

THE HORSE SEPARATORS:  
CONFLICT, CRIME, AND THE MAKING OF THE MIDWEST, 1854 – 1917

by

Matthew Lockett

Ph.D. Student, Department of History, UCLA

Dissertation Prospectus

Draft Updated January 19, 2011

Tennessee: "We're what you might call 'cattle separators.'"

Dan Thomas: "What?"

Tennessee: "Don't you savvy? We separate the cattle from the owners."

-- From the film *Texas* (1941)

## **Introduction**

This dissertation will investigate horse stealing in the Midwest during the late-nineteenth century, compare the phenomenon's causes and effects in both ranching and farming communities, and explore the various ways in which authorities and citizens alike mobilized against the threat of horse stealing.

Horses were a vital part of the social, economic, and cultural fabric of the late-nineteenth century Midwest. Geographically vast and sparsely populated but for a few major cities connected by a far-flung transportation network of rivers and railroads, the Midwest posed a special set of challenges for travelers, farmers, merchants, and others who needed to traverse the region's deceptively difficult terrain, treacherous streams, and wide-open spaces. Horses gave residents of the Midwest the ability to travel long distances, plow their fields, generate power, and make war. They could be used as an investment commodity or even as food. Horses were valuable and very useful to their owners or operators, and the horse economy connected the needs of the cattle king and the Lakota hunter on the high plains with the small-land owner and tenant farmer in Missouri.

Thus, given the horse's pervasive importance, horse theft was a serious crime by late nineteenth-century standards. Thieves might have needed horses for subsistence, transport, or money, while many Indians traded and bred stolen horses as tribes had to move farther and more

quickly in search of game. Meanwhile, horse owners faced a serious loss of their livelihood, the loss of an investment, or a long walk home, while government agents and agencies, often with their own horses to protect, attempted to curb horse theft in order to preserve the peace and guarantee property rights. During the give and take of horse stealing, thieves, victims, and government agents alike all searched for effective ways to protect their own interests, often finding creative ways to subvert or subdue their opponents in the process. This dissertation attempts to understand horse theft, and the actors involved in the activity of horse theft, as a phenomenon that challenges current understandings of property crime, vigilantism, and Midwestern regional identity.

Specifically, this study will attempt to answer several questions: who stole or took horses without permission, and why; what economic processes drove, inhibited, or exacerbated horse theft, and horse ownership in general; how did law enforcement agencies and other arms of official authority respond to horse theft; and how did the victims themselves react – did they rely on the state to capture their horses, or did they take measures into their own hands? This is largely a story about horses, their owners, and the people who wanted those horses badly enough to steal them. Thus, this narrative will attempt to provide a voice for suspected thieves by studying them along with the victims of horse theft and the law enforcement officials charged with pursuing them.

While this is a story about several different groups of people and an animal, it is also a story about the Midwest. The late-nineteenth century was an especially violent period in American history, particularly in the South and famously in the West. The Northeast suffered from a succession of labor crises, as did Chicago, while lynching and Jim Crow violence across the South divided that region along racial lines. In the West, meanwhile, homesteaders, cowboys,

and other civilizers fought Indians and criminals in a land where whites and the white man's law did not reign unchallenged. These conflicts characterized and helped shape each region's subsequent history, dividing whites from blacks in the South, separating capital from labor in the East, and setting homesteaders apart from wild men in each respective region. Yet where is the Midwest in this historical memory of late-nineteenth century violence?

I will argue that horse theft and horse raiding as a mass phenomenon, beginning with the Plains Indian Wars and the Civil War, and culminating with the rise of organized gangs of horse thieves and the rising price of horse flesh in the 1880s and 1890s, actually presented the Midwest with a major violent conflict of its own. Horse theft and other property crimes committed on a mass scale presented small farmers with a severe crisis, especially in Missouri, which threatened the very existence of yeoman farming if it were to continue. When coupled with the economic, political, and social problems that led to the Populist movement, horse theft was one of many obstacles facing the Midwestern farmer during the late 1800s. However, horse theft provided farmers in the Midwest with a rallying point, and anti-horse thief associations provided them with a means of asserting control over their collective destiny and an opportunity for community building. Meanwhile, in the west, horse theft was used as a means of dividing honest men from criminals, and in this way the crime became the prototypical crime of the old west. Both of these themes – home protection as the best medicine against crime and the horse thief as an arch-villain – profoundly influenced Midwestern culture in the twentieth century.

My research will focus on two counties that are located about five hundred miles from one another in two different states, but which both exemplify in various ways both the dangers of horse theft and of the people charged with ending it. Clark County, Missouri, is located on the northeast corner of the state, adjacent to the confluence of the Des Moines and Mississippi

Rivers [**Figure 1**]. Across the wide and deceptively deep Des Moines River lies the state of Iowa, as well as Keokuk, the largest city in the area. Illinois sits across the slow-moving Mississippi, which continued its gradual descent towards St. Louis across dissected till plains. Few bluffs can be found along the Mississippi on this stretch, thus making the river easier to cross here than in Hannibal or Davenport. The county itself is mostly level, with rolling hills and hardwood forests. The land itself was perfect for yeoman agriculture: farmers could buy just a few acres and raise enough corn to both feed their family and fatten their stock for sale on the market. But this environment also proved to be auspicious for potential horse thieves, who could steal one or two of the best saddle horses on a farm and then quickly cross into a new jurisdiction by fording the Des Moines River towards Iowa or floating their cargo across the Mississippi into Illinois. As we will see, these factors explain why Clark County was the epicenter of the anti-horse thief association movement of the late nineteenth century. Local farmer David McKee established the first lodge of a regional Anti-Horse Thief Association fraternal organization in Luray, just a few miles south of the Des Moines River. This organization grew rapidly across several states, and by 1900 this order would claim over 50,000 members.

Meanwhile, Lincoln County lies at the southern edge of Nebraska's Sand Hills region, an area of tall grasses and coarse, sandy soil that renders it excellent for grazing animals, if little else [**Figure 2**]. Several ranchers, such as John Bratt, were able to create large operations there. The county seat, North Platte, is situated at the confluence of the North and South Platte Rivers, and is a major depot for the Union-Pacific Railroad. It is also just to the east of Ogallala, a town in neighboring Keith County that was known as a major stop along the Western Trail. Texan ranchers used the trail to drive herds north into the Plains. Thus, in spite of its agricultural disadvantages, the county lay at the crossroads of several east-west trails, three major rivers, and

the nation's first transcontinental railroad. But the region was also the crossroads of conflict: Indian raiders and horse thieves frequented the region, dipping into Bratt's and other ranchers' horse stables for dozens of horses at a time. The most famous horse thief of them all, Doc Middleton, allegedly stole as many as two thousand horses from Indians and ranchers alike, many of which came from Lincoln County. Like McKee, Middleton was a product of his environment – Lincoln County was a potentially lucrative place to steal horses for Indians and white bandits alike, because the ranchers had to own hundreds of them in order to maintain their operations.

I believe that this comparative approach towards Clark and Lincoln Counties will demonstrate that the Civil War in Missouri and the Plains Indian wars in Nebraska militarized local responses to horse theft. The crisis presented by horse theft in Nebraska died along with the destruction of the Plains horse cultures and the end of widespread raiding. Horse theft remained a problem in Missouri, however, which grew more severe as the region's farmers faced a mounting debt crisis and experienced an overall sense of regional malaise. As a result, people in Nebraska and Missouri experienced horse theft differently, and consequently they would deal with it in wildly divergent ways. In Nebraska, military responses to horse theft during the Plains War influenced the ways in which ranchers interpreted future theft, which was much smaller in scale and usually carried out by people close to the ranchers themselves. Meanwhile, in Missouri, the large scale of horse theft and the crippling financial toll that it took on Midwestern farmers helped bring horse owners closer together, by forcing farmers to work with their neighbors to prevent horse theft.

Horse theft and the various responses to horse theft may have played a major role in the Midwest's political, cultural, and social development. For one, the quiet legacy of extralegal

resistance to horse theft might have contributed to modern-day attitudes toward home defense and gun control, in spite of the near ubiquity of twenty-first century law enforcement. I will demonstrate that homesteaders and yeoman farmers depended on horses in order to survive, but that they lacked the capital to buy new ones should one of their few horses go missing. Moreover, the Populist movement's failure has led many historians to believe that the region's fortunes were shattered after the election of 1896, but Midwestern regional triumphalism up through the 1920s suggests otherwise: that Midwesterners were proud of their heritage, and that their role in combating the gangs of horse thieves that once ravaged their lands was a part of that tradition. Finally, the hidden history of anti-horse thief associations and the sensationalized mythology of western violence have resulted in a distorted image of the horse thief as an incorrigible villain. However, as this project will show, there was no "typical" horse thief – the classification defies gender, ethnic, and racial categories. If anything, most horse thieves stole horses out of exigency. Therefore, this study is about the invisible majority of horse thieves who stole horses because they desperately needed them, and the silent majority of horse owners who secretly pursued horse thieves because they desperately needed to hold on to their horses.

### **The Historiography of Horse Theft**

Historians have not paid enough attention to horse theft as an activity, or to the economics of horse usage and the horse theft economy. Historian and rancher Warren Elofson is one of the rare exceptions – his experience as a cattle rancher in Canada and his scholarship on the history of cattle ranching in the Great Plains inform one another, and give him first-hand knowledge of the hazards of raising horses. In one article, Elofson questions the assumption

made by many historians that ranching declined in the Great Plains area because of the harsh winters of 1886-87 and 1906-07. Rather, he attributes failed horse ranches and other losses to more frequent bouts of harsh weather, predator loss, and ranchers' inability to adapt to the harsh Canadian climate. Sometimes, losses were so severe that one Canadian rancher recorded a 50% herd loss. Elofson's work on ranching provides the context necessary to imagine the upper Midwest or Canadian horse ranch's battles against not only horse thieves, but nature. Of course, horse thieves would have exacerbated the effects of nature, and could have been more easily preventable than a surprise snow storm or a hungry wolf at night.<sup>1</sup>

Horse thieves, harsh winters, and predators were just a few of the many possible dangers facing livestock on the range. In fact, with so many factors contributing to cattle and horse loss, historians have had no shortage of topics to discuss. The economic pressures of ranching on the high plains have been longstanding characteristics of life on the range. According to historian Patricia Nelson Limerick, ranchers quickly depleted the Great Plains' ecological resources, replacing the natural grasses of the region with povertyweed, anthills, mud, and manure. A mass die-off of cattle in 1887 forced cattlemen to seek help from state and federal authorities. Yet in *Legacy of Conquest*, which is otherwise well-known for its repudiation of the Turnerian interpretation of the American West, Limerick tells the story of a West beset with problems from the very beginning: aridity, scarce resources, throngs of profiteers, and an endless boom-and-bust cycle of economic enterprises ranging from the 1849 Gold Rush to the more recent drop in microchip prices that affected Silicon Valley in the late-twentieth century. Written in the late 1980s, the book seems oddly prescient now with the recent collapse of the real estate market and

---

<sup>1</sup> See Warren Elofson, "An Exceedingly Dicey Business: Frontier Horse Ranching on the Northern Great Plains," *Agricultural History* 79 (2005), 462, 466 – 467.

an even-more recent Silicon Valley failing, the bursting of the Dot-Com bubble. In this context, cattle ranchers, farmers, and others who attempted to weather the hardscrabble Western economy would have been conscious of the additional dangers posed by cattle rustlers and thieves.<sup>2</sup>

These additional dangers posed a grave threat to farmers and ranchers. One reason why horse owners were so concerned over their property was that the capital value of a well-trained, broken-in, healthy horse was quite high: good horses cost money to buy or breed and a great deal of time to train during a period when the value of the greenback steadily rose and railroads charged increasingly exorbitant rates for shipping. Horses were one of the most valuable things that a farmer could own, and their importance in providing horsepower and transportation made them all the more invaluable to a farmer's ability to operate a farm. Thus, as the quality and value of horses appreciated over time with training, the horse owner's financial ability to replace it declined. In this context, horse theft threatened the farmers' very livelihood by robbing them of a highly valuable asset and removing from their farms a vital component of their operations. With or without the help of the law, farmers had a lot to lose from a horse theft.

Yet the horse's importance may not be so easily quantified. Horses were often seen as pets, or perhaps even as members of the family. In his ranching memoir, the brash and hyper-masculine Theodore Roosevelt waxed nostalgic about his horse, Manitou, who was "very fond of bread and [would] sometimes [come] up of his own accord to the ranch house and [put] his head into the door to beg for it." Even workers who used mules in the Colorado coal mines as

---

<sup>2</sup> Patricia Nelson Limerick, *The Legacy of Conquest: the Unbroken Past of the American West* (New York: W.W. Norton and Co., 1987), 134 – 159. For a more recent discussion of the rhetorical and political history of the contest between ranchers and the federal government, see Karen R. Merrill, *Public Lands and Political Meaning: Ranches, the Government, and the Property between Them* (Berkeley, Cal.: University of California Press, 2002).

surrogate canaries grew affectionate towards their stock.<sup>3</sup> Other men associated their horses with their masculinity, seeing them as representations of manliness. One of my students gave me this idea when I was discussing the project in my seminar course, and she told me about how her uncle was a horse breeder, and he had often considered his favorite horses to be an extension of his masculinity. There is very little literature on the connection between horses and gender, although plenty of authors, including Shakespeare and William Faulker, have alluded to the subject.

Despite the subject's many nuances, few scholars have taken interest in horse theft as a subject worth studying. Dan Flores recently penned an article on the wild horse trade in the Missouri River valley, claiming that the stolen horse trade has escaped historians' attention because it was generally so secretive and undocumented.<sup>4</sup> A few other articles can be found in various state historical journals, which contain a few gems of otherwise local interest: a woman convicted of horse theft in Wyoming, the Army's efforts to curb horse theft in Kansas, and syndicated bands of cattle thieves in Idaho.<sup>5</sup> Besides these, however, there are precious few systematic studies of horse theft as a criminal and economic activity, and even fewer of these

---

<sup>3</sup> Theodore Roosevelt, *Ranch Life and the Hunting-Trail* (New York: Bonanza Books, 1888, 1978), 27; Thomas G. Andrews, *Killing for Coal: America's Deadliest Labor War* (Cambridge, Mass.: Harvard University Press, 2008), 130 – 135.

