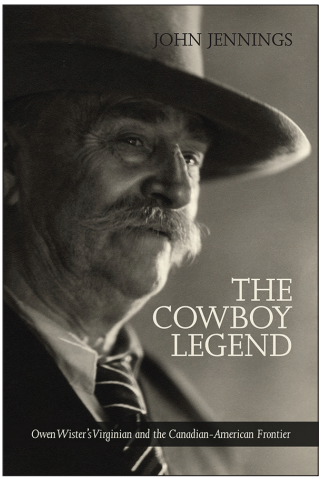


THE COWBOY LEGEND: OWEN WISTER'S VIRGINIAN AND THE CANADIAN-AMERICAN FRONTIER by John Jennings

ISBN 978-1-55238-869-3

THIS BOOK IS AN OPEN ACCESS E-BOOK. It is an electronic version of a book that can be purchased in physical form through any bookseller or on-line retailer, or from our distributors. Please support this open access publication by requesting that your university purchase a print copy of this book, or by purchasing a copy yourself. If you have any questions, please contact us at ucpress@ucalgary.ca

Cover Art: The artwork on the cover of this book is not open access and falls under traditional copyright provisions; it cannot be reproduced in any way without written permission of the artists and their agents. The cover can be displayed as a complete cover image for the purposes of publicizing this work, but the artwork cannot be extracted from the context of the cover of this specific work without breaching the artist's copyright.

Acknowledgement: *We acknowledge the wording around open access used by Australian publisher,* **re.press**, *and thank them for giving us permission to adapt their wording to our policy* http://www.re-press.org

2: *The Black Hills (1875–76)*

When Johnson reached home, he found that the family had moved to Rochester, Minnesota, a thriving little town on the Zumbro River. Although his father had been offered the chair of mathematics at Carleton College, Northfield, he had refused it. Instead, he opened a meat market in Rochester, put a friend in charge, and then acquired a stagecoach line running from Rochester to Zumbrota, a distance of about thirty miles. Johnson's father was a good horseman who took great pride in his horses, and the stagecoach line proved to be a profitable undertaking.

Another little sister, named George Lucretia, had been born while Johnson was in Texas. Ebb let her play with his silver-mounted spurs, his prize possession, but he was disgusted with her name. He said, "You might just as well have called her 'Tom.'" And that is what he called her for the rest of his life.

As there were good schools in Rochester, Johnson's father tried to persuade him to pursue an education, but he refused. He was much more interested in the stagecoach line, so his father allowed him to take over some of the driving. He became a good driver and loved working with the horses, but he found the life tame and the routine dull after his experiences in Texas. Johnson was not interested in the staid, respectable life of Rochester; he had been bitten too thoroughly by the West. He itched to leave home and finally persuaded his father to let him go. In the fall of 1875, at the age of fifteen, he headed for the Black Hills as a stagecoach driver.

The Black Hills of Dakota Territory had just exploded onto the American consciousness; gold had been discovered and a full-scale stampede was underway by 1875. There was, however, one annoying complication to

overcome before the gold could be properly exploited. The Black Hills belonged to the Lakota Sioux, and they were understandably testy regarding the invasion of their sacred hills by hordes of miners.

Prior to this invasion, there had been persistent rumours of gold in the Black Hills for many decades. But it was not until 1874 that these rumours were given real substance by the report of the military expedition to the Hills under George Armstrong Custer. This expedition had been sent by General Philip Sheridan, commander in chief of western forces, purportedly to scout out the possibility of establishing a military post on the western side of the vast Sioux Reservation, ceded to the Lakotas by the Treaty of Fort Laramie in 1868. It was thought by the army that a post strategically located in the heart of the Sioux hunting territory would dissuade the Sioux from raiding the isolated white settlements that were creeping westward into Lakota country.[1] And they had become increasingly restive as the Northern Pacific Railway approached their hunting grounds.

