness.”11

**The Cherokee Outlet Land Payment**

In 1893, the Cherokee Nation received $8.5 million, of which each person on the tribal roll would receive an initial payment of $266. The federal government had purchased from the Cherokees an area known as the Cherokee Outlet, which consisted of 6.5 million acres situated on the northwest edge of the Indian Territory joining Kansas. Payments were made at various locations by Ezekiel E. Starr, Treasurer of the Cherokee Nation.

The following year, Bill and Jim Cook began planning to request their share of the land payment at Tahlequah. They asked their friend Effie Crittenden to pick up their payment when she got hers. Mrs. Crittenden managed the Half-Way House, a stage-stop, 14 miles west of Tahlequah where the Cooks had once lived with their mother. They told Crittenden that on receiving their money, they would leave the Indian Territory. Lulu (Lou), their half-sister, had married Bob Harden who was working as a cook at the Half-Way House. Richard Crittenden, Effie’s husband, who was not living with her at the time, and Zeke Crittenden, her brother-in-law, were deputies of the High Sheriff of the Cherokee Nation. Bill Cook developed an even grander plan, that of robbing the Cherokee authorities as they distributed payments at Tahlequah. Pulling off a hold-up of the Cherokee Treasury would be the first of many public brazen acts of violence involving the Cook gang. Taken in the robbery was $5,300, even though authorities of the National Treasurer’s office were guarded by heavily-armed deputies of the Cherokee Nation High Sheriff and a detachment of soldiers from Ft. Gibson.12

On June 16, High Sheriff Leonard Williams sent a posse led by Deputy Sheriff Ellis R. Gourd to round up the Cook gang at the Half-Way House. Gourd’s posse of seven deputies included Richard and Zeke Crittenden, Bill Nickel, Isaac Greece, Sequoyah Houston, and two white men, Hicks and Bracken. However, before the posse reached the Half-Way House, they came upon four men holding-up the stage from Tahlequah. While the posse surrounded the robbers, Gourd sent one deputy back to Tahlequah for reinforcements. The outlaws began shooting, killing Sequoyah Houston of the posse. When Bob Harden, the Cooks’ brother-in-law, was captured, the other robbers fled. Harden identified the others as Bill and Jim Cook and Crawford Goldsby—the Bill Cook Gang.13

The outlaws fled into the hills, but that night they returned to the Half-Way House. At daybreak the following morning, a posse led by Deputy Sheriff Gourd and U.S. deputy marshals Barnhill and Thomas from Muskogee surrounded the Half-Way House. When a call was made for everyone inside the cabin to surrender, a gun fight broke out. As Jim Cook tried to escape by crawling through a small window, Richard Crittenden blasted him with his shotgun. Although badly wounded, Jim Cook began shooting so Bill...
Cook and Goldsby could escape. Jim Cook then climbed through the window and onto Bill’s horse.\textsuperscript{14}

Jim Cook was left near Rabbit Ford, where the Grand and Arkansas rivers run together. Bill Cook had planned to return with a doctor, but Jim had been severely injured and offered no resistance when the authorities arrested him. He was held in the federal jail at Muskogee for the murder of Sequoyah Houston. Officers questioning Effie Crittenden asked if Crawford Goldsby had been one of the outlaws. She replied, “No, it . . . was ‘Cherokee Bill.’” From that time, Goldsby was known as “Cherokee Bill.”\textsuperscript{15}

On July 6, James F. Read U.S. Attorney for the Eighth Circuit Court, the Western District of Arkansas, sent a message to Cherokee Chief C. Johnson Harris concerning Jim Cook. Cook’s case had not been examined, owing to his severe wounds. But Read thought the federal government had enough evidence against Cook to send him to the penitentiary for life. However, Jim Cook was turned over to the Cherokee authorities, and a trial date was set for the October 1894 session. On October 24 after his trial had been in the court for a second time, Jim Cook escaped from the Cherokee National Prison at Tahlequah while under the guard of two deputies. Although he was hampered by a heavy chain locked about his wrist and ankle, he outran the guards and avoided being hit as they shot at him. Several days later, Cook was captured, and a new trial was scheduled. The prisoner had authorities at Tahlequah constantly fearing that the other gang members would come to the prison and free him. When the high sheriff received a telegram from Ft. Gibson stating that the gang was planning to liberate Jim Cook, he instructed the guards to shoot Cook if the jail was breached.\textsuperscript{16}

Jim Cook escaped from jail on another occasion when he was among 20 prisoners being marched to the dining hall just outside the jail. Cook hurriedly ate and escaped through the rear door, ran 200 yards to a creek, followed the stream 300 yards, and entered the woods. Guards caught up with him 3 miles from the National Prison, and even though they fired several warning shots, Jim Cook refused to stop until the guards wrestled him to the ground.\textsuperscript{17}

On November 20, Jim Cook was sentenced to eight years in the Cherokee National Prison for the murder of Sequoyah Houston. Cook’s name appeared on the “Roster of Time-Convicts” in prison during September of the next year. Bob Harden, a white man, was jailed at Ft. Smith and bound over for trial on the same charge, but at trial his case was dismissed. In 1897, Jim Cook became a trustee at the Cherokee National Prison and escaped the first opportunity he had. He reconnected with several members of the old Cook gang, and one year later shot it out with a posse led by U.S. Deputy Marshal Addison J. Beck at Inola, in which Beck was wounded.\textsuperscript{18}

After Jim Cook escaped from prison, he was killed during an argument, accused of stealing some livestock. Cook claimed he had bought a steer from a black man whom he later learned had stolen it from a man named Sarl Harlen. When Harlen went to Cook to reclaim the animal, the men argued, and Harlen pulled out his gun and shot Jim Cook. Cook was buried in the Hulbert Cemetery, west of Tahlequah.\textsuperscript{19}

Bill Cook Was a Romantic

After being expelled from the Cherokee Orphan Asylum, Bill Cook went to Sapulpa in the Creek Nation. There he met Martha Pittman. Although he was barely fourteen-years-old, Cook asked Martha to marry him and the “dark-haired beauty” accepted his proposal. They kept their plans secret. However, as

\textbf{Visual Content:}

- A map showing sites in and around the Cherokee Nation and the Eastern District of Arkansas, ca. 1890s.Courtesy Library of Congress.

\textbf{Note:}

In order to view this proof accurately, the Overprint Preview Option must be set to Always in Acrobat Professional or Adobe Reader. Please contact your Customer Service Representative if you have questions about finding this option.
he wanted to earn extra income and get married, Bill Cook began selling liquor. He was arrested and sentenced at Ft. Smith. Martha Pittman’s father learned of Cook’s bad behavior and warned him to stay away from Martha.20

On release from jail, Bill Cook served as a member of the U.S. Marshal’s posse, hoping to impress Martha Pittman’s father. When Cook told Martha’s parents that he wanted to marry Martha, Mr. Pittman swore that he would never allow the marriage because Cook had been in jail. Pittman dismissed Cook, but Martha stood by her lover, vowing to marry Cook secretly. One newspaper reporter commented, “If it were not for a love affair, Bill Cook would in all probability be a decent member of society in the Indian Territory today.” Cook soon organized his outlaw gang and began terrorizing the country, but Martha never gave up her fondness for Cook. In October 1894, seeing that his daughter would eventually marry Cook over his protest, Mr. Pittman consented to the marriage and agreed to assist with getting a marriage license at Muskogee. The ceremony was to have occurred during the latter part of October, but a party of Creek Light Horsemen (Indian police) were trailing Cook so closely that he had to postpone the ceremony.21

After the marriage license had been prepared, Cook was supposed to pick up the license at the courthouse in Muskogee. Instead, U.S. Deputy Marshal Bill Smith claimed the license and announced that Cook would have to get the license from him. The Muskogee Phoenix humorously reported: “Deputy Marshal Bill Smith got in from the Territory on the Midland Valley train this morning, having been scouting around the Nation . . . Smith has been carrying around in his pochet for some days now the marriage license authorizing the wedding of Outlaw Bill Cook and Miss Martha Pittman . . . a pretty little sixteen-year-old girl, who lives at Sapulpa with her mother and father, who are plain hard-working people.” The reporter continued: “Now Martha has been for some months desperately in love with the dashing outlaw and has been ready and willing to marry him. Mrs. Pittman rather favors the match, but the old gentleman has right along set his foot down on it that Martha should never marry Bill Cook.”

U.S. Deputy Marshal Smith had hoped to use the license to capture Cook. The previous week, Smith had gone to Sapulpa to turn over the license, but no ceremony occurred, because the people who were after the reward on “Outlaw Bill Cook’s head were busily engaged in chasing that gentleman.” When Smith returned to Muskogee, he still had the marriage license in his possession, and he remarked, “No, the marriage didn’t come off. The Indians were after Bill too hard; I don’t know when it will come off.”22

Increased Violence of the Cook Gang

The Half-Way House incident had provoked the Cook gang. On July 7, six members of the gang robbed the Ft. Gibson and Muskogee stage near the Arkansas River. Two weeks later about an hour before the train arrived, Bill Cook, Cherokee Bill, Lonnie Gordon, Sam McWilliams, Henry Munson, and Curtis Deason robbed the St. Louis and San Francisco depot at Red Fork south of Tulsa. They had heard rumors that the St. Louis and San Francisco express was transporting a large sum of money to pay for a shipment of cattle sold by the sprawling Spike S Ranch near Red Fork.
When express messenger Chapman saw the robbers, he hid money from the safe behind several boxes, and the robbers overlooked it. This was courageous because Chapman’s brother, also a railroad express agent, had been killed at Mound Valley, Kansas, one year earlier as he fought off bandits.

After searching the baggage room for anything of value, the outlaws discovered a gallon of whiskey, and they passed it around while they waited for the train to arrive. When the train pulled into the station, the outlaws searched the express and baggage car, detaining the train for 45 minutes but failed to locate any money. Later, the gang robbed the Santa Fe station at Red Rock. Elmer Lucas of the gang held the horses while Cherokee Bill, Jack Starr, Thurman “Skeeter” Baldwin, and Curtis Deason robbed the express agent. Next, on September 14, the Cook gang robbed the J. A. Parkinson Mercantile at Okmulgee. The outlaws were unmasked and rode directly to the store where they took over $600 and quietly left town.

For several weeks following, the Cook gang hid quietly in the mountains near Tulsa. In October, the outlaws looted the train depot at Ft. Gibson. Eight members of the gang, unmasked and heavily armed, broke a window and ordered the attendant inside the depot to open the door, but he was unable to open the safe and told the outlaws that the ticket agent, a man named Cox, was the only one who knew the combination. When the robbers returned to the depot with the ticket agent, they took about $400 in cash and some express money orders. Following the robbery, they fired a number of shots at the depot building and rode out of town.

On October 10, the Cook gang robbed two railroad express agents on the same night. After the night express train had passed, three men rode into Claremore from the direction of Tiawah directly to the Missouri Pacific Railroad depot. The depot agent was taken by surprise when the outlaws began firing shots at the building to intimidate some people who were outside. The robbers then ordered the agent to open the safe and hand over the cash. Local authorities were notified at once that the outlaws were in town, and when authorities started for the depot, the outlaws began firing from inside the depot building. Pick Chambers was the first policeman to arrive at the train station, and he was ordered to dismount and hand over his watch and gun as the outlaws rode quietly away, leaving the deputy standing in the dark. Less than two hours later, the same three men robbed the Missouri, Kansas, and Texas Railroad depot at Choteau, some 20 miles to the south. They cleaned out the ticket agent’s safe and again rode quietly out of town. By that time, officers were out in all directions searching for the robbers, but even the most optimistic held little hope of apprehending the outlaws. One newspaper reported that the gang had even warned U.S. Attorney Jackson to discontinue efforts to arrest Bill Cook.

The Chandler Bank Hold-Up

On July 31, 1894, a bold bank robbery broke the “quiet serenity” of Chandler, a small village in the Creek Nation. Five heavily-armed cowboys, believed
to be the Cook gang, rode into town from the north along the street east of the courthouse. They turned down the alley behind Fletcher’s Hardware Store and stopped at the rear of the Lincoln County Bank. The bandits immediately took positions. One man held the horses, while two entered the bank from the rear. Another went to the front entrance, and the last man remained outside the bank. Harvey Kee, president of the bank, was at the teller’s window when one of the outlaws shouldered his Winchester rifle and threatened: “Say, you s** of a b****, shell out your cash, and be d**** quick about it, too.” O. B. Kee, the cashier, was ordered to remain quietly at his desk. Searching the back room of the bank building, the third bandit discovered F. B. Hoyt who was lying on a bed very ill. The outlaw ordered Hoyt to open the safe, but Hoyt was too nervous, despite the bandit’s cursing and threatening to shoot him.

At this time, shooting began outside the bank which distracted the bandits. They grabbed $300 at the teller’s window and fled the building. If the bandits had not been disturbed, they would have gotten $2,000 from the teller’s money drawer. As they left, one of the bandits took O. B. Kee’s watch. The bank robbery had been discovered by J. B. Mitchell who operated a barber shop on the corner opposite the Lincoln County Bank. During the robbery, he sat in front of his shop watching the man at the bank entrance. When Mitchell discovered the bank was being robbed, he yelled out, “The Dalton gang is in town,” and ran toward his entrance. The outlaw at the front of the bank shouted to Mitchell to “shut up and sit down.” When Mitchell did not stop, the outlaw shot him.

Then the bandits began shooting wildly to prevent other merchants from joining the fight. N. W. Warren, a deputy sheriff, shot Bill Cook’s horse, but Cook mounted behind one of the other robbers, and they all fled town in the same direction from which they had come. Sheriff Parker immediately organized a posse and started after the outlaws. At the edge of town, another bandit’s horse was killed. A mile out of Chandler, the bandits stopped a man in a cart and took his horse. Farther on, the bandits made a farmer dismount and took his horse. The sheriff’s posse caught up with the bandits at Chuckaho and exchanged 100 or more shots, wounding and taking prisoner one bandit; the others scattered into the woods.