<sup>4</sup> Dan Flores, "Bringing Home all the Pretty Horses: The Horse Trade and the Early American West, 1775 – 1825," *Montana: The Magazine of Western History* 58 (2008), 5.

<sup>5</sup> See Felix Alston and Scott Alston, "Bronco Nell, A Woman Horse Thief," *Annals of Wyoming: The Wyoming History Journal* 76 (2004), 13 - 17; Jim Hoy, "Chasing Cattle Thieves in the Flint Hills in 1899," *Kansas History* 28 (2005), 16 - 29; David James Drees, "The Army and the Horse Thieves," *Kansas History* 11 (1988), 35 - 53; and M. D. Beal, "Rustlers and Robbers: Idaho Cattle Thieves in Frontier Days," *Idaho Yesterdays* 7 (1963), 24 - 28.

articles consider Oklahoma, Wisconsin, Illinois, and other hotbeds of horse theft and anti-horse thief organizations.<sup>6</sup>

Although the activity of horse theft has not received much attention from historians, the crime of horse theft was severe enough to warrant the founding of hundreds of anti-horse thief associations and other societies whose aim was to prevent horse theft. Several authors have made state-level studies of these organizations, which, according to Richard Maxwell Brown, employed the mostly peaceful and non-retributive efforts of hundreds of thousands of men (and a few women) across the upper Midwest. Historian Patrick Nolan wrote perhaps the most substantial treatment of the subject in his dissertation on anti-horse thief associations in Minnesota. Unlike Brown, Nolan argues that these organizations employed violence as well. He implicates several members of the Waseca County Horse Thief Society in Minnesota, for example, who participated in an attempted lynching, although the society itself took no official action. He goes on to say that the members of the Waseca County society were “tolerant” of violence and that Brown was reading too much into the self-congratulatory histories of the horse thief societies, which generally emphasized the fact that they were non-violent organizations.<sup>7</sup> However, most of the societies surveyed by Nolan do not fit the definition of “violent”

---

<sup>6</sup> A few scholars have examined horse theft in areas outside of the United States. For example, see Peter N. Sterns, “Horse Thieves and Peasant Justice in Post-Emancipation Russia,” *Journal of Social History* 21 (1987), 281 – 293. Others have investigated the socio-economic conditions underlying livestock rustling in ranching cultures. See Stephen Bell, *Campanha Gaúcha: A Brazilian Ranching System, 1850 – 1920* (Stanford, Cal: Stanford University Press, 1998), 55-57; and Terry G. Jordan, *North American Cattle-Ranching Frontiers: Origins, Diffusion, and Differentiation* (Albuquerque, N.M.: University of New Mexico Press, 1993).

<sup>7</sup> Richard Maxwell Brown, *Strain of Violence* (New York: Oxford University Press, 1975); Richard Patrick Nolan, *Vigilantes on the Middle Border: A Study of Self-Appointed Law Enforcement in the States of the Upper Mississippi from 1840 to 1880* (Minneapolis, Minn.: University of Minnesota, 1971), 91-93, 171, & 234-235. There are several other articles available on anti-horse thief associations and stock associations, including T. A. Clay, “A Call to Order: Law, Violence, and the Development of Montana’s Early Stockmen’s Associations,” *Montana: Magazine of Western History* 58 (2008), 49 – 63; and Anthony S. Nicolosi, “The Rise and Fall of the New Jersey Vigilant Societies,” *New Jersey History* 68 (1968): 29–53.

vigilantism, and other societies elsewhere, including the neighboring state of Wisconsin, reaffirm Brown's claim that the anti-horse thief society lay outside the bounds of the rambunctious, testosterone-driven mob.<sup>8</sup> In any case, horse theft emerges as a phenomenon capable of mobilizing thousands of men to either protect themselves in concert or to strike out in vengeance against suspected thieves.

### **Triangulating Horse Theft: Crisis, Vigilantism, and Historical Memory**

It is a lot easier to identify a misunderstood or underrepresented historical subject than it is to do it justice, particularly if that subject is as nebulous and pervasive as the crime of horse theft. As a starting point, however, I can substitute the lack of a literature dealing specifically with horse theft as a criminal, economic, political, and cultural phenomenon by studying three related subjects and their own treatment of horse thieves and the range of responses to horse stealing. These scholarly discussions should not only help historians locate the size and scope of horse theft as a phenomenon in the Midwest, but also assess its importance from a variety of angles. I will start by exploring how a surge in horse stealing during the Civil War and the Plains Indian Wars created both critical horse supply shortages and militarized responses to horse theft. These two factors promoted the establishment and growth of anti-horse thief associations, especially east of the Missouri River, but their resurgence during an era of brutal racial violence in the South and the West caused these groups to be associated with lynching-related violence. If these anti-horse thief associations have been misunderstood, however, then so have the horse

---

<sup>8</sup> For instance, see Matthew Luckett, "The 'Wide Awake Citizens:' Anti Horse-Thief Associations in South Central Wisconsin, 1865-1890," *Wisconsin Magazine of History* 91 (2007): 16 – 27.

thieves themselves. The horse thief of western cinema and dime novels, who is portrayed as a crass, evil, and unscrupulous antagonist, bore little resemblance to real-life horse thieves.

### *Civil War, Indian Raiding, and the Militarization of Horse Theft*

In the second half of the nineteenth century, Americans faced two major military crises: the Civil War and the long, on and off again struggle against the Plains Indians. Both of these crises had a profound effect on the phenomenon of horse theft. The Civil War created a nationwide shortage of horses, as cavalry units, quartermasters, and other elements of the Union and Confederate militaries relied on fresh supplies of horses for day to day activities, while the death rate of horses skyrocketed as a result of combat and overwork. Meanwhile, bands of Sioux and Cheyenne conducted horse raids across Nebraska, Colorado, and Wyoming, depleting horse herds across the Plains while augmenting their own. Together, each of these conflicts defined the context of horse theft for the rest of the century, and established precedents for future extralegal responses to horse stealing.

One of the northernmost battles of the Civil War occurred in Clark County, just south of the Iowa border on August 5, 1861. In the Battle of Athens, local militia routed several companies of secessionist Home Guards. Led by Martin E. Green, secessionist forces attempted to draw Union troops away from the growing battle for southern Missouri (which would climax just a few days later at the battle of Wilson's Creek.) Iowans feared a Confederate takeover, however – several towns throughout northeast Missouri were overwhelmingly secessionist, and

they raised troops for the Confederacy.<sup>9</sup> Fortunately for the Unionist locals, they had access to artillery and horses. By the summer of 1861, the Civil War in Missouri had already started to deteriorate into a guerilla struggle between competing militias. Fortunately for Clark County residents on both sides, they would not face the horse supply problems that plagued troops to the south and the east.

There is little scholarship available on the use of horses during the Civil War, yet by all accounts they were an essential commodity to both sides. In fact, it was not long before the demand for horses far outpaced the available supply. One article by historian Charles Ramsdell tells a story of mounting problems (no pun intended) for the Confederate Army as it attempted to replenish its supply of horses. Its policy of requiring cavalymen to mount their own horses, the natural scarcity of horses east of the Mississippi in the lower South, and the demands of the war on available stock (the average horse's length of service in the field was only 7 ½ months) all conspired to create major supply problems, beginning in 1862. Although the North also had problems replenishing its horse stock, these obstacles were cumulative – the North had more people, guns, bullets, *and* horses, which together gave the North a material, manpower, and equestrian advantage. Other historians have investigated various aspects of the effects that the war had on horse populations. For example, G. Terry Sharrer explored a major wartime outbreak of glanders among both Union and Confederate horses, which decimated herds on both sides.

---

<sup>9</sup> There is a small literature devoted to this battle, which is mostly confined to state historical journals. See Jonathan K Cooper-Wiele, *Skim Milk Yankees Fighting: The Battle of Athens, Missouri, August 5, 1861* (Iowa City, Iowa: Press of the Camp Pope Bookstore, 2007); Ben F. Dixon, "Battle on the Border," *Annals of Iowa* 36 (1961): 1-15; and Leslie Anders, "Farthest North: The Historian and the Battle of Athens," *Missouri Historical Review* 69 (1975): 147-168. For more information on the Civil War's effects on Missouri, see James MacPherson, *The Battle Cry of Freedom: the Civil War Era* (New York: Ballantine Books, 1988), 783 – 788.

More recently, Spencer Jones discussed the importance of horses to field artillery units.<sup>10</sup>

Overall, the war's massive human toll attracts attention away from the carnage it unleashed upon the animal kingdom, from horses to pets to wildlife.

Horse owners throughout Missouri had cause to be alarmed as armies on both sides consumed all available resources, including livestock. Throughout the state, Missourians complained that military units, especially rebel bushwhackers and guerillas, were stealing their horses. Coincidentally, David McKee, who had founded the Anti-Horse Thief Association in 1854, was charged with hunting down these units during the War [Figure 3]. Then a major in the Seventh Missouri Volunteer Cavalry, McKee was lauded for his efforts in ridding the countryside around Miami, Missouri of bushwhackers in 1862. According to one report, before entering Miami McKee divided the eighty men under his command into four squads, which then scoured the surrounding farms for guerillas. They managed to capture two bands of rebels.<sup>11</sup>

Yet McKee did not stop there. A day after surrounding, entering, and occupying Miami, the major reported that a local citizen had approached him, claiming that thieves had stolen his money, horse, riding wear, and even his bedclothes. McKee then sent out seventy-five men in pursuit of the bandits, which he believed were hiding out in the countryside. After capturing a couple of bandits that day, he continued to hunt the thieves down. "Since then I have kept two-thirds of my command in the country infested by these lawless bands," he reported in a dispatch.

---

<sup>10</sup> Charles W. Ramsdell, "General Robert E. Lee's Horse Supply, 1862 – 1865," *The American Historical Review* 35 (1930), 758 – 777; G. Terry Sharrer, "The Great Glanders Epizootic, 1861 – 1866: A Civil War Legacy," *Agricultural History* 69 (1995), 79 – 97; and Spencer Jones, "The Influence of Horse Supply Upon Field Artillery in the American Civil War," *Journal of Military History* 74 (2010): 357-377.

<sup>11</sup> United States, War Department, *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, Ser. I, Vol. 13 (Washington, D.C.: Government Printing Office, 1885), 97-98, accessed January 18, 2010, <http://dlxs2.library.cornell.edu/m/moawar/>.

“Their object seems to be not to attack us, but to steal, murder, and commit all manner of depredations upon the loyal citizens of this country,” he noted, which meant that the bands were attacking Missourians with pro-Union sentiments. “The rebels in this vicinity are bitter and vindictive,” McKee concluded, “and it will take some time to teach them submission to the Federal authorities.”<sup>12</sup> When reading dispatches such as these, it is not difficult to imagine the kind of ferocity and dedication that McKee brought to his work at the Anti-Horse Thief Association, given the organization’s future success. But at the very least, they also illustrate the tactics used by William Quantrill and other gangs of bushwhackers to disrupt and demoralize the Union, notwithstanding the likely attempts made by Union and Confederate units to replace dead horses with stolen ones.

As McKee and thousands like him clashed across the state, no one was around to prevent thieves from stealing horses for more selfish reasons – according to one member of the Kirksville, Missouri Anti-Horse Thief Association, horse thieves operated freely during the Civil War, which unleashed a massive crime wave upon the citizens who were not off fighting in the war. “The horse thieves taking advantage of the situation,” he noted, “grew to a magnificent cluster of thorns and it seemed that everything they came in contact with stuck to them.” Unfortunately, locking the thieves up was out of the question: “the civil war [sic] had so completely destroyed the courts that to prosecute criminals was out of the question.” Fears over horse theft led to the creation of anti-horse thief societies throughout northeast Missouri. Yet the horse raids were not limited to that state – Wisconsin passed a law in 1861 that granted constabulary powers to anti-horse thief associations, which means that horse theft might have

---

<sup>12</sup> O.R., Ser. I, Vol. 13, 99-100.

been a major problem there as well.<sup>13</sup> In any case, the people who most likely would have been charged with enforcing the law were off serving in the military, which effectively emptied out the ranks of law enforcement in many communities. Thus, as McKee successfully fought horse thieves in Saline County, his hometown in Clark County was left undefended.

Yet locals were not quite willing to back down and submit to the spike in crime. The Anti-Horse Thief Association, which was founded by David McKee in 1854 as a local protective society, declined during the first couple of years of the Civil War. Beginning in 1863, however, the organization began to grow again with the help of discharged soldiers and other noncombatants. After the war, the hundreds of thousands of Midwestern men who arrived back home after their military service ended must have noticed the emergence of these societies, which in some ways assumed responsibility for the welfare of those on the home front. The tight organization of these groups must have also appealed to the veterans, who by then were decompressing after serving for months or years in the military. This organization would expand into several neighboring states within the next few decades, and by 1900 it would have over 50,000 members.<sup>14</sup> Wartime exigency had a powerful effect on this organization, transforming it from a small protective society into a large, regional institution.

---

<sup>13</sup> E. Hitt Stewart, "Origin of the Anti-Horse Thief Association," in Hugh C. Gresham, ed., *The Story of Major David McKee: Founder of the Anti-Horse Thief Association, Together with the History of the Anti-Horse Thief Association and the Anti-Thief Association* (Cheney, Kan.: National Anti-Thief Association, 1937), 24; *General Laws Passed by the Legislature of Wisconsin in the Year 1861, Together with Joint Resolutions and Memorials* (Madison, Wis.: Smith & Cullaton, 1861), 250-251, cited in Luckett, 22.

<sup>14</sup> Very literature exists on the Anti-Horse Thief Association, which will be discussed in detail later. My two main sources are Hugh C. Gresham, ed., *The Story of Major David McKee: Founder of the Anti-Horse Thief Association, Together with the History of the Anti-Horse Thief Association and the Anti-Thief Association* (Cheney, Kan.: National Anti-Thief Association, 1937), and Lynn Stanberry, *Protect the Innocent and Bring the Guilty to Justice: The Anti-Horse Thief Association in Western Arkansas* (Fayetteville, Ark.: University of Arkansas, 1982).