Custer departed from Fort Lincoln, near Bismarck, Dakota Territory, a town that had taken on an added bustle and importance after the Northern Pacific arrived there three years before. His expedition resembled a cross between an elaborate hunting party and a picnic, complete with a military band mounted on white horses and a train of more than a hundred wagons. Among this party of over one thousand men was a sprinkling of scientists, journalists, and two "practical miners," who were counted on to recognize gold if they saw it. Officially, the purpose of the expedition was to search for a suitable site to build a military post, but, clearly, an important unofficial purpose was to verify the rumours of gold.[2] The expedition became very suspect and promised to arouse Sioux hostility when Custer's official report did indicate, in a guarded way, the presence of gold in the Black Hills. Nowhere in the report did Custer even mention the ostensible purpose of the expedition – finding a suitable location for a fort.[3]

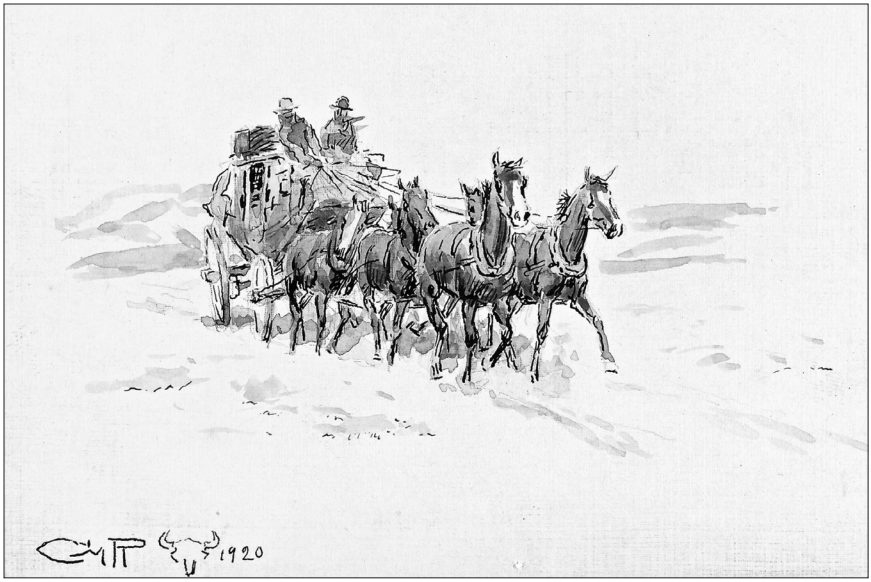
Custer's report triggered the rush to the Black Hills the following year. His official report and his more unguarded interviews with newspaper reporters soon after his return resulted in headlines trumpeting the discovery of a new El Dorado. And his deceit in actively prospecting for gold in country ceded in perpetuity to the Sioux, with all the due solemnity and lack of conviction of the treaty process, was to be repaid in the early summer of 1876 when Custer and his cavalry columns stumbled on a very large and exceedingly unfriendly gathering of Sioux and Cheyennes camped on the Little Big Horn River in southern Montana. It was only fitting that Custer, in the annihilation of his force that followed, should pay the price for the miners' invasion of the sacred territory of the Sioux.

To give the army its due, it did make some attempt to stem the flood of miners to the Black Hills in 1875. The region was closed to whites, and General Sheridan ordered the army to remove all prospectors from the area and burn their wagons. But it was like attempting to stem a migration of locusts. By the fall of 1875 there were fifteen thousand miners in the Hills. Gold became more of an incentive during the economic depression of 1873: hordes of footloose men – and some women – were not about to have their pursuits of happiness checked by the niceties of an Indian treaty. And so, the Black Hills by the fall of 1875 had begun to take on the appearance of a collection of anthills.

If the tone of Annie Tallent, the first white woman to travel to the Black Hills, is any indication, the white migrants considered the Lakotas to be barbarians with no redeeming features who, by God's wish, had to be pushed aside to make way for civilization. In her book, *The Black Hills or Last Hunting Grounds of the Dakotahs*, there is no hint of guilt for invading Lakota land; it was silly to have made a treaty in the first place. Here, in Tallent's little book, is an all-too-typical attitude of white settlers in the American West. Gold was clearly God's bounty, and it was utterly ridiculous not to exploit it just because some former promise had been made to some wandering Indians. Repeatedly, serious friction with Native peoples, which then escalated into open hostilities, began with this dismissive attitude.