At Chandler, the outlaw was identified as Elmer Lucas, a twenty-one-year-old associate of the Cook gang. A bullet had gone through his body, leaving a painful and ugly, but not fatal wound. Lucas named the other bandits as Bill Cook, Tom Cook, Jack Starr, Cherokee Bill, and Tulsa Jack. Lucas had joined the Cook gang recently at the Spike S Ranch. Mitchell, the fifty-three-year-old barber who had been killed, left a wife and two daughters. The townspeople were angry over Mitchell’s death and suggested meting-out summary justice to Elmer Lucas, who was removed to Guthrie for safekeeping.
The bank robbery had been carefully planned. L. B. Stewart, who managed the Chandler Livery Stable, recalled that the horse that Cook had been riding had recently been put up at his stable. Another of the gang had been seen in the rear of the Hoffman, Charles, and Conklin Bank. Other reports indicated that the bandits had been loafing around Reeve’s Saloon the night before the hold-up, and the men had purchased three bottles of whiskey before leaving that night.26

In early August, U.S. deputy marshals discovered several members of the Cook gang hiding at the home of Bill Providence, 14 miles west of Sapulpa. After more than 200 gunshots were exchanged, Ad Berryhill of the gang was captured. Alonzo “Lonnie” Gordon and Henry Munson were killed. Bill Cook, Cherokee Bill, and Thurman Baldwin escaped. One member of the posse was wounded.27

The Coretta Siding Train Robbery
By the end of October, the Cook gang had started robbing trains, the first occurring October 20 at the Coretta Siding of the Missouri Pacific Railroad, 6 miles north of Muskogee. As the train approached the Coretta Siding at a speed of 25 miles per hour, a man sprang from behind an embankment and threw the side track switch, running the train at full speed into a string of empty box cars sitting on the side track. James Harris, the engineer, applied the brakes and reversed the engine, but his reactions were ineffective. Two outlaws immediately climbed into the engine room, commandeering the train, the engineer, and Cottrell, the fireman. The gunmen followed the engineer to the baggage and express car. After firing several shots through the door, they compelled express messenger Ford to open the door.28

The robbers surrounded the train. Two took positions at the rear of the train to prevent anyone from escaping through the rear door of the sleeper car. Two mounted the platform between the smoker and the baggage cars, followed by two more on the platform between the first and second coaches. All continued firing their guns. The two men in the express car ransacked it and took money from a small safe. The expressman could not open the larger safe. These men went to the front platform and forced conductor W. J. Dinkins to collect money and valuables from the passengers. The outlaws then proceeded to the second coach. When they were half-way through the coach, they heard whistling of a freight train not far away.

During the robbery, Bill Cook remained outside. He issued commands, swore at the passengers, and shot at the train to intimidate the passengers. On command, the bandits left the train, firing a final volley before disappearing into the darkness. The outlaws, numbering 8 or 10 men, wore face masks, hats, and false beards. Two of the outlaws were white; the others were mixed-blood Indians or freedmen. Recognized among the outlaws were Bill Cook, Jim French, and Sam McWilliams. Two passengers were wounded. Jack Mahara, manager of the Mahara Minstrel Company, was seriously injured when a .45-.75 caliber bullet struck him in the forehead, but after spending 10 days in an unconscious state, he revived. In March 1897, Mahara was scheduled to have surgeons repair the dent the bullet had made to his forehead. A bullet also struck Walter Barnes of Van Buren, Arkansas, in the cheek, but the wound was treated by a passenger. The train had been heavily guarded by special officers, including agents Heimick and Dickson of the Missouri Pacific Railroad and U.S. deputy marshals Heck Bruner and Joe Casaver, but the attack had been so sudden the guards were unable to react. The bandits took Casaver’s watch and pistol.29

The freight train narrowly avoided colliding with the express, which was backed up to Wagoner seeking medical attention for the injured passengers. The train, except for the sleeper car, had been completely riddled with bullet holes. Every window was shot out or broken. The engine cab was shot to pieces, and even the steam gauge and gauge lamp were broken. The ground surrounding the train was covered with empty shells, and the wooden fence along the track was perforated with bullet holes. One of the officials on board stated that it was a miracle that more injuries, or even death, had not occurred because so many shots were fired during the melee. The Missouri Pacific Railroad immediately dispatched its superintendent, W. I. McKee, from Little Rock, Arkansas, and U.S. deputy marshals to the scene of the train robbery. U.S. Indian Agent Dew Wisdom of Muskogee ordered all the Indian police—a reported 300 men—to duty in case the robbers’ trail was discovered, but the gang was not apprehended. The next day, U.S. Marshal George T. Crump, of the Western
District of Arkansas, issued a $250 reward for each member of the Cook gang.\textsuperscript{30}

The Cook gang struck again the next night. This time, the same outlaws reportedly robbed the town of Watova, a whopping 75 miles from the scene of the train robbery. Four men entering the mercantile store, railroad station, and post office took all the money they could find. One outlaw, John Vann, who had held the robbers’ horses, was captured the following day. A newspaper reporter stated that the outlaws were crowding in so many robberies in such a short time span in retaliation for Jim Cook who was on trial for the murder of posse-member Sequoyah Houston.\textsuperscript{31}

The Cook gang next robbed the Kansas and Arkansas Valley Railroad station at Talala, a few miles north of Claremore. The outlaws brazenly rode into town at dark on October 22 and began robbing the train station, mercantile stores, and post office. While the bandits were inside the post office, the eastbound passenger train pulled into the station. Someone notified the engineer that the town was being looted, and the engineer quickly moved the train away from the station. The robbers, who numbered 10, made no effort to conceal their identity. They began at one end of town and worked their way through the stores, drawing their revolvers as they entered, ordering the merchants to hand over the money. The outlaws soon left town. The U.S. Marshal, who was notified of the robbery, immediately dispatched a posse from Ft. Gibson going southeast and turning north, another going east toward Tahlequah, and a third going north along the Grand River. The posses planned to rendezvous at Chetopa, north of Pryor Creek, where they thought the Cook gang might strike next. But the outlaws evaded the posses and were spotted the following morning east of Ft. Gibson.\textsuperscript{32}

The Blackstone Switch Train Robbery

On November 13 at 10 P.M., seven members of the Cook gang attacked the Missouri, Kansas & Texas passenger train at the Blackstone Switch near Wybark, a settlement six miles from Muskogee. Newspapers reported that outlaws had attacked the train with “brutality, beyond that of the usual train robbery” as the train approached the Blackstone Switch, a long siding with cattle pens between the Arkansas and Verdigris rivers. Because the pens were off the main line, the siding resembled a spur line more than a side track. A considerable amount of brush secluded the stock pens.\textsuperscript{33}

As the train approached the switch, Nathaniel “Texas Jack” Reed threw the switch and the train veered onto the siding. The engineer, Hotchkiss, immediately pulled the train’s whistle four times, a signal that warned of a possible robbery. When the train halted, Hotchkiss and fireman Gudgel, slipped off the engine and hid in the woods to avoid becoming hostages. Train robbers typically gained entrance to the express car by compelling the engineer to plead with the expressman to open the express car. The bandits were angry when they discovered the engineer had escaped. They went back to the end of the train and fired dozens of warning shots through the express car door. When the expressman steadfastly refused to open the door, the outlaws ignited several sticks of dynamite under the door. The blast splintered a section of the door, tore a hole in the floor, and ripped off a part of the platform at the end of express car. When it became apparent that the bandits might succeed in entering the car, guards inside the express car—Bud Ledbetter, Paden Tolbert, Frank Jones, and John Tolbert—began shooting wildly through the splintered door.\textsuperscript{34}

The robbers then left the express car and went to the passenger cars. Inside the smoking car, they compelled a young man to carry a bag into which the passengers were told to “drop their money, watches, and jewelry.” The young man was scared and begged for mercy as the robbers threatened to kill him if the passengers did not hand over their valuables. In the chair car, they selected another passenger, J. B. Fuqua of Dallas, Texas, to collect from the passengers. One robber followed behind him with a Winchester, prodding and cursing him as they proceeded through the car. The outlaws abused all of the women passengers. The passengers reported handing over $260 and 8 gold watches and recognized Bill Cook among the robbers.\textsuperscript{35}

The bandits then marched Fuqua and the younger hostage back to the express car. They tried to force one hostage to crawl through the express car floor. The hostage called to the guards to open the door, but the guards began firing again. Bud Ledbetter had crawled out of the express car after the outlaws retreated earlier to the passenger cars and taken a position behind the train. When the outlaws were about to leave,
Ledbetter fatally shot Charley Belston and seriously wounded Texas Jack. The bandits then began running to their horses, taking the hostage a quarter of a mile down the track before releasing him.36

The damage was assessed the next day when the train reached Kansas City, Missouri. The outlaws had taken over $1,000 in cash, besides watches and jewelry. The largest individual claim was $50 and a gold watch. George Levering and another U.S. deputy marshal, who were on the train as passengers, lost their money and guns. The railroad cars were riddled with bullet holes, all windows were shot out, and two cars were damaged by the dynamite explosion.

Descriptions of the bandits matched the Cook gang. Fuqua said that the man who collected the passengers’ money was a small man with light complexion, “who did not especially look like a ruffian.” The other bandit in the passenger car was large, with a ruddy suntanned face, blue eyes, light hair, “snagged-teeth,” and a false chin beard made from the end of a cow’s tail, but no face mask. One passenger, a Creek Indian from Okmulgee, recognized Bill Cook, whom he had known for several years.37

The passengers recalled several interesting things during the robbery. One very excited young man tossed his new gold watch out a window. His name had been engraved inside the case, and the watch was later returned to him. Another man attempted to hide between two rows of seats. When he was discovered, the man promptly handed over his valuables. Another man, a banker from Galveston, Texas, who had been seated near a young lady, asked her to hide five $1,000 bills for him. She placed the folded bills in her stocking. As the banker handed over a few dollars to the bandit, he commented that he had no money to buy his pretty young wife breakfast the next day. The outlaw returned a silver dollar, telling the banker to have breakfast on him.38

Following the robbery, the outlaws were thought to have retreated a short distance to the Arkansas River. Two days later, 10 members of the gang were seen riding through Muskogee. They stopped at Captain Severs’ Stable, but the stable was empty. Cook had formerly worked on Severs’ FS Ranch. The outlaws rode out of town heading west. That same day, they took two horses from the Dyke farm, 3 miles from Muskogee. At the time they were in Muskogee, a posse was being organized, but the posse was unable to take on the heavily armed outlaws. Shortly after the outlaws left town, U.S. deputy marshals and Indian police were in pursuit.39

On Trial for the Blackstone Switch Train Robbery

Early on the morning of December 31, 1894, U.S. deputy marshals B. C. Birchfield and Newton LeFlore led a posse of six men to a house occupied by Thomas Root and Buss Luckey near Broken Arrow. The posse had come to the small settlement east of Tulsa to arrest the men accused in the Blackstone Switch train robbery. Two members of the posse checked the house but found no one inside. They searched outside the house, but a dense fog blocked their vision. While the two men searched, the others remained near the house. Two hundred yards away, the men came upon a barn and several hay stacks. Then dogs began barking, alerting Buss Luckey, Thomas Root, and Root’s wife, who were sleeping near the hay stacks. The posse then rushed toward where the dogs were barking, but the hay stacks separated sight of the two groups of posse members.

Luckey and Root began shooting as the deputies came within a few yards of the hay stacks. After exchanging shots for a while, Luckey and Root escaped. When the shooting stopped, Deputy LeFlore was discovered seriously wounded, a bullet having struck him in the back. He died a short time later. Thomas Root later surrendered to the U.S. Marshal at Ft. Smith, Arkansas, agreeing to testify against Buss Luckey for the shooting of LeFlore. A week later, Luckey was captured near Choska at the home of his brother. He was taken to Ft. Smith and charged with the murder of Newton LeFlore, the Coretta Siding and Blackstone Switch train robberies, and two other hold-ups.40

At trial, Buss Luckey produced no witnesses in his behalf against the strong testimony of the deputy marshals and the decisive evidence given by Thomas Root. The strongest evidence against Luckey was that he had shot at the posse before he learned why they were there. And, for his actions, he was convicted of murder. J. Warren Reed, a trial attorney at Ft. Smith, appealed the case to the Supreme Court and obtained a sentence reversal.
Two years later, a new trial was scheduled. A large map was displayed that plotted the positions of the haystacks, field, fence, and house where the killing had occurred. Movements of the posse toward the haystacks through the dense fog were shown. Attorney Reed argued that once the shooting began, both Root and Luckey had retreated. If Luckey had shot LeFlore, the bullet would have struck LeFlore in the front rather than the back. Reed’s argument convinced the jury that LeFlore had been shot unintentionally by a member of the posse. Luckey received an acquittal on the charge of murder. However, he was unable to defend himself for his alleged participation in the Blackstone Switch train robbery. He was sentenced to 15 years in the federal penitentiary at Columbus, Ohio.41

Other men were arrested and jailed at Ft. Smith in connection with the Blackstone Switch robbery. Those arrested included Hiram Lightell, Perry Hysell, William Bird, Joe Dyer, Phil Graves, Dick Dyer, and James “Jim” Dyer. All men denied any connection with the Cook gang.42

In March 1895, Nathaniel “Texas Jack” Reed surrendered to the U.S. marshal at Ft. Smith. He had been seriously wounded in the Blackstone Switch train robbery and had been recuperating at his brother’s home in Madison County, Arkansas. Texas Jack confessed to participating in the Blackstone Switch robbery and in several other robberies. However, Texas Jack did not implicate Bill Cook in any robbery. Instead, both he and Thomas Root claimed that Jim Dyer had led the bandits. Texas Jack said the outlaws had planned to meet the night following the robbery at Vann’s Ford on the Verdigris River to divide money taken in the robbery. But Dyer had not shown up with the money and kept it for himself. On this testimony, Dyer was held over for trial in the robbery. His bond was set at $12,000, and the trial date was September 5, 1895. Dyer sent his wife back to Wagoner to arrange for his bond.43

When his trial began, Dyer was on the scene early to make his defense. Dyer’s wife had produced character witnesses and testified in his behalf. Several of the U.S. deputy marshals at Ft. Smith testified as to Dyer’s good character, and to the fact that he had always welcomed posse members to eat meals at his home when they were operating near Wagoner. When he had information about criminal activity, he informed the deputies. However, Dyer was convicted and sentenced to 15 years in prison.

Dyer’s wife continued to work for his release. The U.S. Supreme Court granted a new trial, and once again Dyer was released on bond. At the first trial, Dyer thought his service to the deputy marshals would offset the testimony of Texas Jack and Thomas Root. But in his defense during the second trial, Dyer employed J. Warren Reed as his attorney. Principal witnesses in the trial were Texas Jack and L. M. Best. Texas Jack presented the same testimony as he had at the first trial. Best, another known outlaw, filled in the gap between the robbery and the alleged meeting at Vann’s Ford to distribute the money. About an hour before the Blackstone Switch robbery, Best testified he had spoken to Dyer at Vann’s Ford. He also testified that he had built Dyer’s house, and that Dyer had installed a “scuttle hole” with a neat fitting.
cover and hinges in the ceiling of one room. Dyer had told Best that this would be a good place to “hide the boys.” When the door was produced as evidence, the door was neither neat fitting nor hinged. It was a simple covering used to block the entrance to the attic, resulting in Best’s testimony being tossed out.