A less deadly, but much longer conflict broke out between the Anglo-Americans and the Plains Indians in 1854, when a Sioux warrior refused to surrender to US authorities after killing an ox belonging to a Mormon settler. Over the course of the next twenty-two years, open warfare raged across the northern plains, as gold rushes, railroads, ranchers and homesteaders moved up the Platte and Arkansas Rivers towards Colorado, Montana, and points west. As Anglo-Americans crossed the prairie, they came into direct contact and conflict with the Lakota nation, a self-contained, expansionist, and equestrian power that successfully used horses to transform the tall prairie grasses into a powerful, sustaining energy source. Horses made the Lakota mobile, giving them an edge in warfare and in hunting. The Lakota then used American guns to subdue surrounding tribes and communities. As a result, the Lakotas used the horse to revolutionize their culture and economy. This horse revolution relied on the plentiful grasslands and innumerable buffalo that painted the vast, endless Plains landscape green and brown. Yet the Lakotas' overreliance on horses for meat, transport, trade, and economic capital placed a heavy burden on the region's grasses, and once the whites started arriving in droves with their horses, cattle, and wagons, the availability of grass rapidly declined.<sup>15</sup>

The Lakota's horse economy placed a high premium on horses as a commodity. Lakotas depended on horses for their food supply and for defense, which forced them to secure their

---

<sup>15</sup> There is a substantial literature on the Plains Indian Wars, and I have only scratched the surface of it thus far. I have primarily relied on the following sources for background and historiographical direction: Elliot West, *The Contested Plains: Indians, Goldseekers, and the Rush to Colorado* (Lawrence, Kan.: University of Kansas Press, 1998); Robert M. Utley and Wilcomb E. Washburn, *Indian Wars* (New York: Houghton Mifflin, 2002); Dee Brown, *Bury my Heart at Wounded Knee: an Indian History of the American West* (New York: Henry Holt and Company, 1970, 2000), and Pekka Hämäläinen, "The Rise and Fall of Plains Horse Cultures," *Journal of American History* 90 (2003), 833-862.

horse populations as much as possible. But this economic asset was also transferred into social and political capital as well. According to historian Pekka Hämäläinen, Lakotas used horses for status conferral, social mobility, and wealth. In fact, horses were the one item possessed by the Lakotas that was not subject to gifting by the chiefs. In other words, chiefs did not give horses to their charges in order to prove that they were capable of providing for their tribe. Rather, horses represented a different form of capital – the more horses that an Indian had access to, the more power he had. Families with fewer horses lacked the status and power that those with more horses claimed.<sup>16</sup>

Horse raiding was a corrective to low social standing, however. Families and bands might steal horses in order to add to their stock. Bands might also steal horses in order to replenish lost through war, disease, theft, or some other sudden loss. In times of war, horse raiding depopulated the enemys' stock. But overall, horse raiding was also a lucrative enterprise – so lucrative, according to historian Dan Flores, that even Thomas Jefferson wanted Americans to get a piece of the action.<sup>17</sup> Stolen horses could be sold for other commodities, such as guns and foodstuffs. The Comanches made horse stealing and horse selling an art form – they would steal horses and slaves from northern Mexico, and then sell them in Taos. Lakotas carried on a similar trade with stolen horses, but it was smaller in scale.

Horse raiding had far-reaching effects on both the northern and the southern plains. According to historian Brian DeLay, author of *The War of a Thousand Deserts*, the Comanches

---

<sup>16</sup> Hämäläinen, “The Rise and Fall of Plains Horse Cultures,” 845 – 854.

<sup>17</sup> Dan Flores, “Bringing Home All the Pretty Horses: The Horse Trade and the Early American West, 1775 – 1825,” *Montana: the Magazine of Western History* 58 (2008), 3 – 21.

and Kiowas made innumerable horse and slave raids into northern Mexico. Coupled with their thirst for revenge against the Mexicans for leaving the Indians to the Americans and for killing natives during previous encounters, the raids had a catastrophic effect on Sonora, Chihuahua, and other northern states in Mexico. DeLay argues that the loss of life and the depopulation of numerous Mexican towns created dozens of uninhabitable deserts where there once were towns. This large-scale raiding led the northern Mexicans to complain about the central government's ability and willingness to send them aid. Meanwhile, Americans believed that the takeover of Northern Mexico was justified because the Mexican government was unable or unwilling to protect its own people against Comanche attacks.<sup>18</sup> Conversely, in *Comanche Empire*, historian Pekka Hämäläinen argues that the Comanches themselves were an autonomous, expansionistic power with political, diplomatic, and military hegemony in the southern plains, regardless and in spite of its territorial status as a part of the Spanish Empire. Unlike DeLay, Hämäläinen believes that a form of expansionist zeal, rather than vengeance, motivated the Comanches to launch countless attacks on Mexico.<sup>19</sup> But while DeLay and Hämäläinen might disagree on whether revenge or power drove the Comanches to make war, both argue that horse raiding provoked their adversaries while also depriving them of a vital economic resource.

In the northern plains, the Lakota did not wield as much power as the Comanches did. This was due in part to the sparser grass offerings on the northern plains, which were colder and less conducive to horse breeding. However, the Lakota remained a major power through the 1870s, bedeviling white soldiers and settlers for decades. Richard White, a pioneer of the “new

---

<sup>18</sup> Brian DeLay, *War of a Thousand Deserts: Indian Raids and the U.S. – Mexican War* (New Haven, Conn.: Yale University Press, 2008.)

<sup>19</sup> Pekka Hämäläinen, *The Comanche Empire* (New Haven, Conn.: Yale University Press, 2008).

western history,” maintains that the war between the Lakotas and the Anglo-Americans was fought between two hegemonic powers, each of which intended to appropriate the plains for its own purposes. Moreover, the Sioux continually waged war on Pawnee and Ponca communities in western Nebraska, ratcheting pressure both on those tribes and on the Federal government to do something about intertribal warfare. Although Captain Frank North’s Pawnee Scouts managed to conduct retaliatory raids against Sioux aggressors during the late 1860s, their disbandment in 1869 and a series of Sioux massacres against weak Pawnee and Ponca bands (including one that killed dozens of Pawnees in 1873 in nearby Hitchcock County) led to the Federal government’s removal of both tribes to the Indian Territory in 1874.<sup>20</sup>

In this militarily and environmentally destabilized environment, raiding became one of the strategies used by Indians who wanted to maintain their culture and their livelihood. Horse raiding replenished depleted horse stocks and provided a revenue source, while also serving as a form of resistance against American encroachment. Those Indians who depended on annuity payments might have also resorted to raiding in order to supplement their meager income. Most importantly, according to historian Frank Roe, Plains Indians stole horses in order to gain individual honor. Like counting coups, horse stealing was a means of demonstrating one’s bravery in the battlefield, and Indians conducted raids in order to secure or establish their place within the tribal hierarchy. Yet this business became more dangerous over time since, as Roe points out, “White people never understand that Indians who raid their horses usually had no

---

<sup>20</sup> See Richard White’s famous essay, “The Winning of the West: the Expansion of the Western Sioux in the Eighteenth and Nineteenth Centuries,” *Journal of American History* 65 (1978), 319 – 343; West, 317 – 338; and DeLay, 253 – 272. For more information on intertribal warfare in Nebraska, see Anthony McGinnis, *Counting Coup and Cutting Horses: Intertribal Warfare on the Northern Plains, 1738 – 1889* (Evergreen, Col.: Coldillera Press, 1990), 124 – 128.

design on scalps.”<sup>21</sup> Although raiding would not rage as thoroughly throughout the northern plains as it did to the south, raiding north of the Arkansas River still carried with it the memories and the connotations of an earlier age, and Americans still remembered the southwest as being thoroughly decimated by Comanche and Kiowa raids up until the American invasion in 1846.

Nor did they forget the raids which targeted them. Nebraska rancher John Bratt’s reflections on Indian horse raiding and the formation of the North Platte Guards illustrate the heavy toll that these raids took [Figure 4]. In his autobiography, Bratt described one event which occurred as he was in the process of constructing a new home ranch. “The many little thieving bands of Sioux and Cheyenne Indians kept us busy before we finished our ranch, corrals and pasture. They would take a sneak on us and drive off a few horses every chance they got,” he claimed. Over the next few months, the natives became even more brazen: “About forty Sioux Indians stole up on us one dark night and took seventy-five head of horses out of a herd of one hundred twenty-five in spite of the fact that some twelve herders were sleeping around them with saddle horses tied to their arms, legs or bodies.”<sup>22</sup> By the early 1870s, Fort McPherson was at the forefront of the Plains Indian wars. Native bands from Colorado, escaping the encroaching settlement there, moved into Kansas and Nebraska, where they competed with white settlers for grass and land. One Cheyenne tribe in particular, known as the *Tsistsistas*, or the “Called out People,” waged a war against soldiers, settlers, and ranchers in the region as they strove to both reclaim their traditional culture and secure necessary sustenance for their horses. The Platte

---

<sup>21</sup> Frank Gilbert Roe, *The Indian and the Horse* (Norman, Okla.: University of Oklahoma Press, 1955), 227. See also Richard White, *The Roots of Dependency: Subsistence, Environment, and Social Change among the Choctaws, Pawnees, and Navajos* (Lincoln, Neb.: University of Nebraska Press, 1983), 188.

<sup>22</sup> John Bratt, *Trails of Yesterday* (Chicago: The University Press, 1921), 181 – 183. *Trails of Yesterday* is Bratt’s autobiography, which he began writing early in the twentieth century.

Valley was one of the last areas east of the Front Range to be dominated completely by white settlers – when Bratt started building his ranch in 1870, the Census only counted 17 inhabitants of Lincoln County.<sup>23</sup>

These raids created a siege mentality among Nebraskan ranchers, which led to the formation of the North Platte Guards, an ad hoc militia group. “Up to 1880,” Bratt claimed in his autobiography, “each employee carried his gun or revolver with plenty of ammunition if going on long trips, also bowie knife and field glasses, as a protection against roving bands of thieving Indians and wolves, and to supply the camps with game.” Bratt also recalled the formation of a mounted cavalry company at Fort McPherson, which was created in light of a major escalation of Indian raiding and rustling in the area. “These depredations,” he believed, “had incited some of the bad Indians to leave the different reservations and raid the cattle ranches in the Platte Valley. These raids became so bold and frequent that it was determined to organize a mounted company to be known as the North Platte Guards.” Bratt claimed that sixty men had joined the company, and were willing to be called up at a moment’s notice to stop Indian raids, but only seventeen responded to his Thanksgiving plea for help. “The company was composed of ranchmen, cowboys and others, who were accustomed to frontier life and knew how to shoot.”<sup>24</sup> On Thanksgiving Day, 1878, Bratt called up the Guards for the first and the last time in response to a flurry of Indian raids in the region. Bratt lost three horses in the raid, and the Guards’ counter attack the following day claimed the life of at least one Indian. At that point, the raiding

---

<sup>23</sup> West, 76; U.S. Department of the Interior, *Ninth Census (Volume 3): Statistics of Agriculture* (Washington D.C.: US Government Printing Office), accessed September 18, 2010, [http://www.agcensus.usda.gov/Publications/Historical\\_Publications/1880/1880a\\_v3-04.pdf](http://www.agcensus.usda.gov/Publications/Historical_Publications/1880/1880a_v3-04.pdf).

<sup>24</sup> Bratt, 193, 262.

stopped, but the siege mentality among Nebraska's ranchers would continue for a long time afterwards.

America's mid-nineteenth century wars varied in their devastation and in the populations most affected by their destruction. But the Civil War and the Plains Wars both primarily affected people located within the borders of the United States – in effect, the nation suffered not one, but two domestic wars during the 1860s. One of the legacies of these two wars was the paranoia they spawned. In Clark and Lincoln Counties, residents developed a siege mentality as horse raiding reached a fevered pitch in both locations. This mentality was then channeled into vigilantism. As a result, wartime exigency had an enormous impact on how subsequent crime was interpreted and punished in both locations. Nebraskans mobilized against heavily armed horse raiders, while Missourians attempted to protect themselves against non-indigenous thieves.

The other legacy of wartime violence was its effect on future horse thieves and other criminals. Both wars created the conditions necessary for horse theft on a grand scale, both during the fighting of the wars and also in their aftermath, when traumatized and displaced soldiers and Indians turned to horse theft as a means of survival, revenge, or even therapy. Bitter ex-Confederates such as Jesse James turned to a life of crime after the war, while veterans and other people traumatized by the war faced enormous difficulty adjusting to postwar society. Meanwhile, out west, natives had trouble fending for themselves in the wake of widespread ecological and demographic change. As a result, some Indians had to steal in order to avoid starvation. Horse theft was not simply an act committed by faceless criminals, but by people with violent histories and memories of combat. And given the lack of state, federal, local, and private

support for war veterans and Indians alike, it is likely that a large number of these people resorted to crime.

### *The Conflation of Vigilantism and Lynching*

David McKee's Anti-Horse Thief Association and John Bratt's North Platte Guards occupy two opposite ends of the spectrum of violence: the former was formal, tightly ordered, geographically far flung, and incredibly large, with a wide range of pursuits in addition to simply pursuing criminals; whereas the latter was small, mobile, heavily armed, and marshaled almost exclusively against Sioux and Cheyenne raiders. The differences between the two groups are evident, but both are generally considered to be "vigilante" organizations. Perhaps no concern unites horse owners across all income, occupational, geographical, and regional groups as universally as their anxiety to prevent the loss of their horses to theft. However, that common cause should not compel historians to believe that all horse owners tried to prevent horse theft the same way. "Vigilantism" is often used to describe extralegal efforts on the part of horse owners to prevent theft, but the word is inadequate and vague. In fact, the word actually hinders historians' understanding of collective responses to horse theft through its association with another loaded term: "lynching."

The spectacle of mob violence and the visceral, wrenching stories of lynchings across the United States are often associated with the people's response to horse theft. As a result of high-profile events such as these, the debate over the efficacy and legitimacy of violent, retributive vigilantism in the late-nineteenth century usually revolves around the question of whether or not horse thieves and other criminals could be reliably apprehended by law enforcement and tried in

the court of law. Hubert Howe Bancroft, one of California's most preeminent historians and a resident of San Francisco during the reign of that city's Vigilance Committee of 1856, defended the activities of vigilance committees in *Popular Tribunals*. In reference to one particular vigilante near the California-Mexican border, for instance, Bancroft claimed that because of Matthew Reilly's efforts, "the business of horse-stealing became so dangerous that few artists cared to follow it . . . Mat and his men could smell a horse thief from miles away."<sup>25</sup> More recent historians have echoed these sentiments. John W. Davis gave a more measured endorsement of early vigilante violence in Wyoming, arguing that the distance between crime and law enforcement, and the economic and political challenges to convening a jury and prosecuting a case, was prohibitive before 1900.<sup>26</sup> But the die was cast long ago – once vigilantism was associated in peoples' minds with lynching, then lynchings became the unit of measurement for assessing vigilante activity. Noteworthy vigilantes had body counts.