In November 1875, President Grant met with his Secretary of the Interior, Zachariah Chandler, and Generals Sherman and Crook. They decided to solve the Sioux refusal to sell the Black Hills by issuing an ultimatum. All Sioux must return to their reservations by January 31, 1876. Any who did not would be considered hostile. This ultimatum was tantamount to an unprovoked declaration of war. These men knew that the Sioux who were off their reservations in the winter could not travel back to them even if they wanted to. The officials' action was completely disingenuous. And the Sioux had not provoked this policy; in fact, they had shown extraordinary restraint toward the illegal miners in their sacred Black Hills.[4]

In the 1868 treaty with the Sioux, negotiated in the aftermath of the Bozeman Trail wars, the Black Hills were "set apart for the absolute and undisturbed use and occupation of the Indians." But in 1877, after the Custer fight, Congress repudiated the 1868 treaty through bullying some Sioux leaders into renouncing it, legally opening the Black Hills to prospectors. Deadwood continued to develop unabated. The situation was so blatantly dishonest that one court remarked, "A more ripe and rank case of dishonourable dealings will never, in all probability, be found in our history." Finally, in 1980 – more than a century later – the Supreme Court of the



Charles M. Russell, *Stagecoach* (1920). Courtesy of the Amon Carter Museum of American Art, Fort Worth.

United States affirmed the decision of lower courts and awarded the Lakotas a total, including interest, of $122.5 million.[5] To date, the Sioux have refused to accept the money.

As Johnson headed for the Black Hills in the fall of 1875, the gold rush to that area was providing a bonanza for the owners of stagecoaches, and they were quick to take advantage of it. Johnson's father was offered a good price for his outfit and sold it to a man who wanted Johnson to stay on as driver. Reluctantly, George Johnson gave his son permission to go. Johnson, now fifteen, accompanied the outfit of horses, Concord stage, men, and supplies as they went by rail and then by riverboat to Fort Pierre, near the junction of the Bad River and the Missouri, in what is now South Dakota. They picked up a load in Fort Pierre and started west, Johnson driving the six-horse team. On the coach with him was a guard, armed with a rifle and a sawed-off shotgun, and two outriders.

The Fort Pierre route was the shortest route to the Black Hills, though not the most travelled. Being the shortest route, and since Fort Pierre was located on the Missouri River, a major artery to the northwest, the Pierre route soon became the primary route for supplying the region. But, in 1875, Johnson and the other Pierre stage drivers were pioneering a route through

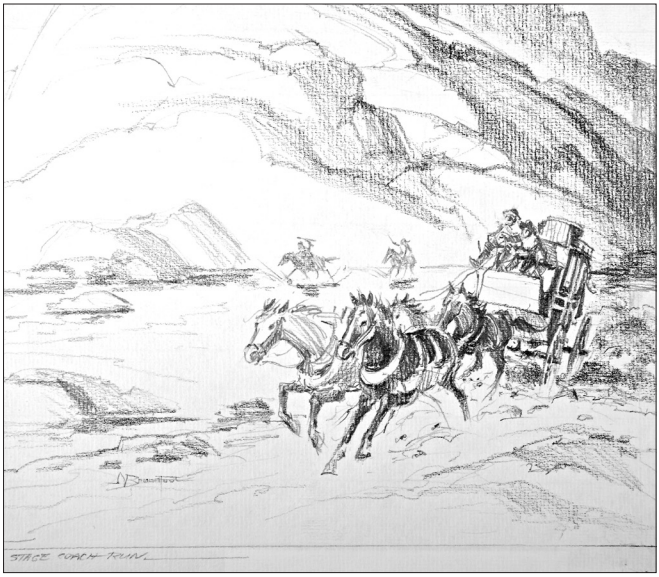
rough and potentially dangerous country. It says something about both Johnson and the times he lived in that a boy of fifteen was given this kind of responsibility.