Jim Dyer testified that late on the day of the robbery, he had run a horse race at Wagoner. A number of Wagoner residents had seen him, and he had left Wagoner too late to reach the scene of the robbery. Sheb Williams, U.S. Chief Marshal of the Eastern District of Texas, testified that Dyer had frequently informed him of crimes being committed in the Indian Territory. Dyer also produced over 100 letters as evidence that he had written to Williams. Dyer’s letters to Williams named persons who were committing various crimes, the location of certain gangs, and physical descriptions of various outlaws. Several of the letters concerned the Blackstone Switch robbery, for which Dyer himself was on trial, in which he had supplied names of suspects and their probable locations. The trial began March 21, 1898, and after four days of hearing testimony from 52 witnesses, the jury acquitted Jim Dyer.44

Politicians and the Cook Gang
The violence of the Cook gang continued. Efforts to capture the outlaws were ineffective, and anxiety brought on by their crimes was felt outside the Indian Territory, too, because of attacks on the U.S. mail, passenger trains, and merchants. While a part of the problem in stopping the outlaws concerned the matter of judicial jurisdiction, the U.S. marshals were frustrated because of insufficient funds for extensive campaigns against the outlaws. In almost every piece of correspondence relating the urgency of capturing the Cook gang, the final concerns were that expenses “need to be kept to a minimum,” and that the “government needed to provide more money to clear out the lawless element.” Both the U.S. government and the Indian nations were blamed for not stopping the violence. Some critics thought that the attempt of the U.S. to establish laws and courts among a people “too ignorant to understand or comprehend right from wrong and too indolent and indifferent to enforce anything but mob law” had worked only to protect the outlaws.45

However, many of the Indian leaders suggested that the violence continued because the U.S. had allowed white traders to establish businesses in or on the borders of the Indian Territory. The Cherokee Advocate angrily reported that citizens of the United States at Ft. Smith, Arkansas, had benefited greatly from trade with the Cherokees. If the trade were to continue, the Ft. Smith merchants and citizens needed to stop criticizing the Indians for the violence and commit funds necessary to capture the outlaws. On every possible occasion, “these gimlet-headed dudes, who know more about Hades than the Indians, take a delight in abusing the people of the Territory,” the Cherokee Advocate argued, adding “There is no denying the fact that outlawry exists in a certain degree in this Territory, but no more than in Arkansas and the town of Ft. Smith.” It was suggested that two noncitizens to one Indian had committed crimes in the Indian Territory, and that merchants of Ft. Smith had for years reaped a harvest of trade from the Indians. “To return this kindness with abuse,” the article concluded, “is unkind and unjust. The only way Bill Cook and his gang can be exterminated is for Marshal Crump to commission the Ft. Smith (AR) Times and News editors and send them forth. Upon hearing of these two brave men on the trail of the bandits, Bill will start for Ft. Smith and surrender.”46

The newspaper exchange continued. The Cherokee Advocate printed a letter from John W. Sharp, a council member of the Illinois District of the Cherokee Nation. Sharp charged, “If ever there was a town, whose citizens were drawn out of the kinks by the Cherokee people, it was the citizens of Ft. Smith.” The Ft. Smith Times reported that Indians had not made good jurors or police officers. Sharp believed the Cook gang should be stopped but the fault should not have been altogether charged to the Indian authorities. He compared a recent train robbery in Missouri and a bold bank robbery in Kansas with acts of violence in the Cherokee Nation. He argued that “gimlet-headed editors of the Ft. Smith papers do more to keep back the trade of our people and the Ft. Smith merchants than all the deputy marshals combined.” It had been easy to sit at Ft. Smith, 100 miles from the field of operations, Sharp added, and cry, “Why don’t the Cook gang be exterminated?” He concluded, if the U.S. deputy marshals were the only authorities left to wipe out Cook and his gang, “Why don’t they do it? When one of our citizens happens to
introduce a pint of whiskey and is found out, four or five deputy marshals break their necks to see who is the first that will drag him to Ft. Smith.”

The Cherokees compared the U.S. marshals and the Cook gang of outlaws with a free enterprise system. They said the “Cook Industry” had provided jobs for the U.S. marshals. The Cherokees admitted that the deputy marshals were brave and daily risked their lives capturing “desperate characters, but the marshals must make a living.” The marshals received $2 a day and mileage for making arrests. One Cherokee added, “When the Cook industry is at its height, the number of marshals is increased. They scour the country in squads. The greater the number of outrages reported, the more marshals are required. The expenses grow. Witnesses must be summoned, costs must be collected, etc., and the result is that at the end of the year, the clerk of the U.S. Court in Muskogee figures up a net income of about $22,000 for himself.” And so, the newspaper controversy went.

In late 1894, the Dawes Indian Commissioners met with Oklahoma Territory Governor William C. Renfrow and Missouri and Arkansas senators to discuss the lawlessness. Treaties between the U.S. government and the Indian tribes had provided no quick solutions to the problem. The group leveled a number of complaints. Philosophically, they agreed to seek legislation that would give them the proper authority needed to combat the outlaws, but “tribal governments and courts had done little more than organize and legalize systems of robbery and plundering.” For many years, the commissioners argued, no tribal administration had been free from the arbitrary plundering, and the influence of “squaw men” had continuously been that of lawlessness. Allotment of lands and settlement of the surplus lands by whites meant the destruction of the enormous special privileges enjoyed by outlaws and “squaw men.”

The U.S. authorities continued trying to solicit assistance of the Indian citizens in capturing the outlaws. On November 17, Indian agent Dew Wisdom had written Cherokee Chief Harris, “Should any Indian citizen kill an outlaw, or person supposed to be an outlaw, that Indian citizen would be protected.” Creek Chief Legus C. Perryman offered the Cherokees the privilege of crossing over into the Creek Nation if they were in pursuit of outlaws. Harris dispatched seven Cherokee policemen to Muskogee in case the Cook gang might strike there. The authorities were hoping that Indians, who up to this time had been reluctant to arrest white men, might no longer be afraid to kill or capture non-Indians.

In the midst of the political discussions about the Cook gang, a new scheme was introduced to capture the outlaws. Captain Oliver of San Francisco, the manager of a detective agency, had indicated an interest in contracting to capture the Cook gang. The detective agency had been used satisfactorily a number of times in California and had recently captured three men in Oklahoma Territory who were wanted in California. The detective agency agreed to capture up to five members of the gang for a $10,000 reward, or $2,000 for each outlaw. No action was taken on the proposal.

To this time, the authorities had had no success in capturing the notorious gang leader, Bill Cook. However, following the Missouri Pacific robbery at the Coretta Siding, Cherokee Chief Harris offered a $500 reward for the arrest of Cook. The reward, published in the Cherokee Advocate, hoped to persuade those who had protected the gang to assist in capturing Cook. Cook was wanted in connection with the June 17 murder of posse-man Sequoyah Houston. The U.S. Marshal’s office issued a warrant for the arrest of Bill Cook, Cherokee Bill, James French, James Turner, and Bill McElijah.

U.S. deputy marshals continued searching for Cook. Chief Harris assigned his Indian police to one posse. The combined force of U.S. marshals, Cherokee Indian police, Creek Light Horsemen, and special railway and express company agents was exaggerated in the newspapers at “500 to 600 men.” The Pacific Express Company and the Missouri Pacific Railway each announced $500 rewards for members of the Cook gang.

The U.S. government announced a $300 reward for each member of the gang brought in dead or alive. U.S. Marshal Crump distributed 5,000 wanted-posters, announcing an additional $250 reward for the leader of the gang. U.S. deputy marshals were barred from receiving the reward because the government wanted to turn the Cherokee and Creek settlers against the outlaws. The government wanted-posters included the following names: Bill Cook, Cherokee Bill, Buck Wightman alias “Bitter...
interfering with U.S. mail and interstate commerce.52

murder and robbery, the gang had been charged with

mental and were of little benefit in the search. Besides

murder and robbery, the gang had been charged with

interfering with U.S. mail and interstate commerce.52

Newspapers continued reporting frequent sight-
ings of the Cook gang. The New York Times stated

that a posse of 100 men had located the gang but
gave no details, while another reported the gang had

passed through Okmulgee. And a few days later,
five men thought at first to be members of the Cook
gang were captured after a gunfight with U.S. deputy

marshals between Wagoner and Muskogee. Those

arrested as members of the Cook gang included

Joseph Johnson, Moses Price, Dick Reynolds, Jim

Bates, and Lon Perry.53

On October 26, Indian Agent Dew Wisdom of Musk-

goee warned, “The Cook gang of outlaws in force is
camped at Gibson Station eight miles from here on the

Missouri, Kansas, and Texas Road. It is believed that

another hold-up is contemplated.” Wisdom informed

Indian agents that his own police force was inadequate
to meet the emergency, and U.S. Marshal Crump at Ft.

Smith, Arkansas, had no funds to keep posses “in the

field for the campaign.” Wisdom felt the situation was

“desperate . . . business is suspended and private indi-

viduals are robbed every day and night.” He urged the

Indian agent to protect citizens of the United States,

who were lawful residents of the Indian Territory. Wis-
dom concluded that licensed traders were suffering

because of the suspense, and that the “state of seize

must be broken and something done to save life and

property.” The telegram was referred to the Secretary

of the Interior and to the Secretary of War requesting

military troops. However, no authority existed to use

troops to track down criminals, unless members of the

Cook gang were “white intruders.” Most members of

the Cook gang were Indians or Negro freedmen and

members of the local Indian tribes.55

The violence of the Cook gang continued. On

November 4, Samuel J. Dunlap, postmaster at Red

Fork, was robbed. One outlaw shot Dunlap, while

robbers looted Dunlap’s store and the local post office.

U.S. deputy marshals were immediately dispatched.

After several days of intensive searching, the gang was

located near Sasakwa, where two officers were killed

and one of the outlaws was wounded. Speculation was

that Bill Cook had been wounded from two gunshots
to his hip and that authorities had been tracking Cook

by “tracing castaway bloody bandages.” This account,
of course, was inaccurate. Several newspapers even

reported that Bill Cook was dead, while others

reported citizens at Muskogee were offering a $1,500

reward for the outlaw leader and 5,000 (dead or alive)
wanted posters were being distributed.55

While politicians and authorities debated the law-

lessness, newspapers began reporting the Cook gang

had separated into smaller groups and continued their

terror. Without regard, any person arrested was imme-

diately charged with being a member of the notorious
gang. The media printed numerous warnings that on

a certain day the gang would attack the City of Musk-

goee, but those attacks never occurred. Instead of an

attack, rumors of impending danger spread through-

out the Indian Territory. Frequently, businesses would

close, and banks locked up their money and sought

safety for their employees. Indian police remained

vigilant, ready to go after the outlaws if an attack

occurred. Still there was no reprieve. One report from

Muskogee indicated that a fight was in progress with

the Cooks, and that same day the outlaws were pre-
paring to attack Muskogee. But again, the attack never

occurred. Instead, a poor traveler was robbed of his

valuables, his eldest daughter was outraged, and one

of his horses was taken by the outlaws.56

The gang was reported to have robbed the Farm-
ers and Merchants Bank at Hennessey, a considerable
distance from Muskogee. Outlaws had taken $1,300

in the December 11 robbery. After the robbery, there

were several reports that Bill Cook, posing as Char-
ley Thomas, had been captured.57

Despite all the efforts to quash the Cook gang, the
road between Ft. Gibson and Tahlequah was the scene
of frequent robberies. Lone travelers were especially
at the mercy of the desperadoes along the road. On

October 25, three salesmen were robbed during the
same day. The first, James Wood, a representative of Shibley Wood Wholesale Grocery Company of Van Buren, Arkansas, was robbed of his money and watch near Manard. Later that day, robbers held up S. B. Mitting of the Doughery-Crouch Drug Company and L. A. Wakefield, a salesman for the Jacob C. Dold Packing Company of Kansas City. No effort was taken to field a posse because there were no leads. The New York Times reported that the Cooks had compelled laborers in the cotton fields near Ft. Gibson to hand over their valuables, but this was unlikely since Cook knew many of the Indian farmers who had given the gang food and horses.58

On one occasion, Bill Cook, Cherokee Bill, and Dynamite Jack happened onto several cowboys who were driving cattle to Red Fork for shipment. Instead of stealing the cattle and robbing the cowboys, Cook and the other men helped pen the cattle. When the men engaged in conversation, the cowboys told Cook to “Stand trial and square himself before he killed anyone.” Cook replied that he was reluctant to risk surrendering as he feared the outcome.59

Newspaper accounts about Bill Cook continued. On December 24, a message alleged to have been sent by Bill Cook, was delivered to U.S. Marshal James J. McAlester at Muskogee. But it seems likely that many reports were only whimsical journalistic embellishments.60

Toward the end of 1894, Thurman “Skeeter” Baldwin, William Farris, Charles Turner, and Jesse Snyder were arrested in Texas. U.S. deputy marshals William Ellis and Bill Smith, G. T. Simpson of the Wells Fargo Company, and four Texas Rangers accompanied the prisoners back to Ft. Smith, Arkansas. Those arrested pleaded guilty to the December 2 McDermott Store and post office robbery near Okemah in the Creek Nation. Judge Isaac Parker sentenced Thurman “Skeeter” Baldwin (to 30 years), Jesse Snyder (to 20 years), and Will Farris (to 20 years) to imprisonment at the Detroit House of Corrections.61

These men, along with Elmer Lucas and Curtis Deason of the gang who had been captured previously, were removed to the Detroit House of Corrections. In 1902, Baldwin asked for a pardon, his sentence was commuted to 10 years, and he was released from prison.62

On November 6, 1894, a Little Rock, Arkansas, newspaper reported what it considered to be the most outrageous crime any of the Cook gang had committed. The reporter wrote, “The Cook gang, tiring of robbing trains, stations, and travelers, are now committing the most fiendish crimes, that of assaulting young girls outside Oolagah, a small town on the Missouri Pacific Railway, ten miles north of Claremore. The outlaws compelled several girls to go ‘behind the bushes with them’ where they were repeatedly assaulted.” The reporter added, “After satisfying their lust, the devils in human forms mounted their horses and rode away, leaving their victims in a most critical condition. It was several hours before one of the girls recovered and went to town and gave the alarm.” A posse failed to locate the assailants, one of whom the girls identified as Jim French. The twenty-two-year-old French was described as...
“half-Cherokee-half-white and one of the handsom- est and best educated men in the [Cherokee] Nation.” The posse vowed to kill Jim French.63

Capture and Conviction of Bill Cook
Toward the end of December 1894, reports were that Bill Cook had gone to Mexico to begin life under an assumed name. Sheriffs T. D. Love of Burden County, Texas, and Charles C. Perry of Chaves County, New Mexico, were tracking horse thieves when they discovered Bill Cook and Jim (Jack) Turner camping at an abandoned ranch in the Texas Panhandle, but the authorities did not recognize Bill Cook. Two days later, a dispatch from the Texas Rangers warned that Bill Cook might be heading toward Texas. Sheriff Love returned to the ranch where he and Perry had seen the man thought to be Cook, but the men had left. Love notified his commander that he wanted to continue the search for Cook, and that he and Perry might catch Cook since the outlaw probably did not realize anyone was on his trail.64

As Love and Perry tracked Cook, they noticed that Cook had stayed away from towns, ranches, and camps during the first 400 miles. After that, Cook stayed at two ranches where he received food for himself and his horse. At one ranch, Cook gave a cowboy some cartridges, saying he no longer had any use for the shells because he had lost his rifle. Cook was using the alias, John Mayfield. The officers trailed Cook to an area near Four Lakes, but temporarily lost his trail. When they discovered Cook’s trail again, Cook’s horse had lost a shoe and chipped a corner of the hoof. From that point, trailing Cook even in heavily traveled places was easier.