In retrospect, it is no wonder why Bancroft defensive justifications for vigilantism became allied with the growing tradition of lynching violence against blacks in the South. Lynching apologists throughout the former Confederate states and their racist, parochial defense of the lynching as a community right (if not a *rite*) spawned a countermovement against lynching in the early twentieth century that embraced the use of science and statistics to appeal to an ambivalent public. These statistics, in turn, necessarily included lynchings throughout the rest of the country, however disproportionate they might have been to overall vigilante activity in those

---

<sup>25</sup> Hubert Howe Bancroft, *Popular Tribunals*, Vol. I, (San Francisco: The History Book Publishers, 1887), 481.

<sup>26</sup> John W. Davis, *Goodbye, Judge Lynch: The End of a Lawless Era in Wyoming's Big Horn Basin* (Norman, Okla.: University of Oklahoma Press, 2005).

areas. The *Chicago Tribune's* statistics on lynching reflect these early efforts to use social science, demographics, and logic to combat a decidedly illogical practice. Published for the first time in 1882, the *Tribune's* lynching statistics appeared along statistics on shipwrecks, murders, and other newsworthy events, as part of an effort to present social science information on current events. These statistics on lynching were not accurate by modern standards, but by 1890 a picture emerged: lynchings were primarily a Southern event, and African Americans were the most frequently targeted group for Judge Lynch's courtroom. By the early 1890s, Northerners widely (and correctly) believed that lynching disproportionately targeted African Americans. According to historian Christopher Waldrep, the NAACP and the Tuskegee Institute's respective campaigns for federal anti-lynching legislation quarreled over how precise the language of the proposed bill should be to effectively target lynching, and both sides used case studies and statistics to make their cases to Congress.<sup>27</sup>

Throughout the twentieth century, several historians fought similar battles to not only define lynching, but to quantify the rate of lynching. Historians Stuart M. Tolnay and E.M. Beck identified 2,805 victims of lynch mobs across the South between 1882 and 1930, over 2,500 of whom were African American. In *A Festival of Violence*, Tolnay and Beck make a convincing case that socio-economic tensions contributed to lynching as a Southern phenomenon, but they also note that the tally of lynchings is a vast undercount of total acts of racial violence across the South. Ironically, although they seem to come closer than most other recent scholars to theoretically linking the range of lynchings across the South to a specific set of factors, Tolnay and Beck are also acutely aware of the lynching's limitations as an explanatory variable when

---

<sup>27</sup> Christopher Waldrep, *The Many Faces of Judge Lynch: Extralegal Violence and Punishment in America* (New York: Palgrave MacMillan, 2002), 112 – 114.

discussing racial violence in the South. The decline of lynchings in the South, they point out, happened well in advance of the Civil Rights Movement and desegregation in the 1960s. Even those lynchings which occurred after Emmett Till's murder in 1955 were aberrations – disgusting and horrific, for sure, but outliers along a right-skewed distribution of homicidal violence in the South.<sup>28</sup>

After Tolnay, Beck, and other empiricists weighed in, legal historians and historians of race, class, and gender have since used the social, political, and economic context of vigilantism to attack lynching as a hegemonic response by white, Western European-descended, native-born American males against other groups that they perceived to be a threat. This approach is typified by historian Michael Pfeifer's comparative study of lynching across several different states, *Rough Justice*, which chronicles Judge Lynch's unwelcome interventions in the West and the Midwest, as well as the South. Pfeifer makes two main points in his argument: that Western and Midwestern mobs are understudied, and should be seen along with Southern lynchings as symptoms of the same national illness; and that advocates for lynching supported a "rough justice" interpretation of popular sovereignty and appropriate punishment. By "rough justice," Pfeifer is referring to lynching as a community rite and torture as a means of correcting a revolt against the racial order. This may remind readers of Michel Foucault's magisterial *Discipline and Punish* – Pfeifer's mobs clung to their medieval faith in immolation and dismemberment as proper responses to "crime."<sup>29</sup>

---

<sup>28</sup> Stuart M. Tolnay and E.M. Beck, *A Festival of Violence: An Analysis of Southern Lynchings, 1882 – 1930* (Urbana, Ill.: University of Illinois Press, 1995), ix, 239 – 245.

<sup>29</sup> Michael J. Pfeifer, *Rough Justice: Lynching and American Society, 1847-1947* (Urbana, Ill.: University of Illinois Press, 2004), 3 – 5; and Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Vintage Books, 1972, 1995), 3 – 5.

Although Pfiefer's case is stronger in his survey of Louisiana lynchings, it seems forced in the cases of Iowa and Wisconsin, where "Yankee" influences and other civilizing forces curbed Judge Lynch's destructive power. Pfiefer ignores the fact that Americans used to burn undesirables at the stake in New England as well, in spite of Yankee influences there, while assuming that law enforcement and the courts were consistently and universally competent, ethical and available. Most of all, Pfiefer's comparative analysis of lynchings in seven different states throughout the country assumes that all of these lynchings should be seen within the same context. Given his argument that lynchings in Wisconsin were a deviation from the norm while those in Louisiana were not, his conclusion is counterintuitive.

Yet Western and Midwestern historians seem to echo Pfiefer's conclusions. Historian William Carrigan blamed the long tradition of lynching violence in central Texas on historical memory, citing the state's frontier past, the Mexican-American War, and the Civil War as sources of memorable collective violence that informed and inspired later lynchings. Mexicans were initially targeted by this violence, while African Americans were targeted during the late nineteenth century. Carrigan cites four factors as the main contributors to lynching violence within his region: frontier experience, racial and ethnic resistance against whites, racial slavery, and law enforcement's tolerance of lynchings. Meanwhile, Stephen J. Leonard makes the case that vigilance in Colorado morphed into virulent racism before dying out in the 1930s by providing an exhaustive account of the 175 lynchings that occurred in Colorado between 1859 and 1919. Noting that lynching died out in the cities before it did in rural areas, Leonard argues that cities in Colorado ultimately gave up lynching in order to promote out-of-state tourism and investment, which to some degree validates Brown's thesis. Farther east, John D. Bessler points out that the mass hanging of Dakota POWs during the Civil War and the lynching of three blacks

in Duluth in 1920 demonstrates that even fairly staid states such as Minnesota are capable of vicious acts of extralegal and state-sanctioned violence.<sup>30</sup>

In his article, “Western Violence: Structure, Values, Myth,” Richard Maxwell Brown argues that Western violence and vigilantism could best be described as battles within a greater “War of Incorporation” that pitted capitalists and other moneyed parties against Native Americans and conservative whites who wanted to eke out a living on the land or away from the metropole. Although vigilantism played a part in this effort to “incorporate” the West into the national economy, Brown follows the numbers-game of lynching studies by suggesting that there were forty-two “violent episodes in the Western Civil War of Incorporation,” which included Indian battles and range wars. When compared to the tallies of lynchings taken by other scholars, however, this sweeping framework seems to leave a lot of violence out.<sup>31</sup> Brown’s study of American violence clarified the meaning of the term “vigilantism,” separating the vigilantism of the concerned farmer and the anti-horse thief association member from the vigilantism of the bloodthirsty mob. His successors have not made such a distinction, however, and historians have grown increasingly wary of both lynching and vigilantism, often seeing the latter as a euphemism for the former.

---

<sup>30</sup> William D. Carrigan, *The Making of a Lynching Culture: Violence and Vigilantism in Central Texas, 1836 – 1919* (Urbana, Ill.: University of Chicago Press, 2004), 12 – 13; Stephen J. Leonard, *Lynching in Colorado, 1859 – 1919* (Boulder, Colo.: University Press of Colorado, 2002), 12. Other good examples of state-wide lynching surveys include Ken Gonzalez-Day, *Lynching in the West: 1850 – 1935* (Durham, N.C.: Duke University Press, 2006), who surveys lynching in California; and John W. Davis, *Goodbye, Judge Lynch: The End of a Lawless Era in Wyoming’s Big Horn Basin* (Norman, Okla.: University of Oklahoma Press, 2005); John D. Bessler, *Legacy of Violence: Lynch Mobs and Executions in Minnesota* (Minneapolis, Minn.: University of Minnesota Press, 2003).

<sup>31</sup> Brown, “Western Violence: Structure, Values, Myth,” *Western Historical Quarterly* 24 (1993), 4, 6.

The focus on lynching as a subject and as a unit of measurement has resulted in an endless stream of stories about racial violence, its victims, and its perpetrators. Frequently, recent books about lynching are dedicated to the long-dead victims of lynching violence, even outside of the South and West where lynching victims are still generally believed to be less-deserving of moral outrage than those African Americans, Mexicans, and Native Americans who were targeted on account of race.<sup>32</sup> These stories are a necessary and welcome corrective to the traditional view of vigilantism as a righteous bloodsport. Yet this avalanche of stories, spurred by recent, exhaustive state and local-level histories of lynchings in various areas threaten to flatten the narrative once more by portraying all extralegal organization and action as being part and parcel of what historian Jacqueline Goldsby once referred to as the cultural logics of lynching.<sup>33</sup> In other words, if researchers only read about the men and women who were lynched and the violence that pervaded society, then the history of crime, law enforcement, and extralegal organization will be preoccupied with those stories of lynching. Like the mobs and spectators who flocked to the local hanging tree to see witness the spectacle of a person being hanged, historians will be less inclined to uncover the stories of those horse thieves who weren't hanged, those vigilantes who weren't responsible for murder, and those sheriffs who managed to police their communities without citizen intervention. Brown's "War of Incorporation," with its gunfighters, Indian battles, range wars, and the sweeping ideological conflict between the incorporators and the resistance, overlooks these people entirely. But if historians need to be cautioned not to look upon all vigilantes as villains, then they must not make the same blanket

---

<sup>32</sup> Examples include Tolnay and Beck; and Leonard.

<sup>33</sup> See Jacqueline Goldsby, *A Spectacular Secret: Lynching in American Life and Literature* (Chicago, Ill.: University of Chicago Press, 2006).

generalization about horse thieves, either. Exigency drove stealing at least as often as it drove vigilantism.

### *Thieves and Rustlers in Popular Culture and Historical Memory*

The Middle West was plagued by outlaws in the late nineteenth century. In Nebraska, the Doc Middleton gang allegedly stole over 2,000 horses from Texas to the Dakotas, and Middleton himself was a murder suspect and a regional legend in his own right [Figure 5]. In Missouri, the James Gang orchestrated a reign of terror, robbing banks and trains with near impunity. In Illinois, the Maxwell Brothers stole horses from farms across at least three states, and one of them was eventually lynched by an angry mob in Durand, Wisconsin. Elsewhere in the region, organized gangs of horse thieves stole horses, moved them across state boundaries, and sold the horses as if they were their own. Yet it is the Wild West that endures in modern memory. Countless movies, novels, songs, and legends mythologize the West, where Billy the Kid, Wyatt Earp, and other famous outlaws and lawmen roamed the desolate landscapes.<sup>34</sup> One recent scholar has complained about the absence of Midwestern outlaws in outlaw literature and western biographies, especially those who primarily operated east of the Mississippi River.<sup>35</sup>

---

<sup>34</sup> There is a vast literature on the mythology of the West and its place in historical memory. One of the main works on this subject is Richard Slotkin's trilogy on violence in American historical memory, especially *Gunfighter Nation: The Myth of the Frontier in Twentieth-Century America* (New York: Atheneum Press, 1992). See also James R. Grossman, ed., *The Frontier in American Culture* (Berkeley, Cal.: University of California Press, 1994),.

<sup>35</sup> John E. Hallwas, *Dime Novel Desperados: The Notorious Maxwell Brothers* (Urbana, Ill.: University of Illinois Press, 2008), xi.

Perhaps Midwesterners are right to feel slighted. After all, Jesse James was no cheap dime store hood – his reign of terror across Missouri and other states lasted over a decade, in spite of efforts by the Pinkertons, law enforcement, and vigilantes to take him and his gang down. Doc Middleton’s gang stole thousands of horses in Nebraska and the Dakotas. The Maxwell Brothers wreaked havoc throughout Illinois and Wisconsin as well, and Quantrill’s Raiders stole and murdered their way through Missouri during the Civil War. Therefore, if western villain mythology is inaccurate and grossly exaggerated, and if Midwestern villain mythology is generally ignored, then perhaps historians should reconsider the western villain mythology’s target audience. The portrayal of horse thieves as evil, amoral, and violent criminals might not have been accurate because that very characterization was intended to influence those people who were most likely to become horse thieves in the first place: honest, hardworking cowboys who fell on hard times when their employers failed to keep them busy and employed between roundups. Meanwhile, those thieves who actually were amoral and violent did not care if dime novels vilified them, since they were too busy profiting off of a massive illegal horse trade and eluding authorities.

Doc Middleton was perhaps the most famous horse thief in the United States, and he was probably responsible for stealing more horses than any of the Sioux. Unlike the Indian raiders, however, many Nebraskans approved of Middleton’s actions, believing that he actually stole more horses from Indians than from whites. In some communities his generosity made him into what historian Eric Hobsbawm might call a “noble bandit,” which is a robber who morphs into a Robin Hood-like character by mixing theft with philanthropy and charisma, and who can

therefore count on community support against the authorities.<sup>36</sup> Historian Richard White noted that many outlaw gangs, such as the Daltin and Doolin-Dalton gangs of Oklahoma (as well as the James-Younger Gang in Missouri) received ample local support from disaffected farmers and alienated ex-Confederates, since the outlaws were “prey[ing] upon the institutions that many farmers believed were preying on them.”<sup>37</sup> Most Anglo-American horse gangs were not so easily forgiven, especially since many of them were adept at carting other people’s horses away to sell.