Somewhat later, an alternate route from Cheyenne to Deadwood was opened by Gilmer and Salisbury, but it didn't really start operating until April 1876. This route roughly followed the famous Cheyenne–Black Hills Trail, which was almost identical to present-day Route 87 between Cheyenne and Chugwater and cut east across the Platte at Fort Laramie. From Fort Laramie, the route went north to Lusk and Deadwood, essentially following today's Route 85.

Four routes to Deadwood were developed in the next few years. The shortest, from Pierre on the Missouri River, was roughly 200 miles; from Bismarck, also on the Missouri, it was 225 miles. The longer routes branched off from the Union Pacific Railway at Sidney, Nebraska (285 miles), and the longest of all was from Cheyenne (325 miles).[6]

Later, when the Pierre–Deadwood route was in regular operation, the journey took about forty-eight hours and, even with frequent stations for a change of horses and some refreshment, was considered a tough one. Passengers were reminded not to put grease on their hair because of the persistent dust of the Badlands. The heat in summer and the icy winds in winter were equally trying on these treeless plains. When Johnson drove this route, the conditions were even more primitive.

Johnson's route began at old Fort Pierre, a former fur trade post whose recorded history went back to the mid-eighteenth century when La Verendrye buried a lead plate there and claimed the territory for France before travelling on to the Black Hills. The post had now almost completely disappeared, soon to be replaced by the mushroom-like growth of the new Pierre, which sprouted as a result of the Black Hills stampede. The stage route, for the most part, wound through the desolate, treeless Badlands, periodically crossing such suggestively named streams as Frozeman, Deadman, and Dirty Woman. The only really difficult river crossing was on the Cheyenne River, which was deep and had very steep banks that made it necessary to roughlock the wheels during the descent. After the Cheyenne River, it was a relatively short run to Box Elder Creek, over the divide, and down to Rapid City, one of the earliest communities created by the gold rush. Here the Pierre route was joined by the stage route from Sidney, Nebraska, which, together with Cheyenne, was on the Union Pacific line. The Cheyenne and Sidney routes later became the two most popular ways for passengers to reach the Black Hills.



Neil Broadfoot, *Butterfield Stage*, 1985. There was actually very little Sioux hostility toward the Deadwood stage. Broadfoot is one of the foremost illustrators of historical canoes.

In the spring of 1876, the stage route was extended from Rapid City through to Sturgis – a grubby little town that would be closely associated in the popular imagination with Poker Alice Tubbs and her bevy of somewhat faded "prairie flowers" – and then on to the new town of Deadwood, which was fast becoming the focal point of the gold rush. Johnson spent a lot of time in Deadwood in 1876 and thus witnessed this extraordinary town in its infancy.

Unlike many of the stage drivers who came after him, Johnson never had trouble either from the Sioux or from bandits. The Sioux, in 1875, were unaccountably quiet in light of the illegal invasion of their lands. This was a source of great frustration for military planners who argued that it was time for a showdown with the Sioux. The Sioux had refused all overtures from the Allison Commission of 1875, which had attempted to buy the Black Hills from them. So it was now argued that a campaign against the Sioux would solve the dilemma of the army's helplessness in preventing miners from entering the Hills. But the Sioux were giving them no pretext for a campaign. This did not, however, prevent the army from launching its disastrous campaign of 1876.

There were also few problems from bandits in 1875 and early 1876. Later, after the Sioux raids of 1876 subsided, it would be open season on stagecoaches, but fortunately Johnson had quit driving by that time. Johnson therefore missed the likes of Sam Bass and Persimmon Bill, a member