On January 6, 1895, Cook stopped outside Roswell, New Mexico, where he left one of his horses in a pasture. He intended to return in a few days for the horse but Cook stayed in Roswell for one day and left without the horse. In Roswell, he used the alias, John Williams. Cook saw several Texas Rangers that day in Roswell, but he was not recognized. The two sheriffs identified the horse Cook had left behind as one they had seen previously at the ranch in Texas.65

The lawmen waited for Cook, but he did not return. The officers then headed 30 miles west to a settlement known as “The Cedars.” From there, they traveled through a region known as the “Capitan,” an extremely rough area in eastern New Mexico. On January 10, the officers stopped at the Yates Ranch where they discovered Cook. Early the next morning as Bill Cook was doing chores, the officers captured Bill Cook without a fight.66

Cook admitted his true identity and spoke freely with the officers about his past. Cook informed reporters that he did not think he had been a bad man, claiming that he had never “robbed a poor man unless he needed his horse or his money; that he had never killed anybody except in a fight; that he had done all his work on the open highway; that he hadn’t done half the things he was accused of; and that he was ‘out of a gun’ when surprised on the ranch.” Besides, Bill Cook added, he “was preparing to reform when captured, and to quit the freebooting business,” and if he “lived to get out [out of jail],” he planned to do better.67

Cook was handcuffed and strapped onto his horse during the trip back to Roswell. One officer led Cook’s horse and the other guarded him with his rifle. At Roswell, Bill Cook acknowledged that when he was captured, he was on his way to Mexico where he meant to quit the “highway business.” He added, “The officers have me and will take me back to where I am known and there is no use to deny it, but don’t give me Hell like the other fellows have, for I have not committed half the crimes that are charged to me.” The outlaw denied that his brother Jim had ever been connected with any train robberies—the Rock Island, Texas Pacific, or Santa Fe hold-ups—but that he had helped rob the “Frisco [depot] at Red Fork last July. Five other boys were with me.” He also denied any involvement with “bank robberies. I was not in but one robbery, and if indicted for that under the name of Bill Cook, I will plead guilty.” News reports suggested that Cook would now be unable to “shoot behind the bars or relieve a poor man of his horse or things, or give chase to the Indian police, or dodge the U.S. marshals, or get a drink of ‘forty-rod’ whiskey, or ravage the settlements, or kill anybody.”68

Cook was taken first to Santa Fe for identification by Oklahoma authorities and then by train through Robinson, New Mexico, where he was seen under the guard of three officers, including Sheriff Perry of Chaves County, New Mexico; Sheriff McMurray of Mitchell County; and Sheriff Tom Love of Border County, Texas. The amount of reward for apprehending Bill
Cook had been exaggerated at $15,000. At Ft. Worth, a crowd turned out, hoping for a glimpse of the notorious prisoner. When he arrived at Ft. Smith, Arkansas, on January 22, he was again met by another large crowd of spectators. Cook had a reported 1,428 people visiting the Ft. Smith jail, hoping to get a glimpse of the notorious criminal. His dark-haired sweetheart, Martha Pittman, visited him on two occasions. Cook was placed in a cell with Henry Starr and the two kept busy playing “draw poker.” Those who saw Cook at Ft. Worth and Ft. Smith were disappointed when they discovered that Cook was “nothing more than an awkward-looking cowboy” and not at all what they had expected. Judge Isaac C. Parker, of the Eighth Circuit Court for the Western District of Arkansas, had expected. Judge Isaac C. Parker, of the Eighth Circuit Court for the Western District of Arkansas, arraigned Cook in federal court on 12 counts. Cook pleaded not guilty as charged.69

At trial, the outlaw’s attorneys J. Warren Reed and Thomas H. Barnes made little defense to the charges against Cook. Before a packed courtroom, he was convicted of robbing the Wells Fargo express and the St. Louis and San Francisco Railroad at Red Fork on July 18, 1894, and he was sentenced on February 12, 1895, to 45 years at the Albany Penitentiary in New York. As sentence was passed, the former outlaw appeared unconcerned.

In a single year, Bill Cook had become infamous, reported nationwide by newspaper reporters who extolled his shocking deeds and agreed that Cook “deserves the fate which has at last overtaken him.” One reporter stated, “It is a consolation to know that he will do more honest work within the next year than he has before in his entire lifetime,” while another reporter commented, “Such sentences will soon make the business of train robbing unpopular.” Following his sentencing, Bill Cook informed one reporter that he wanted to repent, but the reporter argued, “To this time there should be no objection, but the average honest man will suggest that his repentance should immediately precede his early death—on the scaffold.”70

On May 4, 1895, Cook and 20 other convicts arrived at the federal prison at Albany, New York, their arrival announced in dozens of newspapers across the country. Once at the Albany Penitentiary, Bill Cook was assigned to work in the shirt factory where his assignment was to cut waistbands. Authorities at the prison, who reported Cook willingly conformed to rules, noted: “Ordinary youth, stolid even in the verge of stupidity whose achievements have been largely in the imagination of the Indian Territory marshals and western newspaper writers who have pictured him in places he never visited doing deeds he had no nerve to perform. He is a very commonplace criminal.” Other newspapers reported Cook became a model prisoner.71

On March 15, 1897, it was announced that Bill Cook had become a trusty and earned the privilege of going about the prison unguarded. But, as his health began failing, the prison physician diagnosed Cook’s health as terminal, and until his death he was allowed the choice of reporting to work in the shirt factory or remaining in his cell. He died of consumption on February 7, 1900.72

Bill Cook’s pistol was later displayed at the Dingman Mercantile Company in Muskogee. It attracted considerable attention, and rumors were that the pistol was somehow different from others. It was just a Colt .45 caliber, short-barrel, bone-handled, but with an American eagle engraved on one side and “Sir William’s initials carved on the butt.” Newspaper accounts of the capture, arrest, arraignment, trial, incarceration, and death of Bill Cook had appeared in excess of 100 newspapers across the country. Thus, ended a colorful chapter in the pageantry of the American West.73

NOTES
5. George Cook was arrested in June 1907 and sentenced to prison at Leavenworth, Kansas. *Santa Fe (NM) New Mexican*, June 5, 1897.
42. Muskogee (IT) Phoenix, Nov. 28, 1894.
44. Harman, Hell on the Border, 378–379.
45. New York (NY) Times, Nov. 15, 1894.
46. Tahlequah (IT) Cherokee Advocate, Nov. 14, 1894.
47. Tahlequah (IT) Cherokee Advocate, Nov. 14, 1894.
49. Muskogee (IT) Phoenix, Nov. 21, 1894.
50. Tahlequah (IT) Cherokee Advocate, Jan. 16, 1895.
59. Vinita (IT) Daily Chieftain, Nov. 18, 1899.


63. *Ardmore (OK) Daily Ardmoreite*, Nov. 9, 23, 1894.


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Saturday, December 9, 1876, was no day to be outside in Manhattan. By evening the furious gales that continued to blast the city had all but emptied the normally thronging streets. But even this put little damper on the gay bustle at one mansion on west 57th street. For Martha Roosevelt dearly loved the swirling activities of the holiday season as much as her four children, Anna, Theodore, Elliott, and Corinne, even if she did not concern herself over such mundane tasks as bill paying. These largely fell to her husband, Theodore senior, whose skills as an investment banker were often put to this double duty. Added to this were new responsibilities that had increasingly required methodical and thorough planning. Looming less than a week away was the scheduled departure of their second son, Elliott, on a five-month hunting trip to Texas.

Theodore’s urgency was somewhat mitigated as Elliott had already been on two extended excursions. But this time Theodore did not have the able assistance of Dr. John Metcalfe, the Roosevelt family doctor, who, along with his wife, had twice chaperoned Elliott. This time, in fact, his guardian was to be Elliott’s first cousin, John Ellis Roosevelt, or Jack as his family called him. Since he was only sixteen, Elliott still needed someone to accompany him, even if this someone was himself just twenty-three years old. The relatively tender age of Elliott’s traveling companion aside, it would appear that there was little to be anxious about. After all, this venture was going to cover similar territory as Elliott’s first sporting trip to Texas taken almost exactly a year earlier. On that journey, Elliott and Dr. and Mrs. Metcalfe had traveled by train to Houston, down to Galveston, then on to Austin. The next leg was by stage to San Antonio, where, by chance, Elliott had met up with General Henry Boynton Clitz, a family friend and the commander at Fort McKavett, an Army post out in Menard County. Invited to accompany him back to the Fort, Elliott spent well over a month under the watchful care of the general and his staff, hunting and fishing to his heart’s content. Returning to San Antonio, Elliott’s trip home took him back to Houston, and from there on to New Orleans, Atlanta, and then up the East Coast to New York.

However, the diary that Elliott kept during both his Texas sojourns reveals that he had witnessed more than a taste of frontier violence: January 4, 1876, Palestine, Texas: “... a man was shot in a row [fight].” January 8, Houston: “A row under my window ... ended in the murder of a poor black fellow.” January 13, Galveston: “Saw ... a poor chap with abdomen cut open.” January 25, Austin: “This evening a famous desperado was shot ... by the sheriff.” January 30, San Antonio: “... went to a mexican [sic] fandango and had the pleasure of seeing what jealousy
will do. The woman died.” February 3, Mason: “Fellow had been shot but a short while. . . .” February 5, village outside of Fort McKavett: “. . . saw a poor chap just shot.” Whether or not Elliott relayed all this to his parents is perhaps a moot point. They had to have known that they were putting their son again in harm’s way. So, what could their motives have been? There is little doubt that Elliott’s father, a strong advocate of muscular Christianity, played a prominent role in the decision. In addition, Theodore might have wanted his son to at least taste some of the dangers and hardships he himself had never experienced. Although his family had lived in New York City for generations and he himself was a stalwart Unionist, he had nevertheless acquiesced to Martha, a southern belle, and had not served militarily in the Civil War. She, on the other hand, still felt at liberty to extol to her children heroic tales about her side of the family. This included her two brothers, both of whom had fought in the Confederate Navy.

Then there was the popular reading material that was marketed to boys and young men, which both Elliott and his two-year older brother Theodore devoured. This included the works of such authors as Mayne Reid, who described his books as “juvenile tales of adventure.” In one of them, The Boy Hunters, or Adventures in Search of a White Buffalo, three young brothers venture out to Texas to obtain the pelt of an albino American bison for their father. The eldest, Basil, is described as “. . . a mighty hunter’. He is more fond of the chase than of ought else. He loves hunting for itself, and delights in its dangers. . . . His ambition is not now to be satisfied with anything [sic] less exciting than a panther, bear, or buffalo hunt.”

Although child mortality rates during the late-nineteenth century were in sharp decline, some 20 percent of all American children still died before the age of five. While the family’s affluence certainly significantly reduced their vulnerability, Theodore and Martha were nevertheless gravely concerned about their children’s physical and mental well-being. Their elder son had since infancy suffered from asthma severe enough foretell a life lived as an invalid. But neither son nor father had been content with such a prospect and Theodore had eagerly embraced his father’s challenge to adopt a strenuous exercise program designed to strengthen his body. While his ultimate triumph had given him sufficient reason to be genuinely proud of his accomplishment, it as well produced a general insensitivity to those who were unable or unwilling to master their own weaknesses.

However, as Theodore improved himself, Elliott declined, being suddenly incapacitated with debilitating headaches. In the fall of 1875, he had to abandon his course of study at a prestigious boarding school. There is no record of his precise illness. However, Elliott was probably diagnosed with a late-nineteenth century catch-all condition called neurasthenia. An affliction of the privileged, neurasthenia was perceived as the negative manifestation of an active, competitive person being confronted by the
complexities of a world that was increasingly more urban and complex. Doctors often ordered women so identified to endure weeks of solitary bed rest, while encouraging men to exert themselves in such vigorous outdoor activities as hunting, fishing, and camping. All of this fits into why the family physician had been retained to take Elliott to Florida for several months earlier that year, and why he had later also accompanied him to Texas.

Elliott must now have been regarded as being healthy and mature enough to go on a lengthy trip with someone only a few years older than he. So on December 15, Elliott, Jack, and their two dogs left New York on the 6:10 P.M. sleeper train for St. Louis. It was then that Elliott began the second installment of what his brother later described as “a very brief diary, the entries being fairly startling from their conciseness.” After a change of trains, they arrived in Dallas on the 19th, where they first familiarized themselves with the town that boasted of a population of 17,000. The next scheduled order of business was to secure a wagon and team to take them down to Waxahachie. Then, on the evening of the 22nd, calling cards were brought up to the hotel room where Jack and Elliott were enjoying a quiet smoke. Soon they were joined by four young men, Andrew Jameson, Harry and Ed OBeirne, and Charles Moore. Jameson, of the Irish whiskey family, had just returned from a lengthy outing during which he had both hunted to his heart’s content, and played a part in an unsuccessful attempt to establish a cattle ranch. The tales with which he regaled the group until late in the night included descriptions of how he had shot himself in the leg and nearly blown his hand off when his gun malfunctioned. Enthralled by his recounting, Elliott and Jack decided to abandon all the careful preparations that had been made on their behalf. “We talked until very late,” Elliott wrote in his diary, “& came to the conclusion we would all go out west together.”

Their party grew to eight with the addition of two more likeminded adventurers, George Saville and Waldemar Malcolmson. The oldest in the group, Malcolmson had fought in the Civil War and had been one of Maximilian’s bodyguards in Mexico. Between Christmas and New Year’s celebrations they acquired the necessary gear and supplies, which included two wagons, along with eight draft and six saddle horses. Leaving Dallas on January 2, they reached Fort Worth by the 5th, and Weatherford on the 8th. En route they hunted, and the further West they traveled the more the small game such as quail and prairie chickens was joined by increasing numbers of turkeys, deer, antelope, and wild pigs.

Even though Jameson had just been on this very same route, he, along with several others, still wandered off from the group, often for days at a time. For instance, Elliott and Ed OBeirne arrived in Graham on January 12, a day later than everyone else besides Saville. Tracking down his makeshift camp took them another day. There were other indications of just how undisciplined they were: Whatever funds they had started out with were already spent, forcing them to trade their wild game for such commodities as flour and grain for their horses.
Some 16 letters were waiting for Elliott in Graham including 2 from his younger sister, Corinne. Elliott’s answer to her is most revealing. Dated January 18, Elliott writes sprawled “before a roaring big camp fire,” having just returned from a late-night turkey hunt. Now a few miles west of Graham, in a place he calls “Camp of the Gap,” Elliott relates that although he is “listening to the panther and wolves crying and howling, it seems queer to think a month ago I had but left my own comfortable little room at home.” But there is no hint at homesickness here, for “It is a glorious free life this and one can not [sic] help feeling most superbly well.” Elliott admits that he had not changed his clothes since he left Dallas, and that “we never think of ‘turning in’ with out [sic] our revolvers all ready under our heads.” He anticipates that they have “some eight days more tracking and then we will camp for some four weeks in a good range.”