Of course, the murderer’s row of western outlaws extends far beyond Doc Middleton, who currently is not well-known outside of Nebraska. Middleton was one of many – he was the best-known horse thief among them, but he was far from being the most dangerous fighter or the most successful robber. Billy the Kid and other famous gunslingers typify the largess accorded to these outlaws, who not only loom large across the western cultural historical landscape, but who also dwarf petty thieves and less-successful horse robbers. The Robin Hood label is often applied as well, as some of the hagiography surrounding Jesse James will attest. Some lesser-known outlaws in the present day who were nonetheless feared and respected in the late-nineteenth century include the Maxwell Brothers, who terrorized Illinois and Wisconsin with a long, successful horse stealing campaign, and several murders to boot, in the late 1870s.<sup>38</sup> But it is also curious that the Middleton Gang, the Maxwell Brothers, and other notorious horse thieves

---

<sup>36</sup> Eric Hobsbawm, *Bandits* (New York: Pantheon Books, 1981), 41 – 56. For more information on Doc Middleton as an archetypical Robin Hood, see Harold Hutton, *Doc Middleton: Life and Legends of the Notorious Plains Outlaw* (Chicago, Ill.: The Swallow Press, 1974), 84.

<sup>37</sup> Richard White, “Outlaws of the Middle Border: American Social Bandits,” *Western Historical Quarterly* 12 (1981): 391-393.

<sup>38</sup> There is a growing amount of serious, recent scholarship on various western outlaws and their changing legacies. See T. J. Stiles, *Jesse James: Last Rebel of the Civil War* (New York: Alfred A. Knopf, 2002) and John E. Hallwas, *Dime Novel Desperados: The Notorious Maxwell Brothers* (Urbana, Ill.: University of Illinois Press, 2008) for two particularly good profiles of post-Civil War outlaws.

are less famous now than certain bank and train robbers, such as the James Gang, and bloodthirsty murderers. Perhaps it is more difficult to portray the stealing of horses, which are naturally timid and frightful creatures, as a spectacularly violent crime worthy of a dime novel or a film. It is no accident that Edwin S. Porter made *The Great Train Robbery* in 1903, a milestone in film history, and not a movie based off of a “great” horse theft.

In spite of the absence of film-worthy horse thefts, the threat posed by horse gangs themselves might be loosely comparable to that of terrorism: the danger was nebulous and pervasive, difficult to pinpoint yet easy to imagine. Horse thieves lurked in the shadows, and that is where they did the greatest amount of damage. Gangs of horse thieves, or even groups as small as two or three, would steal horses from several different ranches or farms, and then sell them to distant fences, preferably in a different jurisdiction. These gangs were a problem throughout the West and the Midwest – Bratt frequently complained of horse thief gangs in his autobiography, and communities in states as far east as Minnesota and Wisconsin often created extralegal committees in order to track down and apprehend suspected members of these gangs. They often operated in areas where they could quickly cross a state border or a swift stream, which would hinder any pursuers hot on their trails. Thieves in Wisconsin, for example, often moved their stolen horses down the Rock River Valley, into Illinois, and then towards Chicago via Rockford, where they could sell livestock with virtual anonymity. Together, these gangs of horse thieves were part of a massive illicit horse trade, which injected illegitimately acquired horses into the mainstream economy.<sup>39</sup>

---

<sup>39</sup> See Brown, *Strains of Violence*, 119; and Lockett, 16 – 27.

More research needs to be done on gangs of horse thieves. My own project will attempt to shed additional light on their membership and their activities in both Nebraska and Missouri. But it may be difficult to disentangle the reality of these gangs from representations of them. The Middleton gang is a case in point. According to historian Harold Hutton, Middleton's notoriety began after he dug his way out of a Julesburg, Colorado prison cell, where he was held on thirty four counts of horse theft. Middleton and his gang fled to Nebraska, and soon thereafter the state seemed to crawling with horse thieves, cattle rustlers, and other bandits. As Bratt and other ranchers accused the gang of committing thefts across the state, its leader's fame skyrocketed. Middleton was seen as the head of a statewide criminal organization of robbers and highwaymen, though Hutton argued that the idea of "how such organization and discipline could be possible among as large a number of lawless and undisciplined men as were engaged in stock stealing baffled the imagination." Middleton was also successful in deflecting some of the public outcry against him by skillfully manipulating his public image. According to Hutton, Middleton himself generally stuck to stealing horses from Indians, and he left the rest of the thieving to his associates. In his records, Bratt claimed that three of his horses were stolen by Charles Fugit, who was noted as a member of the "Middleton Gang," and not Middleton himself. Middleton was also known to contribute to charities in various communities and do other good deeds. By sticking to Indian horses, Nebraskans saw Middleton as an ally against Indian horse raiding and a friend of civilization.<sup>40</sup> After all, like Robin Hood, he was only stealing back that which was stolen already, namely by the Indians, and then giving part of that back to the victimized community. In other words, Middleton was beating the Indians at their own game, raiding the

---

<sup>40</sup> Hutton, 33, 35, 37 – 44; Account of Horses, Mules - McPherson Herd, 1875-1883, Bratt Collection.

Indians who in turn raided the ranches for horses. Meanwhile, Charles Fugit and other members of the gang did the dirty work, turning a tidy profit off of horses from ranches such as Bratt's.

We must also cut through the mythology of the cowboy in order to understand the ranch hand's role in horse theft. In popular culture, cowboys are portrayed as gritty, trustworthy heroes. Gene Autry, John Wayne, Clint Eastwood, and dozens of other movie stars made names for themselves by playing cowboys on the silver screen, while novelists such as Larry McMurtry and Louis L'Amour have immortalized the American cowboy in literature. These mythical cowboys seem to live a monkish life on the frontier, fighting the forces of evil from under the brims of white hats. In contrast, an edgier interpretation of western ranching portrays cowboys as flawed, but altogether good and decent people who simply play too hard after a long day on the range. In the 1991 film *City Slickers*, Curley, an aging but gritty trail boss played by Jack Palance, catches two cowboys intimidating a woman who is traveling with the outfit on a dude ranch cattle drive. "You boys have been drinkin'," he warned the pair with the help of a well-placed knife throw. "Don't let it happen again." He later apologizes directly to the woman on their behalf, claiming that they're both "good boys" who get into trouble only when they drink too much.

The difference between these two interpretations of the western cowboy has long been the fodder for cultural historians, literary critics, and students of historical memory. In fact, scholars and laymen alike have access to a vast playground of resources, including museum exhibits and documentaries, which compare the mythic cowboy to the "real" one. If there is one thing missing from the comparison, it is that this contemporary discourse on the real and imagined cowboy often seems to assume that cowboys, trail bosses, and ranchers are one in the

same. Yet they were not – ranchers and their employees had different occupations and divergent goals, and there was a vast divide between the two in terms of material wealth. Both groups seemed to love their work, and as geographer Paul Starrs argues, this occupational love for ranching continues to outweigh the occupational hazards of ranch labor, which include seasonal work and oftentimes low pay.<sup>41</sup> However, this material divide was not insuperable – in fact, economic exigency often drove cowboys to steal from their employers. After the decline of Sioux and Cheyenne horse raiding in the late 1870s, the primary horse theft suspect was the honest, hardworking cowboy who had a little too much to drink.

John Bratt was well-aware of the temptation for a luckless cowboy to steal a cow or a horse, and he articulated his concerns in his autobiography. After discussing his experiences as a member of the Wyoming Stockgrower’s Association executive committee, he recalled expressing incredulity at his colleagues’ labor practices. Bratt generally gave his ranch hands and cowboys the option to stay on the ranch over the course of the winter, which reduced the financial pressures they faced during the slow work months between roundups. Other ranchers apparently left their cowboys to their own devices during the winter, and the lack of income during this season drove many of them to steal. “We paid our men good wages, gave them good food and cared the best we could for their moral and physical welfare,” Bratt argued in defense of his own fairness. “We kept them winter and summer, unlike some of our Western stock

---

<sup>41</sup> Paul F. Starrs, *Let the Cowboy Ride: Cattle Ranching in the American West* (Baltimore, Maryland: Johns Hopkins Press, 1998), 27. Besides Starr’s fantastic book, which discusses ranching in a historical and contemporary context, there is an astounding breadth to the historiography of ranching. For the relationship between ranching, federal land management, and politics, as well as an excellent bibliographic essay, see Karen R. Merrill, *Public Lands and Political Meaning: Ranches, the Government, and the Property between Them* (Berkeley, Cal.: University of California Press, 2002.) Terry Jordan’s *North American Cattle-Ranching Frontiers: Origins, Diffusion, and Differentiation* (Albuquerque, NM: University of New Mexico Press, 1993) is also a fundamental work.

growers, who discharged the most of their men in the fall, thus doing more to make horse and cattle thieves out of them than anything they could do.” Even Bratt seemed to imply that the wages he paid were small enough to at least require careful management. “The summer's wages of a cowboy would often be spent in a night. What was he to do through the winter? He had to live, and to live he was forced to steal.”<sup>42</sup>

Bratt voiced his objections to what his colleagues were doing. “I frankly told the members of this committee that they did everything they could, indirectly, to make horse and cattle thieves out of their employees.” His advice had some effect: “Some agreed with me, and later allowed many of these employees to remain at their ranches through the winter, boarding them without charge, while others paid their men half wages and boarded them for the little work they did around the ranches.”<sup>43</sup> In other words, Bratt seemed to have identified a problem within the moral economy of the ranching culture: ranchers paid laborers meager wages for seasonal work, turned them loose for the winter with few other job prospects awaiting them, and then expressed surprise when their employees stole their horses. It might not be surprising to us, then, to note that the venom reserved for horse and cattle thieves in the popular literature of the period may have been directed towards cowboys and ranch hands who overspent their wages drinking and gambling after long, tiring, lonesome roundups, and then recouped their losses by stealing a couple of horses. By depicting horse thieves as amoral gang members, ranchers and cultural hucksters of the Wild West relegated otherwise honest, hard-working to that role. People outside

---

<sup>42</sup> Bratt, 221, 205 – 206.

<sup>43</sup> *Ibid*, 206.

of the ranching industry began to assume that horse thieves were inherently wicked people, and the notion of horse theft as a uniquely western crime began to take hold in popular culture.

Horse theft is a convenient crime to superimpose against the supposed lawlessness of the old West. Unlike murder, whose effects are both permanent and known throughout the world, horse theft seems to better represent western violence. People nowadays imagine horse theft through a variety of lenses shaped by our own historical memory of the era, as well as the conveniences people have today: as car owners, we compare horse theft to car theft today; as beneficiaries of automobile, air travel, and cell phone technology, we know that we can pass through the desolate landscapes of the west far more easily than someone on horseback, who in turn has a much better chance of not perishing in the deserts or mountains than someone on foot. Modern civilization's cultural and technological mobility, I would argue, has sensitized modern Americans to what life would have been like in the West without a horse. The fear of a horseless existence, amplified a thousand times over by the present unease over losing access to a car or sitting through a series of flight delays, prejudices Americans against the very concept of horse theft. Even modern horse owners tend to think of horse theft as an ancient threat – one online article in 2002 warned equestrians, “You may think of it as a problem of the wild west, but today, more than ever, your horse is at risk of being stolen.”<sup>44</sup>

Hucksters of the Wild West might have succeeded in using horse theft to sell dime novels, but they also convinced Americans back east that horse theft was the prototypical crime

---

<sup>44</sup> Patricia Celley, “Horse Theft,” Suite101.com, accessed on 17 September 2010, [http://www.suite101.com/article.cfm/horse\\_talk/89815](http://www.suite101.com/article.cfm/horse_talk/89815).

of the west. As a result, horse theft was lumped together with cattle rustling, gun slinging, and other “western” crimes of the frontier. Yet subsequent efforts by historians to make the Wild West a little less “wild” have failed to alter the dime novel conception of western violence that includes horse theft as one of those crimes which occur on the frontier. By not extricating horse theft from this concept of the Wild West, regardless of its accuracy, scholars fail to see horse theft as a problem in other parts of the country. Therefore, historians fail to pay much attention to the fifty thousand members of the Missouri-based Anti-Horse Thief Association, a regional fraternal order of anti-horse thief associations that grew enormously throughout the latter half of the nineteenth century. If horse theft was enough of a problem in the Midwest to prompt tens of thousands of people to organize against it, then horse theft was a problem common enough to unite both regions, and was not a “western” crime. Observers might even discover that horse theft was more of an issue in Missouri, where a higher per-capita rate of horse ownership, a greater per-farm investment in horse flesh relative to total assets, and chronic indebtedness meant that a stolen horse would be a far greater problem to contend with.

### **Horse Stealing on Ranches and Farms: Comparing Missouri and Nebraska**

Doc Middleton and David McKee are convenient narrative antipodes for the purpose of this study. Like fire and ice, the stories of America’s most well-renowned horse thief and his existential nemesis, the founder of what might be one of the largest vigilante organizations in American history, are touchstones which help people understand the motivations of the thief and the victim alike. But Middleton’s and McKee’s respective home regions are equally convenient for comparisons. Northeast Missouri and western Nebraska are alike in a lot of ways: both are

more or less situated in the contemporary Middle West, both were settled by ethnographically similar waves of migration, both lie within the great economic orbit of Chicago, etc. Hannibal, Missouri and North Platte, Nebraska are both historical and cultural testaments to the great transportation revolutions that brought prosperity and American settlers to the region – the former is famous for its Mississippi River heritage and as the hometown of Mark Twain, while the latter celebrates its close association with the Union Pacific by maintaining the world’s largest rail yards as a tourist attraction. Missouri and Nebraska both embody the cultural and historical heritage of the Midwest; both are standard-bearers for the heartland.<sup>45</sup>

Yet there are major differences between the two regions as well. The biggest one is geographic: North Platte lies west of the 100<sup>th</sup> Meridian, and Clark County lies along the greatest waterway in North America. Due to the aridity of the High Plains, Lincoln County’s economy depended almost exclusively on ranching and railroads. Outside of the towns and beyond the railroads, the primary economic unit was the ranch. Missouri, on the other hand, was a patchwork of various farming communities and traditions, all of whom had the benefit of frequent rainfall and spring floods to facilitate farming. Airline passengers who look down upon these two “Fly-over” states on a clear day could surely tell the two apart – Missouri resembles a big, green and light brown quilt, peppered with towns and laced with roads and rivers; while

---

<sup>45</sup> There is a dynamic, growing literature on the consolidation of Midwestern regionalism at the turn of the century. Important works on this subject include James R. Shortridge, *The Middle West: Its Meaning in American Culture* (Lawrence, Kan.: University of Kansas Press, 1989); Susan Sessions Rugh, *Our Common Country: Family Farming, Culture, and Community in the Nineteenth-Century Midwest* (Bloomington, Ind.: Indiana University Press, 2001); John C. Hudson, *Making the Corn Belt: A Geographical History of Middle Western Agriculture* (Bloomington, Ind.: Indiana University Press, 1994); Andrew R. L. Cayton and Peter S. Onuf, *The Midwest as a Nation: Rethinking the History of an American Region* (Bloomington, Ind.: Indiana University Press, 1990); and Frederick C. Luebke, “Regionalism and the Great Plains: Problems of Concept and Method,” *The Western Historical Quarterly* 15 (1984), 19 – 38.