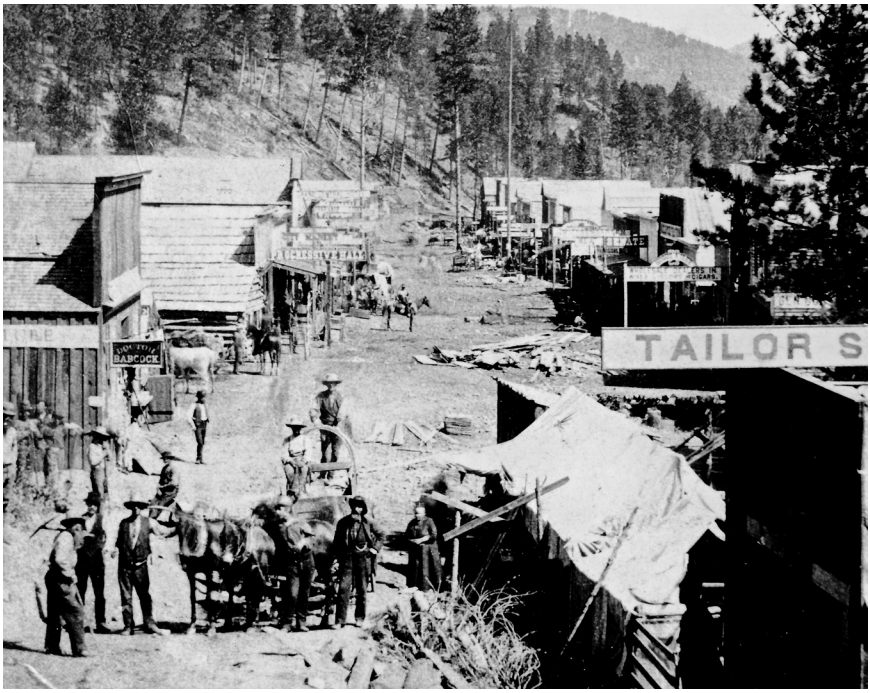
of Dunc Blackburn's Hat Creek gang, whose notoriety rested on stagecoach robberies on three successive nights in June 1877.[7]

The first holdup of a stagecoach did not occur until the end of March 1877. But after that, there were a great many assaults on stagecoaches transporting gold from Deadwood until an effective system of shotgun messengers and bulletproof coaches was devised.

The occupation of stage driver was surrounded by a considerable aura of glamour. It took great skill to handle the ribbons of a six-horse Concord with room for a dozen or more passengers and, on a good stretch, capable of exceeding eight miles an hour. These Concord coaches, made by the Abbot-Downing Company of Concord, New Hampshire, became a trademark of the West. About three thousand of them were produced and sent all over the world. They were painted a distinctive red with yellow running gear and intricate scrollwork and were manufactured mostly from oak and white ash. The interiors were fitted with fine leather, polished metal, and wood panelling. But the main feature – the feature that made them distinct from all other coaches – was their suspension. Instead of metal springs, the Concord had thoroughbraces – multiple strips of leather riveted together and running lengthwise. The body of the coach rested on these leather strips and on nothing else. The lateral sway of the coach was controlled by two simple straps attached from the frame to the body; these could easily be adjusted like a belt. The Concords were unique at the time in producing a swinging motion instead of the harsher up-and-down jolting of conventional springs: another triumph of Yankee ingenuity.[8]

There was a decided art to driving these coaches, especially in keeping the leaders, swing team, and wheelers all pulling evenly. It also took considerable experience to handle the brake properly; a good driver could perform on it "with a rhythm similar to an organist manipulating pipe-organ pedals."[9] And it took steady nerves to live with the constant fear of attack from road agents and the Sioux.

When Johnson began driving the route to Deadwood in the spring of 1876, the town was just coming into existence. In early March, there were fifty prospectors there; by April, a townsite had been laid out, and by fall, it was swarming with people. Most of them were intent on finding gold, but the smart ones were intent on relieving the lucky prospectors of their gold, mostly through whisky, gambling, and prostitution.[10] Deadwood, with dizzying speed, became the typical false-front western mining town, presided over initially by the usual group of urban parasites who astutely sniffed out the great potential for vice in the raw town. Deadwood in these



Deadwood in 1876, a haphazard collection of false-front buildings and tents. Deadwood Public Library.

early days attracted a great many unemployed loafers, and in the absence of any real authority, the atmosphere was one of almost total licence.