It was about this time that the group decided to create a weekly newspaper. Called the *Vox Buffaloorum*, it would eventually see some four editions. Its puns, poems, and witty observations were augmented with hand-drawn illustrations. Absent in its pages were the given names of the men. These were replaced by nicknames, which ranged from High Ena [Hyena] to the Great Fighting Kangaroo Editor. Curiously enough, Elliott, the youngest by far of the party, was not only called Nell, his family’s pet name for him, or Nellie Darling, but was consistently referred to in the feminine. The men then hunted their way another 50 miles, arriving at Fort Griffin on January 23. Now largely forgotten, the Fort was one of a string of military outposts designed to protect the frontier. To its accompanying civilian settlement, known as Griffin or The Flat, came buffalo hunters to sell and trade both meat and hides. Thousands of hides, covering as much as 4 acres, often lay staked out to dry and cure, while others were piled in immense stacks ready for shipment to the East.

It was here that Wyatt Earp and Doc Holliday met and The Flat’s reputation for violence was well-deserved. On the night of January 17, less than one week before the arrival of Elliott’s party, two cowboys had, according to a contemporary newspaper account, “proceeded to what is called in frontier parlance, ‘to run the town.’” By the time it was over, two men were dead, another laid mortally wounded, and two others suffered gunshot wounds. Among those killed was one of the cowboys, his partner having managed to escape. Harry OBeirne shot the first bison two days west of Fort Griffin. After traveling another 70 miles in five days, the group killed some 20 more on the 30th. Finding themselves in a true hunter’s paradise, Elliott recorded in his diary for January 31 that they “have in camp Buffalo, Antelope, deer, wild hog, turkey, duck, [prairie] chicken, quail, 2 kind[s of] rabbit, dove, & [wild] cat. But such an abundance of raw meat attracted unwelcome guests. “Tonight the wolves and ‘panter’ [cougar] are worse than we have ever had them,” reads his diary, “we have to hobble the horses & the dogs fight them all the time right in camp.” But even if their situation bordered on chaos, there were even more pressing concerns. Some 60 miles south of them a buffalo hunter named Marshall Sewell had been murdered and scalped by Quahadi Comanches, who had left their reservation near Fort Sill, Oklahoma.
to hunt in the area. A prominent hunter, Jim White, informed them about it on February 1, when the group was encamped at the mouth of Duck Creek. “White gave us notice to ‘quit’. ‘Revenge,’” noted Elliott in his diary. It was obvious that he had given them two choices: either turn back or participate in some sort of reprisal.

Although the men broke camp early the next morning, it was not east toward the protection of the nearest settlement that they headed. This would have been Rath City, where buffalo hunters were even then converging before leaving to fight what has been known as the Battle of Yellow House Canyon. Instead, they likely continued to follow what is commonly known as the Mackenzie Trail, whose route they had traced since leaving Fort Griffin, and traveled northward away from the incident. The next day they veered sharply to the southwest and Elliott’s diary for February 3 states that “[w]e made our permanent camp at the bottom of a huge cänion [sic] by a fine water hole.” Its exact location is unclear, but it was probably in southern Crosby County, some 40 miles east of present-day Lubbock. Even though they must have been relieved that their 300-mile journey was finally over, the eight men must also have been apprehensive as they settled in a place they intended to be their home for the next month.

By 1877, the mass extermination of the southern bison population was nearing its end in Texas. Only four years earlier they had still numbered in the millions, and one early eyewitness recounted that “Buffalo, a solid herd as far as we could see, all day they opened up before us and came together again behind us.” Even though their numbers had been greatly reduced, an 1877 newspaper article estimated that the 1,500 men yet plying their deadly enterprise killed some 1,000 animals every day.

The elimination of so many large animals in such a short time was partially due to how relatively easy bison were to kill. Once a herd was located, the normal practice would be for a single hunter to quietly approach it to within 300 or 400 yards away upwind.
After shooting the lead bull, the others would not run off, but rather milled around, making them perfect targets. This was called making a stand, and an expert shot, armed with a large-caliber Sharps rifle designed just for that purpose and often equipped with a scope, could kill 75 to 100 in a day.

Next began the work of the skinners, two of whom could keep up with an average hunter. Weighing upward of 80 pounds, the green hides were then stretched out and dried for about 9 days. Often the rest of the 1,000-pound carcass would be left to rot, except possibly for the tongue. Considered a delicacy, tongues could be harvested anytime, unlike those hides destined to be made into prized robes, which could be taken only when the bison were covered with their winter coats, roughly from November to March. Once a sufficient number of hides was collected, they were loaded in wagons pulled by upward of a dozen mules and taken to the nearest settlement to be sold or traded. Hides brought between $1 and $3.50 depending on their size and quality and the distance to a railroad. From there they were hauled to the closest rail head and shipped to the eastern markets. Bales of bison hides were even sent as far as England and Germany, where they commanded a high price due to their being much more flexible and elastic than cowhide.

The eight men took to their new way of life immediately. To be sure, some, like Elliott, Jack, and Jameson, were there for just the sport, while others were also hoping to make a profit. As it had been their practice during the trip out, two of the group stayed behind at camp, while the remaining six fanned out to hunt. Elliott proved to be one of their best shots, bringing down five pronghorns from a single position and shooting with his Ballard rifle in quick succession two turkeys as they flew over their camp. In addition, he took on his share of such tasks as skinning and staking out the hides, chores that his cousin felt were beneath him.

As Jameson had proven during his first trip, buffalo hunting was a dangerous occupation. On one occasion, Elliott and Jack were caught out in the open with a herd of bison stampeding toward them. With their sole hope being to split the group, they waited until the bison were in close range. Then, yelling at the top of their lungs, they began to shoot the animals directly in front of them. Fortunately, as these bison stumbled and fell, their neighbors veered off, creating a tight wedge around which the rest of the herd thundered past scarcely at arm’s length away. Another almost fatal incident took place when Elliott, alone this time, was charged by a huge bull he had just wounded. Barely able to reload his rifle in time, he missed his shot, which, fortunately, still broke one of the front legs of the bison, causing it to crash to the ground directly in front of him.

The men’s original plan was to remain in place for a month. However, just about a week after they had arrived, someone raided their camp at night, stealing all the horses except for three. Given what had just taken place, they suspected it had been a Comanche raiding party. However, it was even more likely that other hunters were the real perpetrators. Elliott’s diary states that they had considered themselves “very fierce,” and that they had several “big” fights with other camps. Beyond young men simply acting rashly, this aggression could as well have been a result of the intense competition over a dwindling supply of marketable animals. The groups’ dogs might also have been to blame, as the account of another hunter indicated that they had harassed the herds, causing them to move rather than make a stand. The eight were now forced to break camp three weeks early. Abandoning one of their wagons, they loaded the few hides they had on the other and began the 140 mile walk back to Fort Griffin. Elliott’s diary suggests their plight. “Trails bad-freezing night no water…” he writes on February 19. The next day was no better. “Again
only mud no water freezing hard . . . Fright ful [sic] thirst.” Stealing from camps they came across, they finally arrived at Fort Griffin on February 22. Their safe return was enthusiastically celebrated. “Grand night with the boys,” reads Elliott’s diary, “Money bred [sic] & whiskey—what more do you want.”

Now with fresh horses and supplies, Elliott and Jack, along with most of the others, headed to Graham en route to Dallas. Reaching Weatherford on February 28, they observed Elliott’s 17th birthday, with, as he writes, “song, yarns, & punch.” On the same date Elliott also entered a cryptic diary message. “Dryed [sic] by Flannigan’s [sic] fire. Ella Newton rasins [sic] soft hands & I am married by Jack.” One plausible explanation is that Elliott’s cousin hired a prostitute named Ella Newton as part of his birthday celebration. Interesting enough, Flannigan’s does not appear in an 1877 directory of Weatherford, perhaps due to the nature of its business. They made Dallas on March 2, where there was some confusion among the locals as to what to make of Elliott. “Feel dirty & odd,” he discloses in his diary. His problems of transitioning back to his former life do not go away even after he washes and changes clothes. “Bath, shave & dress. dont [sic] know my self [sic] & Jack is disguised.”

On March 5, two months behind schedule, Elliott and Jack left Dallas finally bound for Waxahachie. They next took the train for San Antonio by way of Houston, where they stayed two weeks before heading out to Fort McKavett. Even though their time there was highlighted by three lengthy hunts, Elliott suggests in a letter home that his preferences would still be for the excitement and adventure he had just experienced. “A lazy, loafing pleasant life it is. Not quite as much to my taste as roughing it on the prairie but very restful . . .” Remaining at the Fort until the first part of May, they spent another week in San Antonio before taking the train to St. Louis and from there
back to New York and home. Elliott now regaled both family and friends with tales of his Texas exploits. Theodore, away at Harvard and already jealous of Elliott for his riding and shooting abilities, had something new to be envious of: his younger brother was no longer the sickly boy who had left New York less than six months earlier, but had matured into a young man. While in Graham during his return to Dallas, Elliott had written their father that the hardships he had just endured had “taught me a great many things Sir, among them that a fellow of seventeen can walk from fifteen to thirty miles a day for eight days on a pint of cold beans & plenty of fresh meat & in the evening roll himself up in his blanket & sleep as soundly as on a feather bed.” With all his worrisome symptoms a distant memory, Elliott was in robust health and high spirits. Confident that Texas had done the same for him as what his brother’s almost maniacal exercise regime had done for him, he began making plans for a promising future.

The sudden death of their father in February 1878 was a major shock for both Theodore and Elliott, and each of them reacted in entirely different ways. As for Theodore, he assiduously focused on his studies. However, Elliott responded in the opposite manner. Now unable or unwilling to take on any kind of real responsibility, Elliott’s substantial inheritance enabled him to indulge himself in the lifestyle of a socialite playboy.

The year 1880 was a watershed for the 22-year-old Theodore, bringing with it two major accomplishments: his graduation from Harvard and his marriage to Alice Lee. In contrast, for Elliott, it meant embarking on a 16-month expedition to India in search of big game. For both of them it also entailed an early fall hunting trip to Iowa and Wisconsin. As it turned out, it would be the last time the two brothers felt close enough to enjoy each other’s company over an extended period. During a break in Chicago from their hunt, Theodore wrote Corrinne a telling letter. Elliott was apparently no longer the rough and ready outdoorsman he had been in Texas just three years earlier. “Elliott revels in the change to civilization—and epicurean pleasures,” Theodore writes. Despite their animated and amusing tone, his words conveyed an ominous portent for his brother. Theodore discloses that these epicurean pleasures had included not only a very hearty dinner, but that during the course of the day the 20 year old Elliott had consumed some nine different alcoholic beverages: Ale, milk punch, mint julep, brandy smash, sherry, bitters, beer, claret, and shandygaff.

The year 1883 proved pivotal for both brothers as well. Seen by many as one of the most eligible bachelors of New York, Elliott married another prominent social figure, Anna Hall. Together they became the toast of the town. His brother’s accomplishments were of a different vein, and more substantial. Elected a member of the New York State Assembly, Theodore also saw his work, The Naval War of 1812, published to great acclaim. Somehow he also found time to trek to the Badlands of North Dakota. There he proved more than the equal of his brother. After killing his own bison, he did something Elliott had only dreamed about: He bought his own ranch.
Already a successful politician, Theodore would return again and again to the West, striving in part to overcome the liabilities of being seen as just another privileged member of the Eastern establishment. Many scholars acknowledge that his actions to recreate himself as the consummate adventurer, which included the oft-repeated saga of the Rough Riders and San Juan Hill, played a crucial role in his successful 1904 White House bid. By then, Elliott was already 10 years dead, having committed suicide in 1894 at the age of 34. An alcoholic, morphine addict, and adulterer who had fathered a son with one of the family’s servants, Elliott’s long, downward spiral tormented Theodore to the core. Elliott was not only beyond his control, but his very comprehension as well. For Theodore’s spectacular success in bettering himself ostensibly came at a substantial price. Dismayed at those who could not overcome their own challenges, he became rigid and authoritative. Perhaps there was an aspect of fear in all of this, the fear that without the greatest exertion, he himself would become just another Elliott.

Beset with adversities, Elliott’s last years were also lined with sorrow. Compelled by his increasingly irrational and irresponsible behavior patterns, his family attempted in 1891 to have him declared legally incompetent. “Drink Drove Him Insane” read one front page newspaper account, and the ongoing scandal threatened both the Roosevelt’s respectable name and Theodore’s political ambitions. Elliott’s efforts to reform himself fell on Anna’s deaf ears, and she rebuffed his ardent requests to be at her bedside as she lay dying of diphtheria late in 1892. In the midst of his ensuing relapse, Elliott suffered a final loss the next year, with scarlet fever taking the older of his two sons. Elliott’s own namesake, he was just three years old.

If Elliott is now remembered at all, it is almost always in a context of a future he would never know. Had he lived long enough, he would have witnessed not only his brother, but also his godson, Franklin Roosevelt, becoming president. In addition, he would have seen the marriage between his daughter Eleanor and Franklin unite two different branches of the Roosevelt family and provide her with the opportunity to forge her own legacy as the “First Lady of the World.”

In his 1886 book, *Hunting Trips of a Ranchman*, Theodore wrote this dedication: “To the Keenest of Sportsmen and Truest of Friends, my Brother Elliott Roosevelt.” But, in the end, the man who was as well described by Eleanor in her autobiography as being “charming, good-looking, loved by all who came in contact with him, high or low . . .” was given a scant three-paragraph obituary in *The New York Times*. Ironic or not, his stated cause of death was a disease of the heart.

**BIBLIOGRAPHY**


Cram, George F. *Cram’s New County and Railroad Map of Texas*. Chicago: George F. Cram, 1876.


Eleanor Roosevelt Papers. Franklin D. Roosevelt Presidential Library.


Roosevelt Family Papers. Franklin D. Roosevelt Presidential Library.

BRUCE CAMMACK is currently the curator of rare books at Texas Tech University, where he has worked for over 30 years. His research interests run the gamut between the history of the Great Plains, on which he has spent most of his life, and the history of the book. In his spare time, he enjoys outdoor activities such as hiking, gardening, and collecting minerals; and such indoor pursuits as brewing historic beers and crafting meads with locally-sourced ingredients. After raising three children, he now appreciates his status as an empty nester with his wife, Nancy.
Power, Politics, and Phoebe Apperson Hearst
Abraham Hoffman


Think of a few women in nineteenth-century California who wielded enormous political and economic power, and you’ll find it’s a very short list. Arcadia Bandini Stearns Baker lived through the Spanish, Mexican, and American eras to become one of the state’s richest women (the City of Arcadia is named for her). Jane Stanford, wife of Big Four Central Pacific Railroad entrepreneur Leland Stanford, used their wealth to found Stanford University; in 1905 Jane died under mysterious circumstances that remain unresolved to this day. Arabella Huntington, mistress and later wife and widow of Collis Huntington, married Collis’s nephew Henry Huntington and together they established the Huntington Library, Gallery, and Gardens. Powerful women, but not quite in the same league as Phoebe Apperson Hearst, Missouri farm girl who married a wealthy mine owner and dedicated her widowhood years to serve as a philanthropist, benefactor, and political activist at a time when women had yet to receive the right to vote. And in regard to that last issue, she was also a suffragist, though somewhat moderate in support of that goal.