Nebraska is a series of huge brown squares and rolling grasslands, sparsely populated, and cut with long, thin, straight roads. Less discernable differences between the two states transcend geography and agricultural economics, and influenced the ways in which farmers and ranchers perceived and interpreted concepts of land ownership, family, bureaucracy, and economics. Thus, the difference between Nebraska and Missouri is essentially the difference between ranches and farms. But if ranchers and farmers had anything in common, it was that both depended on their horses for work and travel.

We have already seen evidence of how horse thieves and cattlemen have fought one another in Lincoln County, but scholars should remember that western Nebraska is not only useful for observing the interaction between thieves like Middleton and ranchers like Bratt. This area contained Fort McPherson, a major fort in western Nebraska that played a role in several local Indian wars. Lincoln County was a major battleground in what historian Elliot West referred to in *Contested Plains* as a contest between two competing economies: the Indians' accumulation of horses and the Anglo-Americans' pursuit of gold.<sup>46</sup> Moreover, North Platte, by far the largest city in Nebraska west of the 100 meridian and a stop along the Union Pacific from the 1860s through the present, is the seat of Lincoln County. In addition to the Union Pacific, the Burlington Railroad was built south of and parallel to the transcontinental line in the late 1880s, connecting the more remote Frontier County with points east, such as Grand Island and Omaha. The North and South branches of the Platte River meet here as well. Although the Platte River is famously shallow and wide, fur traders, the Oregon and Mormon Trails, the Union Pacific, and

---

<sup>46</sup> West, xxiii.

Interstate 80 follow the river upstream as it flows east to the Missouri. It is the natural east-west route across Nebraska, and the South Platte provided a clear alternate route down into Colorado.

This region, in which the sparsely populated Lincoln County lies so close to a major transportation corridor, can provide historians with a fascinating glimpse into how the horse economy affected local Lakota Sioux and other mounted tribes, Oregon and Mormon Trail migrants, Bratt and other area ranchers, and homesteaders moving into Western Nebraska. Already, the area seems to provide historians with an interesting glimpse into the illicit horse economy – Bratt’s ranching records at the Autry National Center in Los Angeles demonstrate the presence of frequent horse thefts in the 1870s, and his autobiography is full of tales describing horse theft by Indians and white settlers alike. When coupled with the Fort MacPherson records and the State Historical Society’s legal records of the region, a fascinating story of horse theft and its relationship to Indian raiding, institution-building on the frontier, and westward expansion will emerge. Moreover, the ranching industry’s intensive use and breeding of horses made the area a particularly enticing target for thieves. The abundance of horseflesh in this region provides me with a much different context through which to examine horse theft, since horses stolen here might have been more easily replaced by large ranch owners. Meanwhile, as mentioned earlier, ranch hands themselves might have been the prime suspects in these thefts. Historian Mark Ellis, who wrote a monograph on the evolution of legal and law enforcement institutions in Lincoln County, suggests that horse theft in the region had a strong utilitarian component – he argues that the main motive for horse theft was transportation.<sup>47</sup>

---

<sup>47</sup> Mark R. Ellis, *Law and Order in Buffalo Bill’s Country: Legal Culture and Community on the Great Plains, 1867 – 1910* (Lincoln, Neb.: University of Nebraska Press, 2007), 45 – 47.

Meanwhile, northeast Missouri provides a different context for this study. Clark County is located at the confluence of the Des Moines and the Mississippi Rivers, which form Missouri's border with Iowa and Illinois, respectively. The terrain itself is largely wooded, primarily agricultural, and well-connected to the neighboring states by way of ferries, bridges, and fords (across the Des Moines, anyway). Therefore, horse thieves could easily steal horses from farmers in the region and then sell them in Keokuk, just across the Des Moines River in Iowa, or cross the Mississippi and sell them in nearby Quincy or other towns. Chicago was a short ride away by rail, and St. Louis was just a few hundred miles downstream on the Mississippi. Thieves could unload their cargo in any of these places, and according to regional histories the county's location made it a prime target for theft. Surrounding counties were susceptible as well, particularly during the Civil War, which added to the confusion over where thieves went after stealing their horses, and where stolen horses had originally come from. The area's rivers, forests, rolling hills, and state borders provided plenty of cover for horse thieves, and McKee founded the AHTA in order to overcome these geographical and jurisdictional barriers to horse theft prevention.

Yet Missouri and its yeoman farming culture carries significance beyond this river crossroads of horse theft. Communities in northeastern Missouri, western Illinois, and southeastern Iowa came closer than those elsewhere in the country to achieving the Jeffersonian dream: settlers managed to create independently owned and operated farms from their homesteads, which supported both agriculture and livestock production.<sup>48</sup> Horses and railroads gave farmers the ability to ship their products to distant markets, while cities such as Chicago

---

<sup>48</sup> Rugh, xv – xxi.

and St. Louis increased demand for foodstuffs and soaked up part of the expanding population. However, major racial, economic and gender inequalities existed even in this supposedly idyllic landscape. For instance, according to historian Lawrence Goodwyn, a long period of post-war deflation depressed the Midwestern farmer's purchasing power by resulting in higher freight rates and lower wholesale prices for agricultural products. Access to credit was limited as well, and many farmers went into debt trying to pay their mortgages, farming implements, and horses. The cash flow problems here were exacerbated by the seasonal nature of farming, since money only flowed into the region during and after harvest time.<sup>49</sup> Many of these problems bedeviled ranchers in Nebraska as well, but the small owner-operators of Missouri's agricultural economy lacked the financial ability to capitalize their farms, let alone buy new horses should thieves descend upon their farms and steal them all. Thus, horse theft and anti-horse thief organizations must be understood within the economic and political context of the Populist movement, which historian Charles Postel has recently characterized as a period of "innovative possibility" driven by creative responses to systemic problems.<sup>50</sup>

## **Sources and Methods**

### *Uncovering the Stories of the Characters Involved: A Word on Qualitative Sources*

This project will uncover the stories of horse thieves, the victims of horse theft, and the law enforcement officials responsible for pursuing them; and will attempt to reveal horse theft as

---

<sup>49</sup> Lawrence Goodwyn, *The Democratic Promise: the Populist Movement in America* (New York: Oxford University Press, 1976), xix, 32, 58, 65, 86.

<sup>50</sup> Charles Postel, *The Populist Vision* (New York: Oxford University Press, 2007), 27.

a phenomenon that tells a story about how late-nineteenth century Midwesterners perceived the world they lived in. These stories will be based largely on the information I gather from three main types of sources: local newspapers in Missouri and Nebraska; county and circuit court-level legal records of criminal cases; and a selection of archival materials and other works that tell the story of several farmers, ranchers, horse thieves, and law enforcement officials who either stole horses or otherwise dealt with horse theft as a criminal or economic activity.

As primary sources, newspapers are notoriously unreliable and biased. Newspapers in the late-nineteenth century United States are particularly problematic, given their oftentimes close association with partisan politics.<sup>51</sup> When used effectively, however, newspapers are treasure troves of information – from local advertisements to opinions on various and sundry issues, newspapers were the primary form of mass media communication during this era, and the sheer variety of different papers available during this time ensured that a wide range of stories, perspectives, and demographics were represented. Newspapers will provide me with a comprehensive picture of horse theft, and possibly an understanding of how horses were culturally, socially, and economically valued. For this project, I will mine several papers from each region, which are available through inter-library loan on microfilm and, in a few cases, online databases. One major regional newspaper, the *Hannibal Clipper*, is available on the Missouri Heritage website for free.<sup>52</sup>

---

<sup>51</sup> Matthew Glentzkow, Edward L. Glaeser, and Claudia Goldin, “Rise of the Fourth Estate: How Newspapers Became Informative and Why it Mattered,” in Glaeser and Goldin, ed., *Corruption and Reform: Lessons from America’s Economic History*, 191.

<sup>52</sup> Missouri Secretary of State Office, *Hannibal Clipper*, Missouri Digital Heritage Website, accessed online on 17 October 2010 at <http://cdm.sos.mo.gov/cdm4/browse.php?CISOROOT=%2Fhanclip1>.

Legal records will give me an even more detailed view of horse theft as a process, both on the part of the thief and also the victim and the law. Individual case histories will provide me with details on specific crimes, and adjudicated cases of horse theft can be compared to other crimes. Along with the newspaper research, the legal research will require a great deal of time. However, I believe that I will be able to do at least part of the necessary research while at residence at UCLA. I can order microfilmed copies of applicable County Court and Justice of the Peace records for Missouri, which are also available for viewing at the State Archives in Jefferson City. For Nebraska, I can sort through the Lincoln County Court records, beginning in 1870, which are housed at the State Historical Society. Records for other counties are available there as well.

Newspaper reports and court cases give me a composite understanding of horse theft, but they hardly give me an experiential understanding of horse theft. They also fail to provide a detailed, bottom-up view of horse theft and horse ownership. I am attempting to identify a wide-ranging, yet manageable set of specific archival sources that will provide me with the opportunity to gain some important insight into all of the aspects of horse theft that are not deemed relevant enough for legal records or for newspapers. As I uncover the stories of the people involved, willingly or unwillingly, in the illicit horse economy, I will piece together many of these individual stories as case studies. An excellent case in this regard can be found in western Nebraska, where rancher John Bratt built a large cattle ranch in the Platte river valley. Bratt's case is very well-documented – two archival collections hold the fruits of his meticulous record-keeping over the course of thirty years and his voluminous correspondence with other ranchers, government officials, and his family in England. Bratt also wrote an autobiography, *Trails to Yesterday*, in the early twentieth century which recounts his experiences settling the

Plains, committing acts of vigilante violence, and later mobilizing the local stock association to pursue and apprehend horse thieves. Taken together, these collections, along with the autobiography, offer a rare glimpse into the workings of a Nebraska cattle ranch.<sup>53</sup>

The University of Kansas and the Missouri Historical Society also have collections of materials available on McKee's Anti-Horse Thief Society (AHTA). Many of these works are electronically available on PDF, which include a selection of conference proceedings from their annual conventions and a small book on the rituals learned by new members. These documents highlight the nature of the AHTA's activities and rituals, which resembled those of other secret societies, such as the Freemasons.<sup>54</sup> Hugh Gresham's biography of David McKee is extraordinarily helpful as well. Although it was published in 1937, the book contains a wealth of information on McKee, the early AHTA, and testimonials from different members and various luminaries of that period about the organization's effectiveness as a "moral tonic" for the communities under its wing.<sup>55</sup> There are still more AHTA-related documents that I have yet to

---

<sup>53</sup> For the Autry collection, see: John Bratt Collection Ranching Records and Biographical Material, 90.253.1300-1318, Autry Library, Autry National Center, Los Angeles, California (Hereafter referred to as the Bratt Collection). For the Nebraska State Historical Society collection, see: Bratt, John, 1842-1918, RG4157.AM, Nebraska State Historical Society, Lincoln, Nebraska (hereafter referred to as Bratt MSS). Most of the material from this paper is based on the Bratt Collection, which I collected during a summer research fellowship at the Autry Library.

<sup>54</sup> For example, see W. W. Graves, *Grave's Manual: A Hand Book of Parliamentary Rules as Particularly Apply to the Lodges of the Anti-Thief Association and Central Protective Association, Also a Form of Trial for Members of the Order Against Whom Charges are Filed* (St. Paul, Kan.: A. J. Hopkins Publications, 1927); and *Proceedings of the Sixty-Fourth Annual Session of the Anti-Horse Thief Association, National Order; Held at Jacksonville, Illinois, September 30, 1926* (St. Paul, Kan.: Anti-Thief Association, 1926).

<sup>55</sup> Gresham, 57.

look at, and the collections in Kansas and Missouri seem to be very promising destinations for future research on the Anti-Horse Thief Association.

### *Understanding the Incidence of Horse Theft: A Note on Methods*

I will have to conduct a fair amount of quantitative research in order to fully understand relevant trends in horse ownership, horse stealing relative to other forms of property crime, regional economies, and the distribution of law enforcement services in both regions. These quantitative analyses will form an essential backend to my study, especially since my argument will hinge largely on economic, sociological and political trends in both regions. Although I am still learning how to design and carry out the necessary quantitative models for this study, I have already identified several sources that will provide the raw data I need to outline the contours of the late-nineteenth century horse economy and its relationship to the regional economy and law enforcement.

For one, the Bratt collection, whose qualitative importance is discussed in the above section, is also an invaluable source of data. Bratt took annual inventories of all of his horses, which he faithfully copied into a series of ledgers. One of these ledgers is housed at the Autry, and it contains each horse's name, color, and brand, as well as information on how and when each horse was acquired. I also know the fates of these horses – whether or not they died, or if they were traded, sold, or ultimately stolen. I've entered this information into a database, and based on the data within this ledger alone I can ascertain the number of horses Bratt had at any given time, how many were stolen versus the number which died in service, and at what time of

year horses were most likely to be stolen, killed, bought or traded. I can correlate some of the horse sales with their final selling prices, since Bratt also documented all of his financial transactions.<sup>56</sup> An ambitious researcher can even trace each horse's brand back to the original ranch and note the distance it travelled, using a contemporary brand index and tools such as Ancestry.com and Google Earth.

The Agricultural Census is another excellent source. Conducted every ten years, I can use the federal Agricultural Census to map out the numbers of horses, cattle, farmers, bushels of corn and other foodstuffs produced, and other agricultural statistics in each county. This information is already yielding several interesting facts. For instance, according to the 1880 Agricultural Census, there were over 52,000 head of cattle grazing in Lincoln County, excluding milch cows, and there were 1,750 horses available to herd them. With a population of 3,632 people, there was roughly a 2 to 1 ratio between people and horses. That is similar to the ratio of horses to people in Clark County, Missouri, a fertile and agriculturally rich county where roughly fifteen thousand people owned nearly eight thousand horses, and where the multi-state Anti-Horse Thief Association was founded in 1854. But there were only fourteen thousand cattle in Clark County, and seven thousand milch cows, which means that for every man, woman, and child in Clark County, there was one head of cattle and one half of a milking cow. Conversely, in Lincoln County, Nebraska, there were over fourteen head of cattle for every person in the county, which meant that a lot of the available horses would be used almost exclusively for ranging and herding cattle. As a result, there was actually a far lower ratio of horses to people in Lincoln County, since all of that extra cattle would mean that more horse power is necessary to keep them. Bratt's

---

<sup>56</sup> Account of Horses, Mules - McPherson Herd, 1875-1883, Bratt Collection.

records demonstrate this fact – at any given time between 1875 and 1883, Bratt had about one horse on hand for roughly every 100 head of cattle.<sup>57</sup> If that ratio applies throughout the county, then nearly a third of the available horse supply would be used for ranching purposes. That would indicate that only a handful of people in the county would own a sizeable percentage of the county’s horses, meaning that the horse populations at their ranches were large and, comparatively speaking, easier to steal.

Some of the other sources I’ve mentioned may be used as datasets as well. For example, I can use legal records to trace the severity of horse theft in comparison to other property crimes, such as burglary and petty theft. I can find out how often horse theft and other crimes occurred, where they occurred, who the thieves stole from, and with the help of Nebraska’s prison registry and similar sources, I can find out how many people were incarcerated for horse theft and other crimes. I can do a similar survey with newspapers, especially those available in searchable digital format (such as the *Hannibal Clipper*). I can even run searches in Missouri, Nebraska, and other papers in order to create broader comparisons in the frequency of horse theft. Ultimately, once I finish my statistical training, and in consultation with my advisers, I would like to plan a more specific approach to the quantitative side of my research, which will include a discussion on how best to model the problems I want to solve.

---

<sup>57</sup> U.S. Department of the Interior, *Tenth Census: Statistics of Agriculture and Statistics of Population of the United States at the Tenth Census*, accessed on 19 September 2010 at [http://www2.census.gov/prod2/decennial/documents/1880a\\_v1-01.pdf](http://www2.census.gov/prod2/decennial/documents/1880a_v1-01.pdf); Account of Horses, Mules - McPherson Herd, 1875-1883, Bratt Collection.

## **Proposed Chapter Overview**

In the Introduction, I will explore horse theft as a historical subject. I will discuss the historiography of horse theft and relevant works in the historiography of Midwestern trade, transportation, ranching, agriculture, and commodity flows. I will then discuss the various ways in which horse theft could occupy a unique position in the history of the West, the Midwest, and late-nineteenth century America in general. For example, I will discuss the problematic position that horse theft holds in the historiography of lynching and extralegal law enforcement, and as I have done earlier in this prospectus, I will argue that horse theft or a similar crime might serve as an alternative unit of analysis for studies of extralegal violence than lynching.

The first chapter will explore the Midwest at the beginning of the Civil War. I will discuss Missouri's conflicted regional identity, Nebraska's frontier landscapes and its role as a highway of western migration, and the Midwest's connections to Chicago, the Mississippi, and the east coast. This chapter will serve several functions: I will briefly discuss the history and historiography of Midwestern social, economic, and cultural development; track and assess the evolution of the ranching and small-scale farming economies throughout the region; follow the growth of railroads and their role in the incorporation of the Midwest; compare the Sioux and Cheyenne's hegemony on the northern plains to the fate of the Osages and other tribes in Missouri; and establish the Midwest's cultural, ecological, and ethnographic diversity at the start of the Civil War. I will finally segue into the next chapter by arguing that horses were more integral to the region's development, identity, and culture than railroads. Most important, I will

argue that the horse actually grew more important after the introduction and proliferation of railroad transport.<sup>58</sup>

The second chapter will explore the horse's role in the mid-nineteenth century Midwest, and why horses were both zealously guarded by their owners and prized so highly by thieves. I'll begin by establishing the horse's economic value in the marketplace as a commodity, and their utility value both on the farm and on the ranch. I will argue that horses were inextricably a part of the Midwestern economy, since they represented a large proportion of the average farmer's personal wealth, a considerable percentage of their power needs, and the primary means of transportation for intermediate-distance travel and freight. After all, railroads are useless if they can only ship hand-carried materials to the stations. I will also discuss the horse's cultural and social importance within nineteenth-century Midwestern life. On the one hand, horses facilitated and made possible nineteenth century rural culture: by providing transportation to churches, polling places, markets, friends, and distant family members, horses dramatically reduced travel times between various points, which in turn freed up more time for other activities while increasing opportunities for travel. On the other hand, horses themselves were valued as pets and luxury items. People invested a lot of time and energy in breaking and training their horses, and horse owners often showed a great deal of affection towards their steeds. I will argue that the horse's combined economic and anthropomorphic importance made it a central part of the

---

<sup>58</sup> This is not a novel argument. See F. M. L. Thompson, "Nineteenth-Century Horse Sense," *Economic History Review* 29 (1976), 60 – 81, for an excellent discussion of how England's reliance on horses for transport increased as rail networks expanded. As railroads incentivized increased crop yields, more horses were needed to carry bumper crops to the market for shipment; thus, an ironic result of the rail revolution was to actually make horse transport indispensable.

Midwesterner's sense of him or herself, and horse theft threatened that aspect of Midwestern life with violence.

Chapter three will cover two military crises which dominated the public's perception of horse stealing up until the 1870s: Indian horse raiding and the theft of horses during the Civil War. I believe that both crises influenced subsequent perceptions of and reactions to horse theft as a crime. For example, on the High Plains of Nebraska, Indian horse raiding throughout the 1860s and the 1870s created a siege mentality among ranchers and settlers, who feared that the Sioux would raid their farms and steal away their horses. Meanwhile, in Missouri, the Civil War created new opportunities for horse thieves for steal property, while armed bandits and guerillas posed a grave threat to personal property. These two crises also created new classes of criminals who would later steal horses after the wars ended, and the horse scarcity which followed the destructive Civil War caused horse prices to skyrocket, which in turn led to more horse theft and to the victims' decreasing ability to recover from it. In effect, these two conflicts transformed horse theft from grand larceny to a crime that threatened the social and economic order, which called for a harsh, decisive response by law enforcement and vigilance organizations.

In chapter four, I will investigate the incidence of post-war horse theft in both regions, using court records, newspapers, and other existing evidence. I am particularly interested in who stole horses, why they stole them, and how they went about stealing them. I am also interested in the effects of horse theft: how it harmed ranchers and farmers, and also how it benefitted thieves, fences, and their families. This would be an excellent opportunity to discuss the differential effects between horse theft on ranches and theft on farms by highlighting divergent patterns in horse ownership, horse usage, and access to capital. Finally, I will discuss horse gangs in detail –

who joined them, where they operated, and their activities. Although only a fraction of the research for this chapter is complete, I hypothesize that horse theft had a much more deleterious effect in Missouri than it did in Nebraska, where the number of horses owned per capita was much higher, and where the value of horses was therefore much more diluted as a share of overall wealth.

I will start to explore the ways in which people responded to horse theft in Chapter Five, which will delve into the state's responses to horse theft. I will explore how the state defined the crime, as well as how federal, state, local, and military authorities drafted, debated, and enforced legislation against the crime. I will rely on court documents, newspapers, and other extant records as I reconstruct how and when horse theft became a separate crime. I will also discuss the state's strategies for investigating and prosecuting horse thieves, and will rely on econometric models in order to gauge the relative amount of state and local resources used for the purposes of preventing and prosecuting horse theft. My preliminary guess is that horse theft was more successfully prosecuted against in Lincoln County, Nebraska than it was in Clark County, Missouri, given Nebraska's low population density; overlapping jurisdictions between various law enforcement agencies, railroad police, and the Army in Lincoln County; and the ranchers' disproportionately large share of both the total horse population and representation in local government, versus the low number of horses owned by Clark County farmers on average. In other words, criminals stole more often from the ranchers with a lot of horses, and these ranchers in turn had more clout and money to pursue them with. I also believe that law enforcement protection in both areas lacked the resources and technology to successfully prevent and prosecute horse theft. As a result, both ranchers and farmers came to the conclusion that a collective strategy of mutual protection would provide a more expedient solution to horse theft,

which would respond more quickly and cast a wider net for horse thieves than the limited resources of the county sheriff's department would allow. But the much more rapid expansion of anti-horse thief associations in Missouri than Nebraska warrants explanation.

Horse owners, concerned citizens, and vigilantes will provide the subject matter for Chapter Six, which will focus on extra-legal vigilantism, anti-horse thief societies, and other forms of private protection. I will pay special attention here to McKee's Anti Horse Thief Association in Missouri and the Wyoming Stock Association in Nebraska as local, extralegal institutions dedicated wholly or in part to preventing horse theft. I will also explore other forms of collective and community organization during this time period, so that I may compare the AHTA to other organizations, such as the Freemasons, the Grange, political groups, and ultimately Populism and other reform-minded groups. Finally, I will argue that the AHTA and similar organizations were established as concomitants of Populism and other groups. The AHTA represented another side of the Populist mentality, which presented a creative, collective, and pragmatic solution to a severe problem. It was also a more successful strategy, provided that my research in Missouri echoes my earlier finding that anti-horse thief associations in Wisconsin were at least indirectly responsible for reducing horse theft in that state.

In chapter seven I will discuss how Missourians, Nebraskans, and Americans in general perceived horse theft during the late nineteenth century, and how they remembered it during the twentieth. Using newspapers, dime novels, and other examples of period literature, I intend to explore the ways in which horse theft was portrayed to the public at large. I also plan to trace the evolution of laws against horse theft and the fate of anti-horse thief associations after the widespread adoption of the automobile. I will also discuss how and why horse theft was

perceived differently in Nebraska and Missouri. In Nebraska, horse thieves were portrayed as villains, and although this vilification was aimed at cowboys, ranch hands, and other non-professional criminals, it was eventually echoed in future representations of western violence. Ultimately, horse theft was bound up with other “frontier” crimes, and twentieth-century Americans began to associate it with the west. Meanwhile, the anti-horse thief associations faded into obscurity with the mass production of automobiles and the advancing age of its founding members. With the rise of lynching violence across the South and the Midwest, these organizations became bound up with a quite different legacy: despicable acts of racial violence became associated with vigilantism, and the violent histories of a few of these organizations exacerbated their fall from grace. The “castle doctrine” of gun control and home defense emerged largely unscathed from the history of these organizations, but otherwise the organizations fell into obscurity. In other words, both the horse thieves and the horse thief pursuers became villains, and this regional struggle over horse power would be forgotten for want of a historical protagonist.

Finally, my conclusion will reiterate and summarize the many ways that horses, horse theft, and responses to horse theft shaped the development of the Midwest as a region.

## Appendix: Maps and Figures

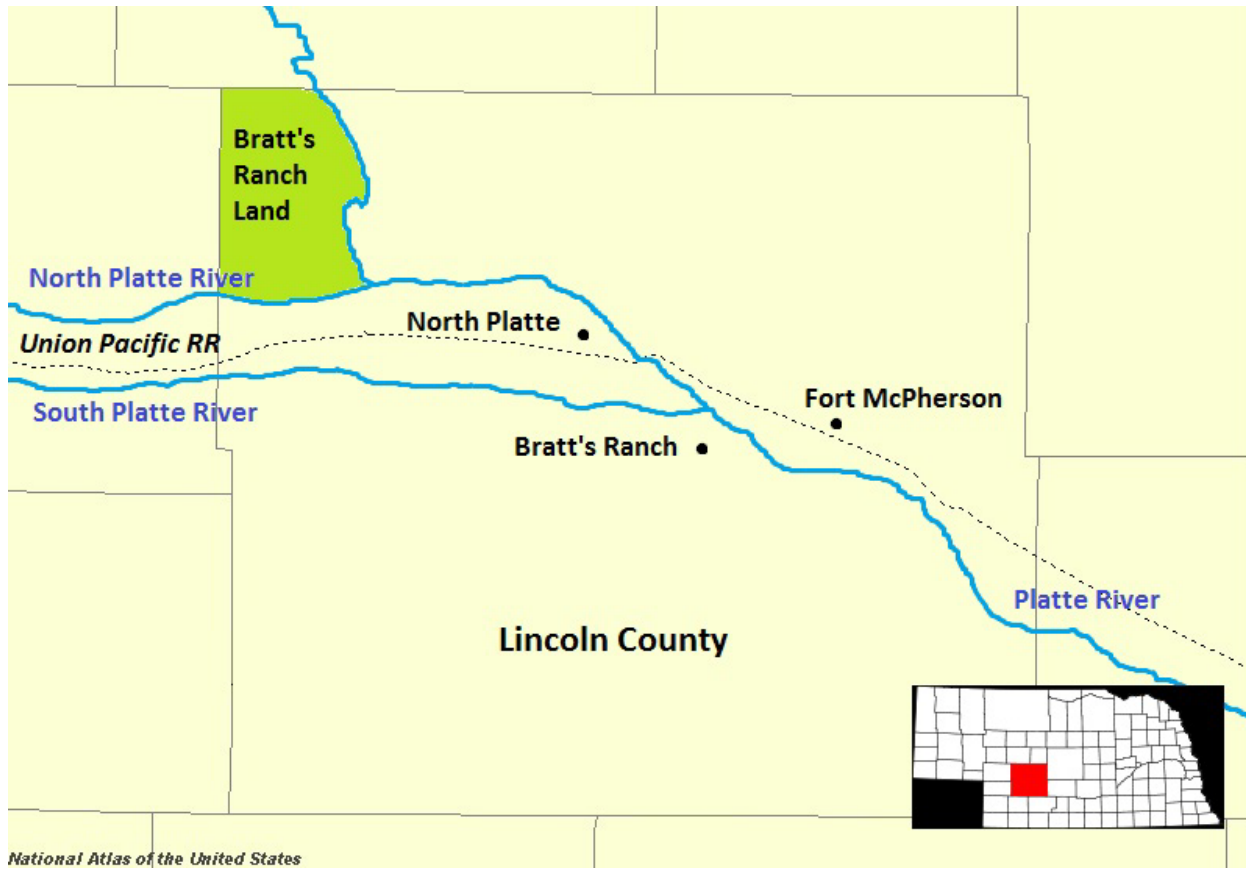
**Figure 1:** Map of Clark County, Missouri



Created by the author, using the National Atlas mapmaker program

(<http://www.nationalatlas.gov/mapmaker>)

**Figure 2:** Map of Lincoln County, Nebraska.



Created by the author, using the National Atlas mapmaker program

(<http://www.nationalatlas.gov/mapmaker>)