Alexandra M. Nickliss devoted a quarter century to the research and writing of this biography, the first full-length study of Phoebe Hearst, a major if sometimes overlooked figure in California history. This is about as authoritative a work as one can get: 115
pages of endnotes and a 52-page bibliography including archival and published sources. However, it needs to be said that all of this documentation supports a strong and engaging narrative as Nickliss traces the life of a young girl from humble circumstances to one of the most politically and economically powerful women in California. George Hearst’s family lived on a farm not far from the Apperson household, so when George came looking for a wife, the families were acquainted. George proposed to 19-year-old Phoebe, and she accepted. He was 22 years older than Phoebe, but the age difference would not be an issue for them. George Hearst was already a successful mining entrepreneur with every likelihood that his mines would make him a very rich man. Off they went to San Francisco, the city that would more or less be their home for the rest of their lives.

Why more or less? George was an attentive husband who never stinted when it came to adorning his wife with fine clothes and jewelry and building and furnishing nice homes for her. But he was also an absentee husband, going off on frequent visits to his mine holdings on trips that could take months or even up to a year. Phoebe fretted over her lack of a formal education. She remedied this issue by taking numerous trips to Europe where she visited museums, art galleries, and historic sites. When their only child was born—William Randolph Hearst—she spoiled him by giving him her selfless love, and during his childhood years Phoebe brought him along on her travels. The reader may note that Phoebe’s penchant for collecting sculpture and art may have impressed young Willie to the point where as an adult he would collect tremendous numbers of paintings, furniture, sculptures, tapestries, and whatever else caught his eye—as satirized by Orson Welles in the classic film Citizen Kane.

George Hearst died of cancer on February 28, 1891, age 71. At age 49 Phoebe inherited her husband’s vast holdings. The question arose as to whether she could demonstrate she was capable of handling the responsibilities to business managers. She chose the more difficult challenge of learning all about George’s complex business dealings. Nickliss subtly marks this transitional stage in Phoebe’s life by no longer using her first name, and thereafter referring to Phoebe as Hearst, with no question whom she is referring to. For the next 28 years Phoebe Apperson Hearst would emerge from her late husband’s shadow as a powerhouse of philanthropy, political acumen, and advocate of women’s rights. At best she would be a moderate rather than activist suffragist. In an era when women did not have the right to vote and bore the stereotypes assigned to women in the Victorian era, Hearst championed a wide range of causes and reforms. Hearst would use her considerable fortune to support everything from promoting the establishment of kindergartens to being the first woman to serve on the Board of Regents of the University of California. Nickless makes it clear that PAH (her signature acronym) merits much more attention in the historical record than merely being the mother of William Randolph Hearst.

Nickliss moves the scope of the biography beyond just the life of PAH to examine the time in which women lived, especially white wealthy and upper-middle-class women who resisted the image of delicate, even frail women who needed (through marriage) the guidance and control of men. It’s ironic that Hearst had health problems for most of her life even as she supported the idea of independent, healthy women. Ever conscious of her inadequate formal education, Hearst had to evolve from a person who had to avoid the taint of social climbing to acceptance in the elite circle of women who could use their wealth to promote progress and social justice. But first she had to make it clear to her late husband’s business managers and employees that she was capable of handling the complexities of George’s business affairs. She also had to deal with her son who had begun to create a newspaper empire but who looked to his mother as an inexhaustible source of money to support his lavish lifestyle.

Hearst didn’t just support the progressive movement; she joined numerous women’s clubs, often accepting the post of honorary president, giving with selective generosity in financing those organizations. Some groups received considerable financial aid; others got lesser amounts. She developed a major interest in kindergarten reform, an idea that started in Germany but won the interest of San Francisco women who created the Golden Gate Kindergarten Association in 1884.

Hearst’s major philanthropic generosity went to the University of California. She bankrolled the...
construction of a mining building given her late husband’s name, the construction of the Museum of Anthropology, and other edifices on the Berkeley campus. When it came to anthropology, however, Hearst had a volatile relationship with Alfred Kroeber, best known for providing a home for Ishi, the last survivor of the Yahi tribe that had been decimated by men who murdered Ishi’s family and hundreds if not thousands of other Indians during and after the Gold Rush era. Nickliss gives Ishi a bare mention, focusing instead on the sociological issues of racial superiority and persons of color being of inferior races, beliefs that Hearst long held. The Kroebers were a formidable family. Alfred’s wife Theodora wrote a best-selling biography of Ishi; their son, Clifton, became a noted anthropologist, and daughter Ursula Le Guinn a famous award-winning science fiction author.

Nickliss observes that Hearst could not quite escape the prejudices of her time. While Hearst was not exactly a racist, she held the view that people of different races were not the social equals of whites. Alfred Kroeber was a student of Franz Boas, the founder of anthropology as a modern discipline. Hearst opposed the viewpoint of anthropology as a science. As a University Regent, Hearst didn’t want to see Berkeley anthropologists doing field research. She saw the museum as a place where the public could view exhibits on the progress of mankind from its savage beginnings to the achievements of civilization, which to her was “white” civilization. She had agreed for Boas to come to Berkeley and also to hire Kroeber. For Hearst, this decision proved a mistake as Boas and Kroeber had little use for popularizers and amateurs who offered stereotypical views on primitive culture. Hearst donated the funds for the new department but didn’t want the money spent on faculty who would promote cultural relativism.

An intense feud developed between Hearst and the academics who were too secular in their studies. In the end Hearst lost the fight with the academics. Museum exhibits would not extol the privileged status of the white race to the general public, and the Anthropology Department would use modern scientific methods in its discipline. Hearst recognized that in her time women would have to seek reform through the influence of women’s organizations rather than being directly involved in politics, at least until women gained the right to vote. She served as secretary and then president of the Columbian Kindergarten Association, first president of the Century Club of San Francisco, vice president of the National Congress of Mothers, and belonged to the National American Woman’s Suffrage Association, as well as other organizations that welcomed her donations and frequently granted her an honorary status.

There was one organization in which Hearst became actively involved that was very close to home. This was the Panama-Pacific International Exposition, which announced to the world that San Francisco had fully recovered from the disastrous 1906 earthquake and fire. In planning for the Exposition, Hearst saw an opportunity to become actively involved through the use of nonpartisan voluntary association politics. The PPIE Board of Directors consisted entirely of men, and Hearst wanted space accorded to women in policy making, exhibits, and the concessionaires, especially the Fun Zone and the money that would
be made from its attractions. Hearst succeeded in the creation of the Women’s Board as part of the planners of the Exposition. The Women’s Board did not want any sleazy side-show concessions that would be considered immoral. Hearst argued that anything at the Exposition that smacked of sexual immorality, particularly a concession called the Cairo Café, be excluded from the Exhibition grounds. While not entirely successful in its demands, the Women’s Board did provide input to the general planning of the Exhibition.

In the last years of her life Hearst saw the effort to get women the right to vote gain momentum. She joined the National Woman’s Party, donating money and serving as its vice chairman, but held back on militancy for the cause of woman suffrage. Although a Democrat, she opposed President Woodrow Wilson in the 1916 election because he wouldn’t support a federal suffrage amendment. California had granted women the right to vote in 1911. During the presidential election campaign, she switched to membership in the Republican party and mildly supported Charles Evans Hughes. The election was a close one, with California’s electoral vote giving Wilson the margin of victory. Hearst sadly said, “The greater fault I have to find with California just now is that they elected Wilson” (412).

At age 75 Hearst began to reduce her involvement in public affairs. She spent more time with her grandchildren and declined further active participation in the National Woman’s Party that was strongly pushing for the Nineteenth Amendment. In January 1918 the House of Representatives approved the amendment. Hearst caught the flu that killed millions around the world and never really recovered from its effects. She died on April 13, 1919, pneumonia the immediate cause. In June Congress passed the amendment, and on August 18, 1920, the Nineteenth Amendment became a part of the Constitution. Hearst just missed the conclusion of the long campaign by a little more than a year.

Hearst’s death brought condolences from prominent politicians to newspaper obituaries throughout the nation and tributes from the many organizations, plus the University of California she had long supported. Whatever flaws existed in her views on race and politics, Hearst left a legacy of progressive reform that few others could equal. Her support for woman’s suffrage helped bring about the realization of that civil right. Nickliss comments, “The young girl from rural Missouri with an ordinary upbringing, but with vaulting ambition to rise in the world, had spent much of her adult life exerting power to promote and advocate for a progressive reform agenda that made her nationally and internationally renowned” (429).
The Diaries of Reuben Smith
Kansas Settler and Civil War Soldier

Steven C. Haack

THE DIARIES OF REUBEN SMITH, KANSAS SETTLER AND CIVIL WAR SOLDIER, by Lana Wirt Myers, ed. (Lawrence: University Press of Kansas, 2018), 264 pp., $45.00 hb

The diary is a form of writing that comprises a wide spectrum of usage and potential. Some are simple daily statements concerning weather, purchases made, and domestic chores, recorded for possible reference in the future when the information may be of practical value. Others are more elaborate descriptions of activities and events intended to trigger the writer’s memory and help preserve the narrative of a life. At its best, the diary is a literary genre of its own, reading like a novel that arises not from the imagination, but from real life. Diaries written by those participating in historically important endeavors are of particular interest, for they can be the source of significant information not available in any official record. In this regard, they can be of greater value than the account of the same events written in retrospect by the same author. This is because the retrospective account is composed with the advantage of hindsight, after all ambiguities have been clarified.

In other words, the ending of the story is known and it informs the author’s product, encouraging him to stress those events that were eventually important and omit those that appear trivial in retrospect. However, this is not how lives are lived. The present is always, to some extent, chaotic and uncertain. We, in fact, do not know what tomorrow will bring, and this is the source of the anxiety and uncertainty that in large part define the human experience, dictating actions that can be seen in hindsight as brilliant, foolish or anything in between. Diaries that reflect this dynamic are often the most significant.

In September 1854, Reuben Smith was twenty-two, living near Manchester, England when a relative, unable to make the voyage to America she had paid for, offered him her ticket. The next morning found him in Liverpool, boarding the Rappahannock for its six-week voyage to America. Clearly excited about the adventure on which he had embarked, he began recording his experiences. We know little of Reuben’s schooling, but his writing is clear and informative when desirable, yet evocative and moving when the occasion calls for it. When a young woman dies in childbirth during the passage, Reuben writes:
I cannot imagine a more oppressively solemn ceremony that a burial at sea. It surpasses the ceremony on land in point of solemnity as much as the awful grandeur of mid-ocean surpasses the mild, soft beauty of a tranquil lake. The great stretch of water, with its billows and its howling gales, seems to invest the presence of death with a more realizing terror than is felt on land.

Arriving in New York City, Reuben takes a train across the state to Buffalo where he boards a steamer for Detroit. From there, he travels by train to Chicago and on to Rock Island, where a riverboat takes him to Burlington, Iowa, and the hospitality of friends who emigrated there some 15 years earlier. Doing farm labor for the next 2 years, Reuben often contrasts the rural life of America and England, marveling, for example, at the McCormick Reaper which, drawn by 4 horses, allows 8 men to do the work of 50 Irishmen with their sickles.

In January 1857, a friend sells his farm and agrees to accompany Reuben to the territory of Kansas, where cheap land is readily available. The following four years are filled with stories typical of the Kansas settler. The hard labor required to create a functioning farm out of the stark prairie landscape was sometimes rewarded and sometimes not, depending on the whims of nature. What plowing, planting and rainfall could create, hail and grasshoppers could destroy. However, Reuben managed to hold on, marrying and starting a family. Through this period, there was always the issue of violence along the border with Missouri. Many settlers in territorial Kansas were abolitionists who came from the East with the specific intention of helping to bring Kansas into the union as a free state. Their presence was resented by pro-slavery elements in Missouri who were determined to see Kansas enter the union as a slave-state. Both sides committed acts of violence on civilians with whom they disagreed and, in both cases, personal gain from the acts of plunder they committed was often as strong an incentive as any political or philosophical issue. As the year 1860 closed, the threat of war loomed. Reuben was a dedicated abolitionist who had just named his first-born son Lincoln. Despite the border violence, he saw an actual war as improbable, but if it occurred, “the people of the North would overrun the South and end the matter in sixty days.”

Reuben Smith was quick to volunteer when hostilities broke out. Starting as captain in the Lykins County (Kansas) Guards, he goes on to serve in the Missouri State Militia and then in the Fifth Kansas Cavalry. His diary entries during the war years are very interesting. Here we find many examples of the difficult decisions posed by the conduct of a war in the midst of civilians. While the role played by the bushwhackers such as those affiliated with William Quantrill was clear, as was the means of dealing with them, civilians who supported the Confederacy were a different matter. When the war eventually ended, the government would want them to return to the fold and be productive citizens. Thus, even while they were considered to be aiding and abetting the enemy, there were limits to the force that could be used against them. It was common practice to allow the troops to equip themselves with goods they confiscated from the homes and businesses of the citizenry, but only from those determined to be rebel sympathizers. Even then, restraint was advised. In February 1862, as recruiting outpaced supplies, the order came down to “proceed to Big Creek and take all horses belonging to known secessionists and take from avowed enemies blankets and bed quilts sufficient for two to each soldier provided you can do so without distressing any families.” Of course, such a practice was impossible to control and the citizens found it to be an outrage regardless of what restraint the troops may have shown.

Smith’s skills and intellect made a clear impression on his superiors and he was regularly promoted and given a number of important assignments. While he provides a compelling narrative of the larger scale aspects of the Civil War in Missouri, describing troop movements and battles, it is the gnawing specter of continuing guerilla warfare that presents the most danger. His military tenure is fairly short, being mustered out in March 1863, just two years after joining the service. A few months later, he is issued a commission as a second lieutenant and recruiting officer for the Second Regiment of Kansas Colored Volunteers, but he does not appear to have accepted the assignment citing his own poor health and that of his wife. Nonetheless, he is restless, writing, “I am lost. I
do not know what to do with myself, although I have been home a few months. But I have spent a good portion of my time with the troops on the border.” A year passes and, in the autumn of 1864, Smith accepts an assignment to work in western Missouri as a spy to learn what he can about the impending invasion by Sterling Price, a mission he readily undertakes. He is thus pulled back into the war and sees plenty of combat through the Battle of Westport and Price’s flight down the state line and back into Arkansas.

Smith’s diary entries are often sporadic and sometimes weeks of activity are included under a single date. The editor includes historical context throughout and ably bridges gaps in time to present a coherent narrative. Occasionally, some of Smith’s later retrospective writings are inserted at relevant points, but, as discussed above, these are not as illuminating as those entries written in the midst of his experiences. As is generally the case when one is writing about himself, the anecdotes can be a bit self-aggrandizing, with verbatim exchanges recorded in instances where he courageously stood up to authority. Nonetheless, he is clearly a good man, highly principled, and willing to commit the personal sacrifices such dedication demands. The diaries include little personal or family information. We learn of the death of a child, the death of his first wife and a remarriage, but we know from other sources that he fathered 16 children, so there was certainly a hectic and very active home life that passes with little mention.