**Figure 3:** David McKee, Founder of the Anti-Horse Thief Association



Source: <http://www.lrgaf.org/articles/ahta.htm>

**Figure 4:** John Bratt, Nebraska rancher, politician, and writer.



Source: Nebraska State Historical Society, [www.NebraskaStudies.org](http://www.NebraskaStudies.org)

**Figure 5:** Doc Middleton, allegedly responsible for stealing over two thousand horses.



Source: <http://www.thelongridersguild.com/chadron.htm>

## Bibliography

- Alston, Felix and Scott Alston. "Bronco Nell, A Woman Horse Thief." *Annals of Wyoming: The Wyoming History Journal* 76 (2004), 13 – 17.
- Anders, Leslie. "Farthest North: The Historian and the Battle of Athens." *Missouri Historical Review* 69 (1975): 147-168.
- Andrews, Thomas G. *Killing for Coal: America's Deadliest Labor War*. Cambridge, Mass.: Harvard University Press, 2008.
- Argersinger, Peter H. *The Limits of Agrarian Radicalism: Western Populism and American Politics*. Lawrence, Kan.: University Press of Kansas, 1995.
- Aron, Stephen. *American Confluence: The Missouri Frontier from Borderland to Border State*. Bloomington, Ind.: Indiana University Press, 2006.
- "The Making of the Frontier West and the Unmaking of Other Realms." In *A Companion to the American West* (Blackwell Companions to American History), edited by William Deverell, 5 – 24. West Sussex, U.K.: Wiley-Blackwell, 2004.
- Bancroft, Hubert Howe. *Popular Tribunals*, Vol. I. San Francisco: The History Book Publishers, 1887.
- Banner, Stuart. *The Death Penalty: An American Story*. Cambridge, Mass.: Harvard University Press, 2002.
- Beal, M. D. "Rustlers and Robbers: Idaho Cattle Thieves in Frontier Days." *Idaho Yesterdays* 7 (1963), 24 - 28.
- Bell, Stephen. *Campanha Gaúcha: A Brazilian Ranching System, 1850 – 1920*. Stanford, Cal: Stanford University Press, 1998.
- Bessler, John D. *Legacy of Violence: Lynch Mobs and Executions in Minnesota*. Minneapolis, Minn.: University of Minnesota Press, 2003.
- Bratt, John. *Trails of Yesterday*. Chicago: The University Press, 1921.
- Bray, Kingsley M. *Crazy Horse: A Lakota Life*. Norman, Okla.: University of Oklahoma Press, 2006.
- Brooks, James F. *Captives and Cousins: Slavery, Kinship, and Community in the Southwest*

- Borderlands*. Chapel Hill, N.C.: University of North Carolina Press, 2002.
- Brown, Dee. *Bury my Heart at Wounded Knee: an Indian History of the American West*. New York: Henry Holt and Company, 1970, 2000.
- Brown, Richard Maxwell. *Strain of Violence*. New York: Oxford University Press, 1975.
- "Western Violence: Structure, Values, Myth." *Western Historical Quarterly* 24 (1993), 5 – 20.
- Carrigan, William D. *The Making of a Lynching Culture: Violence and Vigilantism in Central Texas, 1836 – 1919*. Urbana, Ill.: University of Chicago Press, 2004.
- Cayton, Andrew R. L. and Peter S. Onuf. *The Midwest as a Nation: Rethinking the History of an American Region*. Bloomington, Ind.: Indiana University Press, 1990.
- Cayton, Andrew R. L. and Susan E. Gray, ed. *The American Midwest: Essays on Regional History*. Bloomington, Ind.: University of Illinois Press, 2001.
- Clay, T. A. "A Call to Order: Law, Violence, and the Development of Montana's Early Stockmen's Associations." *Montana: Magazine of Western History* 58 (2008), 49 – 63.
- Cooper-Wiele, Jonathan K. *Skim Milk Yankees Fighting: The Battle of Athens, Missouri, August 5, 1861*. Iowa City, Iowa: Press of the Camp Pope Bookstore, 2007.
- Cronon, William. *Nature's Metropolis: Chicago and the Great West*. New York: W.W. Norton and Co., 1991.
- Davis, John W. *Goodbye, Judge Lynch: The End of a Lawless Era in Wyoming's Big Horn Basin*. Norman, Okla.: University of Oklahoma Press, 2005.
- DeLay, Brian. *War of a Thousand Deserts: Indian Raids and the U.S. – Mexican War*. New Haven, Conn.: Yale University Press, 2008.
- Dixon, Ben F. "Battle on the Border." *Annals of Iowa* 36 (1961), 1-15.
- Drees, David James. "The Army and the Horse Thieves." *Kansas History* 11 (1988), 35 – 53.
- Dubber, Marcus Dirk. *The Police Power: Patriarchy and the Foundations of American Government*. New York: Columbia University Press, 2005.
- Dykestra, Robert R. "Body Counts and Murder Rates: The Contested Statistics of Western Violence." *Reviews in American History* 31 (2003), 554 – 563.
- Ellis, Mark R. *Law and Order in Buffalo Bill's Country: Legal Culture and Community on the Great Plains, 1867 – 1910*. Lincoln, Neb.: University of Nebraska Press, 2007.

- Elofson, Warren. "An Exceedingly Dickey Business: Frontier Horse Ranching on the Northern Great Plains." *Agricultural History* 79 (2005), 462 – 77.
- Flores, Dan. "Bringing Home all the Pretty Horses: The Horse Trade and the Early American West, 1775 – 1825." *Montana: The Magazine of Western History* 58 (2008), 3 – 21.
- Foucault, Michel. *Discipline and Punish: The Birth of the Prison*. New York: Vintage Books, 1977, 1995.
- Glaeser, Edward L. and Claudia Goldin, ed. *Corruption and Reform: Lessons from America's Economic History*. Chicago: University of Chicago Press, 2006.
- Goldsby, Jacqueline. *A Spectacular Secret: Lynching in American Life and Literature*. Chicago, Ill.: University of Chicago Press, 2006.
- Gonzalez-Day, Ken. *Lynching in the West: 1850 – 1935*. Durham, N.C.: Duke University Press, 2006.
- Goodwyn, Lawrence. *The Democratic Promise: the Populist Movement in America*. New York: Oxford University Press, 1976.
- Gresham, Hugh C., ed. *The Story of Major David McKee: Founder of the Anti-Horse Thief Association, Together with the History of the Anti-Horse Thief Association and the Anti-Thief Association*. Cheney, Kan.: National Anti-Thief Association, 1937.
- Grossman, James R., ed. *The Frontier in American Culture*. Berkeley, Cal.: University of California Press, 1994.
- Hallwas, John E. *Dime Novel Desperados: The Notorious Maxwell Brothers*. Urbana, Ill.: University of Illinois Press, 2008.
- Hämäläinen, Pekka. "The Rise and Fall of Plains Horse Cultures." *Journal of American History* 90 (2003), 833-862.
- *The Comanche Empire*. New Haven, Conn.: Yale University Press, 2008.
- Hobsbawm, Eric. *Bandits*. New York: Pantheon Books, 1969, 1981.
- Hofstadter, Richard. *The Age of Reform: From Bryan to F.D.R.* New York: Alfred A. Knopf, 1955.
- Hoy, Jim. "Chasing Cattle Thieves in the Flint Hills in 1899." *Kansas History* 28 (2005), 16 – 29.

- Hudson, John C. *Making the Corn Belt: A Geographical History of Middle Western Agriculture*. Bloomington, Ind.: Indiana University Press, 1994.
- Hutton, Harold. *Doc Middleton: Life and Legends of the Notorious Plains Outlaw*. Chicago, Ill.: The Swallow Press, 1974.
- Jacoby, Karl. *Shadows at Dawn: A Borderlands Massacre and the Violence of History*. New York: The Penguin Press, 2008.
- Jeffries-Jones, R. "Profit Over Class: A Study in American Industrial Espionage." *Journal of American Studies* 6 (1972), 233 – 248.
- Jones, Spencer. "The Influence of Horse Supply Upon Field Artillery in the American Civil War." *Journal of Military History* 74 (2010): 357-377.
- Jordan, Terry G. *North American Cattle-Ranching Frontiers: Origins, Diffusion, and Differentiation*. Albuquerque, N.M.: University of New Mexico Press, 1993.
- Lears, Jackson. *Rebirth of a Nation: The Making of Modern America, 1877 – 1920*. New York: HarperCollins, 1999.
- Leonard, Stephen J. *Lynching in Colorado, 1859 – 1919*. Boulder, Colo.: University Press of Colorado, 2002.
- Lewis, David Rich. "Native Americans in the Nineteenth-Century American West." In *A Companion to the American West* (Blackwell Companions to American History), edited by William Devereaux, 143 – 161. West Sussex, U.K.: Wiley-Blackwell, 2004.
- Limerick, Patricia Nelson. *The Legacy of Conquest: the Unbroken Past of the American West*. New York: W.W. Norton and Co., 1987.
- Luckett, Matthew. "The 'Wide Awake Citizens:’ Anti Horse-Thief Associations in South Central Wisconsin, 1865-1890." *Wisconsin Magazine of History* 91 (2007): 16 – 27.
- Luebke, Frederick C. "Regionalism and the Great Plains: Problems of Concept and Method." *The Western Historical Quarterly* 15 (1984): 19 – 38.
- MacLennan, Rebecca. *The Crisis of Imprisonment: Protest, Politics, and the Making of the American Penal State, 1776 – 1941*. New York: Cambridge University Press, 2008.
- MacPherson, James M. *Battle Cry of Freedom: The Civil War Era*. New York: Ballantine Books, 1988.
- McGinnis, Anthony . *Counting Coup and Cutting Horses: Intertribal Warfare on the Northern Plains, 1738 – 1889*. Evergreen, Col.: Coldillera Press, 1990.

- Merrill, Karen R. *Public Lands and Political Meaning: Ranches, the Government, and the Property between Them*. Berkeley, Cal.: University of California Press, 2002.
- Monkkonen, Eric. "History of Urban Police." *Crime and Justice* 15 (1992), 547-580.
- Nicolosi, Anthony S. "The Rise and Fall of the New Jersey Vigilant Societies." *New Jersey History* 68 (1968): 29–53.
- Nimmo, Joseph, Jr. United States. Department of the Treasury, Chief of the Bureau of Statistics, Treasury Department. *Report on the Internal Commerce of the U.S.* Washington: Government Printing Office, 1885.
- Nolan, Richard Patrick. "Vigilantes on the Middle Border: A Study of Self-Appointed Law Enforcement in the States of the Upper Mississippi from 1840 to 1880." PhD diss, University of Minnesota, 1971.
- Pfeifer, Michael J. *Rough Justice: Lynching and American Society, 1847-1947*. Urbana, Ill.: University of Illinois Press, 2004.
- Postel, Charles. *The Populist Vision*. New York: Oxford University Press, 2007.
- Ramsdell, Charles W. "General Robert E. Lee's Horse Supply, 1862 – 1865." *American Historical Review* 35 (1930), 758 – 777.
- Roe, Frank Gilbert. *The Indian and the Horse*. Norman, Okla.: University of Oklahoma Press, 1955.
- Roosevelt, Theodore. *Ranch Life and the Hunting-Trail*. New York: Bonanza Books, 1888, 1978.
- Rugh, Susan Sessions. *Our Common Country: Family Farming, Culture, and Community in the Nineteenth-Century Midwest*. Bloomington, Ind.: Indiana University Press, 2001.
- Sharrer, G. Terry. "The Great Glanders Epizootic, 1861 – 1866: A Civil War Legacy." *Agricultural History* 69 (1995), 79 – 97.
- Shortridge, James R. *The Middle West: Its Meaning in American Culture*. Lawrence, Kan.: University of Kansas Press, 1989.
- Slotkin, Richard. *Gunfighter Nation: The Myth of the Frontier in Twentieth-Century America*. New York: Atheneum Press, 1992.
- Stanberry, Lynn. "'Protect the Innocent and Bring the Guilty to Justice:' The Anti-Horse Thief Association in Western Arkansas." Master's thesis: University of Arkansas, 1982.

- Starrs, Paul F. *Let the Cowboy Ride: Cattle Ranching in the American West*. Baltimore, Maryland: Johns Hopkins Press, 1998.
- Sterns, Peter N. "Horse Thieves and Peasant Justice in Post-Emancipation Russia." *Journal of Social History* 21 (1987), 281 – 293.
- Stiles, T.J. *Jesse James: Last Rebel of the Civil War*. New York: Knopf Books, 2002.
- Thompson, F. M. L. "Nineteenth-Century Horse Sense." *Economic History Review* 29 (1976), 60 – 81.
- Tolnay, Stuart M. and E.M. Beck, *A Festival of Violence: An Analysis of Southern Lynchings, 1882 – 1930*. Urbana, Ill.: University of Illinois Press, 1995.
- Trachtenberg, Alan. *The Incorporation of America: Culture and Society in the Gilded Age*. New York: Hill and Wang, 1982.
- U.S. Department of the Interior. Ninth Census (Volume 3). *Statistics of Agriculture*. Washington D.C.: US Government Printing Office. Accessed September 18, 2010, [http://www.agcensus.usda.gov/Publications/Historical\\_Publications/1880/1880a\\_v3-04.pdf](http://www.agcensus.usda.gov/Publications/Historical_Publications/1880/1880a_v3-04.pdf) .
- United States War Department. *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*. Ser. I. Vol. 13. Washington, D.C.: Government Printing Office, 1885. Accessed January 18, 2010. <http://dlxs2.library.cornell.edu/m/moawar/> .
- Utley, Robert M. and Wilcomb E. Washburn. *Indian Wars*. New York: Houghton Mifflin, 2002.
- Waldrep, Christopher. *The Many Faces of Judge Lynch: Extralegal Violence and Punishment in America*. New York: Palgrave MacMillan, 2002.
- West, Elliot. *The Contested Plains: Indians, Goldseekers, and the Rush to Colorado*. Lawrence, Kan.: University Press of Kansas, 1998.
- White, Richard. "Outlaw Gangs of the Middle Border: American Social Bandits." *Western Historical Quarterly* 12 (1981), 387 – 408.
- *The Roots of Dependency: Subsistence, Environment, and Social Change among the Choctaws, Pawnees, and Navajos*. Lincoln, Neb.: University of Nebraska Press, 1983.
- Williams, Walter, ed. *A History of Northeast Missouri, Volume I*. New York: The Lewis Publishing Company, 1913.