After the war, Smith pursues a short career in politics, serving in the Kansas legislature, and then accepting an appointment as steward of the first Kansas State Insane Asylum. In 1895, at the age of 63, he travels back to England, where he delivers a number of speeches extolling the virtues of his adopted homeland, and returns home to retirement, dying ten years later, in July 1905. His diaries provide interesting insights into the mid-nineteenth century emigrant experience and, in particular, the complicated and troublesome period surrounding the Civil War in Kansas and Missouri. The historical context included provides the necessary framework without interfering with the flow of Smith’s narrative. Reuben Smith has left us with the record of a life well lived that is certainly worth reading.

STEVEN C. HAACK of Lincoln, Nebraska, is a longtime contributor to *Journal of the West*, and is the author of numerous articles involving the military history of the American West.

Arthur Chapman’s appropriate 1917 poem “Out where the West Begins” sets the theme for Philip F. Anschutz’s pair of volumes that took him 35 years to polish and produce. They augment his art collection. In 2010, Anschutz opened his American Museum of Western Art, exhibiting 600 classics.

“Out where the handclasp’s a little stronger, Out where the smile swells a little longer, That’s where the West begins.”

Wow! What an uplifting book. Denver billionaire Philip F. Anschutz, 78, loves his region. Influenced by Frederick Jackson Turner and Ray Allen Billington, he concentrates on the era from 1800 to 1920, and concludes, “The challenges of the West inspired a culture of new ideas and adaptability that encouraged innovation and experimentation.” Furthermore, “Western conditions cultivated a culture of quality based in skills and leadership, a culture that favored what one could contribute.” (14)

This is the second of two volumes. The shorter first one, featured Profiles, Visions, and Strategies of Early Western Business Leaders (2015). Those honored included Buffalo Bill Cody, Adolph Coors, Fred Harvey, Henry Ford, Levi Strauss, Cyrus McCormick, J. P. Morgan, and Henry Wells and William Fargo. They ennobled their dreams to found new industries. Anschutz affirms that waiting around for something to happen brings nothing. Instead, active men and women follow hopes, ideals, and even fantasies.

With major scholarly journals no longer reviewing biography, Anschutz is refreshing. He honors 103 individuals in 5 categories: “Western Leaders & Policymakers; Reformers & Religious Leaders; Image Makers & Opinion Shapers; Explorers, Soldiers & Stewards; and Western Inventors & Innovators.” Anschutz alternates individual biographies, with groups of three interlocking accounts.

Anschutz culled and mulled the best Western histories and biographies published during the past 60 years, to produce a good read for a nonacademic audience. Wide study, acute analysis, and thoughtful reflection mold these biographies of the men and women who shaped the region that Anschutz holds most dear: The Great American West.

ROBERT J. CHANDLER, 
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IN THE FIELDS OF THE NORTH/EN LOS CAMPOS DEL NORTE, by David Bacon (Oakland: University of California Press, 2016), 450 pp., $34.95 hb.

Without citations, sources, or other accoutrements of scholarship, In the Fields of the North/En los campos del norte is not an academic work. Neither dispassionate nor objective, the book combines text in English and Spanish and photographs to rouse readers against the economic, racial, and social injustices that confront Mexican farmworkers in the United States. To them, this country is the north of the book’s title. Author and photojournalist David Bacon’s three decades of activism deepen In the Fields of the North’s passion and commitment to people exploited for their labor. Such oppression, obvious in the photographs and text, may discomfort Americans who prefer not to know how food gets from plant to plate and who clamor for inexpensive food, thereby hindering
Concerned with the present, the book is not history, though Bacon uses events like the 1933 California cotton strike and the Civil Rights Movement to anchor today’s struggles to the past. The result is a snapshot that sets workers’ current predicaments in the foreground against a vast background of efforts to surmount injustices. Such a picture depicts laborers in midstride as they leave a bleak reality in search of a brighter future. Some faces avert the camera whereas others invite the viewer to probe their thoughts and frustrations. These faces enable In the Fields of the North to confront the Trump era’s racism and xenophobia.

CHRISTOPHER CUMO
Canton, OH

HOW THE WEST WAS DRAWN: Mapping, Indians, and the Construction of the Trans-Mississippi West, by David Bernstein (Lincoln: University of Nebraska Press, 2018), 324 pp., $65.00 hb.

Bernstein [visiting assistant professor of history at Denison University] examines the relationship between Indians and the creation of maps of the trans-Mississippi and argues that Indians were central in that process. Principal to his discussion are the Pawnees, Iowas, and Lakotas. During the nineteenth century these tribes not only battled with one another, they battled French fur traders, Spanish merchants, and an ever-expanding United States that was pushing its boundaries Westward. The book is divided into three sections. Section one, “Living in Indian Country” surveys the Pawnees and the 1833 treaty they signed with the United States that ceded a million acres of land, how the United States failed to live-up to the terms of the treaty, and the Pawnees’ need for protection from Lakota tribes. “The Rise and Fall of ‘Indian Country,’” section two, examines discussion by United States’ political and military leaders to create a permanent, protected area for indigenous peoples. Section three, “Reclaiming Indian Country” looks at the mapping of the American West and the impact of government’s treaties on the homelands for the tribes. Bernstein posits that the mapping was a geopolitical process and that the Native Americans, who had a great sense of locations, were a part of American state building and should be rightly studied and acknowledged. All sides in the story were experiencing change and upheaval and lines drawn on the maps reflected those conversions.

Using an interdisciplinary approach, Bernstein offers an intriguing view of the relationship between Indians and the nineteenth-century American state. Black and white maps are scattered throughout the book and there are extensive citations. This volume will appeal to geographers as well as historians.

PATRICIA ANN OWENS
Lawrenceville, IL

INLAND SHIFT: Race, Space, and Capital in Southern California, by Juan D. De Lara (Berkeley: University of California Press, 2018), 225 pp., $29.95 pb.

Inland Shift provides an in-depth examination of the dramatic economic and social changes that affected Southern California since the 1980s. De Lara restricts the definition of Southern California to San Bernardino and Riverside Counties. With the greatly increasing amount of imported products entering the San Pedro–Long Beach harbor complex, distribution challenges were met by businesses planning the construction of huge warehouses in those counties. Residents of these largely rural counties with a dominant white population that had moved there to escape the high prices of homes in Los Angeles and Orange Counties, expressed concern over the impact such warehouses would have on traffic and population increase, especially as new residents would include Latino and African Americans who would be accepting low-wage jobs. Warehouse proponents promised there would be thousands of jobs; the reality turned out to be hundreds of low-wage, unskilled workers.

De Lara offers a dense reading that includes numerous quoted comments from scholars and academics; the frequent use of acronyms, many of them for organizations that are not familiar, should suggest that readers take notes when the organization and its acronym are first mentioned. He also employs academic jargon such as “precarity”—a word not found in two dictionaries I examined, though it might be the noun...
version of “precarious.” However, eighteen pages of bibliography and numerous endnotes, tables, and charts testify to the depth of De Lara’s research. Getting past the jargon, readers will find his indictment of major corporations inflicting controversial social and economic change in rural counties to be a compelling argument.

ABRAHAM HOFFMAN, Department of History
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A brief but ambitious introduction, Great Plains Geology attempts to define the region, trace its geological history, and describe 57 locations worth visiting. These aims equip the book to attract multiple audiences, though the author concedes that readers should have some scientific background. This requirement stems from the book’s brevity; Diffendal lacks space to explain every particular for someone unfamiliar with the basics of geology, climatology, hydrology, and biology.

Nowhere is the need for scientific understanding more apparent than in the relationship among text, maps, and charts, none of which yields all its insights without the others. Readers must integrate information from them and from their own scientific grounding to understand Great Plains Geology. For example, Diffendal refers throughout the book to the U.S. Geological Survey’s time scale, which appears between the acknowledgments and introduction. The most intuitive presentation of this vast chronology would be as a single horizontal or vertical chart, depending on whether time’s progression is viewed from left to right or bottom to top respectively. But Diffendal divides the time scale—which must be read from bottom to top and counterintuitively from right to left—relying on readers’ familiarity with biology and geology to grasp that the second part begins with life’s origin even though this event is unstated. Such requirements suggest that general readers and specialists in the arts and humanities might not benefit most from this book.

CHRISTOPHER CUMO
Canton, OH


We are so accustomed today to advertising and promotional materials bombarding our senses from all sides that we just assume that it has always been that way. Joe Dobrow in Pioneers of Promotion, traces the origins and development of today’s techniques in the latter part of the nineteenth century, principally with the Barnum and Bailey Circus, the Buffalo Bill Wild West Show, and the 1893 World’s Columbian Exposition in Chicago. He also traces the simultaneous development of the shows themselves, so that we see the interaction and co-development of the shows with the publicity and advertising that made them possible. We meet several of these pioneers of promotion who are largely forgotten today and learn how they lived and operated in the fast-paced world of international shows.

Dobrow distinguishes between advertising and publicity. The former takes the form of classified ads, paid for by displays, distributing large posters over a wide geographic area in advance of a show’s coming to town, and other related, exciting activities. The latter takes the form of press releases and news articles written by reporters who were invited to attend a performance and publish as news articles about what they experienced. These publicity people also created exciting names and myths for the shows and received testimonials from numerous famous people. The comprehensiveness of Joe Dobrow’s Pioneers of Promotion, makes for an interesting read on an exciting time that most of us today know little about.

CHRISTOPHER BANNER,
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America’s rivers have had many different uses over the years since colonial days. Martin Doyle examines them and the reasons for them. The book’s subtitle

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BOOKS FOR THE WESTERN LIBRARY
explains what the book is all about: The rivers made settlements, industry, trade, navigation, and other things possible. As our attitudes toward the purpose of rivers changed, water usage and its associated technologies changed as well. As a consequence, over time, we remade our rivers to meet these needs.

Who owns the rivers and, especially, the water in them? The answers to these questions are different in the West than the East. Who controls things from a legal point of view? The person living on the river bank? The person putting in a dam, factory, settlement, or other improvements? Some local governmental body? The state? Congress? The president? The Supreme Court? The Army Corps of Engineers?

Doyle writes a lot of narrative on the Mississippi, Ohio, and Missouri Rivers’ flooding. Are levees the best way to control it? If so, who designs? Who builds? Who maintains? Who pays? The answers have changed since the first levees were built before the Civil War. He also writes chapters on the Southwestern states that had a good deal of difficulty deciding which state got how much of the Colorado River’s water.

The latest trend is to return to the distant past, to restore rivers to what we think they were before men went in and straightened, channelized, and otherwise modified them. Lots of questions come up there, too. Martin Doyle makes human and interesting what could have been very dry reading by introducing various individuals and telling their stories. *The Source* is a good read.

CHRISTOPHER BANNER,
Emeritus Senior Specialist in Music
Kansas State University, Manhattan, KS


Philip Dray’s ambitious work, *The Fair Chase*, examines the history of hunting from the nation’s earliest days to the present. Dray expertly navigates all sides of the hunting debate, convincingly expressing views of advocates and critics, while remaining objective and thoughtful on differing perspectives in the debate.

Themes that run throughout Dray’s examination of the evolution of hunting include the impact of technology, artistic and literary expressions of the sport, changing views of race, class, and gender through participation in hunting, and thoughtfully rendered discussions of ethics and philosophy. These elements give the volume an academic feel and are key contributions to our understanding of hunting in America. Dray’s fluid writing style, storytelling, and coverage of the colorful cast of characters throughout the history of hunting in America make the work engaging and accessible to a general audience as well.

While focusing on the evolution of hunting in America, Dray’s coverage extends beyond national borders to examine the sport’s roots in British culture and the complicated extension of America’s hunting ethos abroad, most notably with big game hunting in Africa in the days of Roosevelt and Hemingway as well as present debates over trophy hunting.

Dray succeeds in this work through his keen ability to show all sides of the issue. Readers will benefit from his evenhanded presentation, the rich context he provides for each period of hunting’s development, and his philosophical reflections on what hunting reveals about Americans’ views of themselves and the nation.

MARK T. JOHNSON, Department of History
University of Notre Dame, Notre Dame, IN

THE INTEGRATION OF THE PACIFIC COAST LEAGUE: Race and Baseball on the West Coast, by Amy Essington (University of Nebraska Press, 2018), 161 pp., $19.95 pb.

Between 1948 and 1952 the Pacific Coast League, the provider of talented baseball players for Major League Baseball, went from all-white segregated to integrated teams that included African Americans, Latinos, and some Asian and Native Americans. Amy Essington traces this story from racism to often grudging acceptance, exploring not only the Pacific Coast League but how Major League Baseball was first organized in the late-nineteenth century, how players of color were excluded, and the careers of talented players who went from the Negro League into the PCL farm and major league teams through their talent and perseverance.

Essington moves well beyond her basic narrative to regale readers with fascinating information on the numerous minor league teams, leagues in other countries such as Mexico and Cuba, and above all, the
stories of John Richey, Frank Austin, Artie Wilson, and other star players who had to deal with bigotry and discrimination in their careers. This is a book that will appeal not only to scholars for its extensive research, but also to baseball fans who will marvel at the numerous minor league teams and their colorful names, rungs on the ladder to the major leagues. Readers will also learn that Jackie Robinson and Dodgers owner Branch Rickey, though pioneers in ending segregation in major league baseball, were part of a larger effort to end the discrimination that included players less well known.

ABRAHAM HOFFMAN, *Department of History*
*Los Angeles Valley College, Valley Glen, CA*


Different cultures and subcultures have their folk heroes, some real, some mythical. They explain the world as well as embody the hopes and aspirations of those who tell, hear, or read about them. Examples of real people who became folk heroes include Johnny (Chapman) Appleseed (apple orchards), Davey Crockett (frontier skills), and John Henry (railroad building). Examples of mythicals include Paul Bunyan (lumbering), John Buck (sailors), Joe Magarac (steel production), Kemp Morgan (Oklahoma oil fields), and Finn MacCool (dug the Grand Canyon).

According to one of the Johnny Kaw tales, because farmers are modest and do not care to brag, the wheat farmers of the plains and prairie did not develop a folk hero. In 1955, George A. Filinger, a professor of horticulture at KSU, and Elmer J. Tomash, a professor of art at KSU, teamed up to create one whom they named Johnny Kaw, wheat farmer, which The *Manhattan Mercury* published. The occasion was the celebration of the centennial of the founding of Manhattan. Stories were short and topics varied, including such things as how his family, the U.S. Kawmandokansan, came to Kansas in the first place; the creation of Bluemont Hill and Wauconda Springs; the origin of the Wildcats and the Jayhawks; and many, many others.

After the original series was published in 1955, Filinger and Tomash continued to create tales and drawings, and the total collection was published in 1966. Also in 1966, Tomash created a model statue of Johnny Kaw which was copied much larger in Manhattan City Park. Recently The Friends of Johnny Kaw proposed building a plaza in front of the statue. On November 9, *The Manhattan Mercury* published a front-page article saying that construction was to begin within 60 days and would be finished in 60 days, weather permitting.

Proceeds from the sale of *The Story of Johnny Kaw* will go to help to pay for it, so send your order and $10 to Friends of Johnny Kaw, 131A Westloop Place, PMB #153, Manhattan, KS 66502. Buy two copies, one for you and one for a friend. For a good time, read *The Story of Johnny Kaw*.

CHRISTOPHER BANNER, *Emeritus Senior Specialist in Music*
*Kansas State University, Manhattan, KS*


Renowned artist Albert Bierstadt (1830–1902) is remembered for his landscape paintings of the American West but he was also a painter of Native Americans and wildlife. This volume chronicles his efforts to draw attention to a vanishing and changing ecosystem in America’s West: the destruction of bison and its impact on the lives of Plains Indians.

The book is divided into five sections each written by noted art scholars and historians. Laura F. Fry examines Bierstadt’s career, Peter H. Hassrick discusses Bierstadt’s life during a time of change in the American West, Emily C. Burns and Melissa W. Speidel present essays on the reception of Bierstadt’s works and his influence as an animal painter, and Dan L. Flores explores the land of the Western Plains and attempts to preserve and conserve that land and its inhabitants during the years of Bierstadt’s career.

As the companion book to a major Bierstadt exhibition, this volume and the artwork gathered and displayed in the showcase focus on his two final masterpieces, *The Last of the Buffalo*. The essayists recount Bierstadt’s evolution as an artist and focus on the art critics, his contemporaries and those of today, who find fault in his presentation and question his
integrity in presenting a true image of the landscape, the native peoples and the animals. A complex man, Bierstadt’s art endures and his paintings tell a story that continues to speak to viewers of his works. This volume is filled with photographs and illustrations and is a must-have for anyone who treasures painters of the American West.

PATRICIA ANN OWENS
Lawrenceville, IL

THE SAGA OF CHIEF JOSEPH, revised ed., by Helen Addison Howard (Lincoln: University of Nebraska Press), 328 pp., $20.00 pb.

The Nez Perce Indian tribe was spread over southeastern Washington, northeastern Oregon, and Idaho, and went buffalo hunting seasonally in western Montana. In the latter nineteenth century, they had five bands, each with its own chiefs. The Josephs, father and son, were the heads of one of them. The Saga of Chief Joseph is not just a biography. It is in four parts: Early history, treaty history, history of the military campaign of 1877, and the later history that tells of young Joseph and his efforts to make life better for his captive people.

It looks at the larger issues of Indian-white relations including the white land grab, putting the Indians on reservations, government treatment of the surrendered Indians including American nonobservance of treaty obligations, and massacres by both Whites and Indians. Having to live on a reservation meant becoming farmers and ranchers, a profound change from the hunting and gathering life that they were used to. Reservation life was an uncertain one because the whites attempted, often successfully, to take even that small amount of treaty land away from them. Their attempt to gain freedom and governmental respect by moving to Canada was a bloody failure and of their initial 800, only 418 were left alive when it was over.

Joseph’s surrender speech is probably his best-known utterance. It says, in part: “I am tired of fighting. Our chiefs are killed. . . . The old men are all dead. . . . Hear me, my chiefs. I am tired; my heart is sick and sad. From where the sun now stands, I will fight no more forever” (280).

Howard says, “In the last analysis the real test of greatness is how an individual bears defeat. Joseph acquitted himself well in his darkest hour—a hero with moral courage.” (282)

CHRISTOPHER BANNER,
Emeritus Senior Specialist in Music
Kansas State University, Manhattan, KS


Today Oklahoma is one of the more conservative states, but in her study of student activism and the counterculture during the 1960s, historian Sarah Eppler Janda reminds readers that such was not always the case. Janda, professor of history at Cameron University in Lawton, Oklahoma and the daughter of Oklahoma hippies, observes that Oklahoma radicals in the 1960s had a rich history on which to draw with the legacy of Woody Guthrie as well as a powerful Socialist Party before the First World War. And the radicals of the 1960s were well aware of this legacy with members of the University of Oklahoma Students for a Democratic Society (SDS) chapter publishing an underground newspaper, The Jones Family’s Grandchildren. The name was based on the 1917 Green Corn Rebellion, in which members of an Oklahoma farming family were arrested for sedition when they attempted to organize a march on Washington to protest conscription and American entrance into World War I.

In her readable account, Janda employs a variety of sources, including underground newspapers, university and government archives, letters criticizing student activism, and oral history interviews with members of her family. Janda argues that student radicals and hippies in Oklahoma were tolerant of one another and united by the search for a sense of authenticity which they found missing in their parents’ generation. Much of the narrative focuses on political unrest at the state’s two largest universities, Oklahoma State University in Stillwater and the University of Oklahoma in Norman.

Janda acknowledges that campus activism in Oklahoma was rather mild in contrast with student radicalism on the coasts and even among SDS chapters in states such as Texas that extolled what was termed
prairie power. Nevertheless, the existence of SDS chapters on the state’s two largest universities drew the ire of politicians and citizens who perceived antiiwar protesters and countercultural symbols such as long hair as examples of communist infiltration. At Oklahoma State, university president Robert B. Kamm tolerated little dissent, forbidding professors from engaging in demonstrations and banning controversial speakers. Under the leadership of presidents George Lynn Cross and J. Herbert Hollomon, the University of Oklahoma pursued a more liberal policy that was opposed by Governor Dewey Bartlett who formed the Office of Interagency Coordination to spy on students and citizens suspected of harboring racial views, surveillance activities that were encouraged by the FBI. Drug busts were also used by authorities to discredit the political ideas of student radicals.

Serious violence was averted at the University of Oklahoma during demonstrations following the invasion of Cambodia and killings at Kent State University. While the governor wanted to dispatch the National Guard to campus, Janda credits student leaders along with university administration and police with averting bloodshed. Confronted by suppression, activists and hippies seemed to retreat from the public arena, pursuing personal agendas of spiritual growth and living in harmony with nature, but as Janda well demonstrates—although she tends to ignore the history of black and Native protest—there remains a rich tradition of insurgency on which Oklahomans in the future might draw.

RON BRILEY, Sandia Preparatory School
Albuquerque, NM


This anthology consists of fifteen articles, plus an introduction by the editor, that demonstrates the influence of Latin American music not only on Los Angeles, as mentioned in the subtitle, but American society in general. The articles range from academic analysis to poetry. “Latin America” includes contributions to the musical scene from Mexico, Brazil, Cuba, Peru, and other nations south of the border and in the Caribbean. The authors describe numerous contributions to the Latino music genre, as well as the songs they composed and the impact this music has had in the area of popular music. The broad scope of the article/chapters takes in its international flavor—sometimes sanitized for non-Latino consumption—and the presence of Latino music in motion pictures.

Among the article/chapters are topics such as Mexican musical theater in Los Angeles, the incredible impact of Carmen Miranda on movies in the 1930s–1940s, Latin music at the Hollywood Bowl, Disney’s Saludos Amigos film, interviews with session musicians (often little known but seemingly ever present for studio recordings), and the ongoing influence of Brazil in popular music. Readers will also be delighted to find that YouTube has many of the songs mentioned in the book, so one gets to listen as well as read about them. The book is also enhanced by numerous illustrations and photographs, many in color.

ABRAHAM HOFFMAN, Department of History
Los Angeles Valley College, Valley Glen, CA


Complexity in a Ditch is a collection of previously published essays by the late Hugh T. Lovin (1928–2014), professor of history at Boise State University from 1966 to 1993. The essays themselves were originally published between 1978 and 2002 in various journals and are currently available online. The nine essays are grouped into three parts. The first part is entitled “Promoting and Settling the Irrigation Frontier,” and includes Professor Lovin’s seminal essay “Dreamers, Schemers, and Doers of Idaho Irrigation” (2002). The second part is entitled, “Irrigation Politics and Policy,” and focuses mostly on the Carey Act in Idaho. The third part generally deals with the successes or failures specific projects such as the Twin Falls North Side Tract and the King Hills Tract.

Adam M. Sowards, in his introduction, correctly refers to the book as “a body of work that stands up to the test of time” (11), and Complexity in a Ditch is a fitting tribute to Professor Lovin’s life’s work.
Professor Lovin’s authority as a researcher and historian of the American West, and of Idaho in particular, is undeniable and having some of his “greatest hits” in one place is certainly convenient, but there is nothing new here.

RICHARD MCFARLANE
Orange, CA

BANANA COWBOYS: The United Fruit Company and the Culture of Corporate Colonialism, by James W. Martin (Albuquerque: University of New Mexico Press, 2018), 252 pp., $65.00 hb.

The title derives from a self-description by some United Fruit (UFC) white collar workers as herders of bananas on the wild and woolly banana frontier of Central America in the early-twentieth century. James W. Martin presents a study not of herders but cowboys and Indians. Cowboys are the principal players in this academic history arranged topically rather than chronologically. West Indian workers and indigenous Mayan-descended laborers are part of the hostile environment confronting white American tools of imperialism.

The case of United Fruit in Central America might be seen as analogous to either the slave/plantation American South or the broader European colonialism, Martin casts the cowboy-Indian adventure as an extension of the American frontier experience, an intrusion of civilization into a wilderness. Perhaps the 7th Cavalry rather than the settlers’ frontier is appropriate, given the wire-protected compounds with their American style amenities and the medical measures against tropical disease and indigenous immorality and decadence, and the ever-shifting frontier as disease and decline made one plantation unprofitable and the virgin wilderness down the broken path ripe for exploitation. The first quarter of the twentieth century was after all notable for its scientific racism, even in the archaeological and anthropological ventures as well as the tourism to primitive areas that were part of the UFCO experience.

Photos are abundant, and the scholarly apparatus is solid but not enough to deter the average fan of frontier studies.

JOHN H. BARNHILL
Houston, TX


The establishment of the California missions by Spain began the recorded history of the settlement of California by Europeans. This book is a guidebook of those 21 missions, with many interesting facts about each.

The book begins with a discussion of the overall history of the missions, with the first one established at San Diego in 1769. The author, David McLaughlin states that the “missions were key to the overall success of the expeditionary venture. The grand strategy for the colonization of Alta California was to develop a chain of settlements along the coast from San Diego to Monterey.” The rich history with the failures, struggles, and then expansion, growth, and wealth of the missions up to Mexican independence are detailed. What follows is a discussion of each individual mission, with many interesting facts about each one. Surprisingly, many of the missions are not on their original site—missions would relocate for a variety of reasons.

The book concludes with the secularization of the missions by the Mexican government in the 1830s. The United States gained sovereignty over California with the Treaty of Guadalupe Hidalgo in 1848. In 1853, the Catholic Church petitioned the U.S. government to repatriate the missions, and presidential proclamations repatriated most church buildings and a small amount of land in the 1850s and 1860s. This book is an excellent overview of the California missions and their role in the history of the state from 1769 to the present day and is highly recommended. A modern map would have helped to place the missions in their current locations.

MICHAEL MABEN, Jerome Hall Law Library
Indiana University, Bloomington, IN

WAR IN EAST TEXAS: Regulators vs. Moderators, by Bill O’Neal (Denton: University of North Texas Press, 2018), 206 pp., $18.95 pb.

Previously published in 2006 by Best of East Texas Publishers, the study is now more widely available.
thanks to the University of North Texas Press’ decision to re-release a well put together history by Bill O’Neal, State Historian of Texas and author of more than 30 works. The war in question is the Shelby County War, a multicounty feud between vigilantes, the regulators, and corrupt local officials, the moderators, over a period of years during Texas independence. East Texas at the time was near frontier with a history during the Mexican era as no man’s land, the circumstance that allowed the rise of corrupt government.

The “war” took nearly three dozen lives over four years as both sides organized militias, armed gangs with no compunction about assassination and lynchings and kangaroo courts. And family ties led the gang activity toward blood feud in the style of the more famous Hatfields and McCoys and the Earps and Clantons, neither of which had the level of violence and lawlessness or the duration of the Shelby County War. Eventually a show of force by President Sam Houston and generalized fatigue as well as the movement of the frontier West brought the war to an end.

The study is well illustrated and solidly documented, and it is a valuable addition to the study of rough justice in the broader field of American history as well as a bringing to light of a forgotten episode in Texas history.

JOHN H. BARNHILL
Houston, TX


Charles Tannehill is a longtime Manhattan, Kansas, resident. I interviewed him about his recent book “An Early History of the Manhattan Fire Department.” Here is some of what he had to say, edited for length.

Chris Banner: How long were you a firefighter in Manhattan?
Chuck Tannehill: I began my career as a firefighter with the Manhattan Fire Department in 1974 and retired as operations chief in 2001.

CB: Manhattan was founded in 1855. What did Manhattan do for fire protection before 1871?

CT: It was just what you would see in old Wests. They formed bucket brigades and used water from wells and cisterns.

CB: What made you write this history and how long did it take you?
CT: A number of years ago, I was asked by a member of the department to help with what I thought at the time was a little handout for an open house. I started to do more research and found many articles of interest about the early department. It took off from there.

Estimating all the time I worked to get to the point where I was able to publish a history of the department that was as accurate as I could was about three years off and on. Writing for public comment is humbling as mistakes and errors are pointed out. I went through at least 20 revisions. I am not sure I could find the energy to do another.

CB: Your book tells of the various fire chiefs and firemen; of the changes in equipment from people drawing fire engines and then pumping by hand through horse drawn fire engines to the fire trucks like we have today; of government involvement in the running of the department; and several other things. What would you like the reader to take away from reading your book?

CT: The early residents were connected to each other through many social and community activities. I hope people will come away from the book with an appreciation of the dedication and efforts of the early residents of Manhattan who believed in Manhattan’s future and believed in helping their neighbors.

CB: Thanks for your book and your time.
CT: Glad to do it.

Copies available from The Riley County Historical Museum, 2309 Claffin Rd., Manhattan, KS 66502, and at The Riley County Genealogical Society, 2005 Claffin Rd., Manhattan, KS 66502

CHRISTOPHER BANNER,
Emeritus Senior Specialist in Music
Kansas State University, Manhattan, KS

CHARLES M. RUSSELL: The Women in His Life and Art, by Joan Carpenter Troccoli, ed. (Great Falls, MT: Charles M. Russell Museum, 2018), 175 pp., $39.95 hb.
Troccoli notes that by the early-twentieth century, Western artist Charles M. Russell was fully devoted to “The West That Has Passed.” (23) His well-known and much beloved artwork portrays that era including Native Americans, Lewis and Clark, cowboys, cows and horses. Like most histories of the Western frontier, Russell seldom included women in his majestic art. But women were a vital part of the day-to-day life on the frontier and can be found in Russell paintings and this catalogue highlights those.

The catalyst for this exhibition was an essay written in 1984 by Ginger K. Renner addressing Russell’s depiction of women. Researchers and art historians have brought together art to illustrate Renner’s thesis. This volume is filled with color and black and white illustrations and essays that examine the theme. Brian Dippie provides an introduction, Joan Carper Troccoli provides an overview of the exhibit, Jennifer Bottomly-O’Looney and Thomas A. Petrie focus on real-life women, including his wife, Nancy, who were important to his success and Emily Crawford Wilson explores the feminine form in nineteenth- and early twentieth-century art.

This volume, and the exhibit, extend our understanding and appreciation of Charles Russell and his art. All fans of his work will want to add this book to their libraries.

PATRICIA ANN OWENS
Lawrenceville, IL
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