Deadwood's era of lawlessness, as was the case with all the famous western towns, was fleeting, but there is no question that Deadwood when Johnson knew it was exceedingly lawless (though the reality was but a pale reflection of the legend that was to follow.) As historian Watson Parker concluded, "It is impossible to avoid the conclusion that Deadwood was a violent town."[11] Between 1876 and 1879, thirty-four people were murdered there, and the Sioux killed another sixty-three.[12] Bill Longly, the Texas outlaw who claimed to have killed thirty-two men, drifted to the Black Hills in the early days and later described its atmosphere. "There was no law at all. It was simply the rule of claw and tooth and fang and the weakest went to the wall. When the majority of people got down on a man, they simply took him out and strung him up on a limb, and they had a big spree on the strength of it."[13]

Herman Glafcke, editor of the *Cheyenne Daily Leader*, blamed the situation squarely on the federal government:

> It is surprising that neither the Government of the United States, through its officials of the U.S. Marshalls [sic] office, nor the County Commissioners, through the officials of the Sheriff's office, have made any effort whatever to pursue and capture the highwaymen who have waylaid and stopped the U.S. mails … and interrupted travel on the public highway.[14]

And there were many lynchings. The first legal hanging did not occur until 1882.[15] Most violence resulted from the lethal mixture of alcohol and guns, but it would have been unthinkable to actually take seriously the town ordinance meant to discourage the carrying or discharge of weapons in the town. It was an article of faith among Deadwood citizens, all armed to the teeth, that crime could only be prevented by carrying guns. This seems extraordinarily illogical, but, in the absence of effective law, it did make sense. And it is refreshing to note that violence in Deadwood was not entirely sexist. The first ball, the earliest attempt at a "polite social affair," was shot up by a woman with a fine sense of democracy, who had not been invited because of her doubtful virtue.[16] Then there was Calamity Jane Cannary, who entered the Hills as a prostitute with Crook's army in 1876 and became an almost instant legend for her drinking and brawling, as well as for her great warmth and generosity.

There developed, after a time, law of a sort in Deadwood, a mixture of the military; a marshal and sheriff; and an assortment of bounty hunters, hastily deputized posses, and, somewhat later, railway detectives and Pinkerton agents. But, on the other side, the outlaws preying on the gold stagecoaches had a sophisticated system of communications and organization that was almost impossible to break up.[17] Clearly, there was great frustration with this system of law; otherwise there would not have been instances of vigilante mobs liberating suspects from the law and lynching them. This occurred in at least five well-recorded instances involving road agents who had preyed on the Deadwood gold shipments. In 1877, Cornelius "Lame Johnny" Donahue, who allegedly had committed several murders in Texas before coming to the Black Hills, was taken from the stagecoach escorting him to prison by eight masked men and, struggling and kicking, lynched. For a short period, Lame Johnny had been a deputy sheriff in Custer County, but someone from Texas recognized him and exposed his violent past.[18]

The next year, two suspects from the Canyon Springs robbery, who were being escorted to trial by agents of the law, were taken from a stagecoach by five masked men and lynched.[19] Next came Dutch Charley, lynched by a group who first overpowered two deputy sheriffs.[20] Then "Fly Speck" Billy was lynched in similar circumstances in 1881 for killing Abe Barnes, a freighter, at Custer City. He, too, was seized by a mob from the sheriff while being taken to trial.[21] And, finally, there was Big Nose George Parrott, whose end is discussed below. In his case, an armed mob descended on the jail where he was incarcerated and took him by force from the law.

The evolution of Deadwood, in a few short years, from a raw brawling frontier town to a rather sober community of Victorian proprieties makes fascinating reading. The first wave of people, the placer miners and assorted hangers-on (saloon keepers, gamblers, and prostitutes made up a third of Deadwood's initial population), soon gave way to the second, more permanent wave who were intent on establishing law and order, stabilizing economic and political structures, and replicating eastern social standards of polite society. In this evolution, Deadwood was typical of all the frontier towns of the West. In Deadwood, even in 1876, the forces of propriety were already at work, attempting to counteract the saloons and brothels with churches, schools, and other institutions of culture and refinement, such as Jack Langriche's theatre and the Deadwood Opera House. By 1879 most of the sharpers, confidence men, and drifters had departed, leaving Deadwood "as orderly as any eastern city of its size."[22]

Contrary to legend, and similar to almost all western towns, the miners' egalitarian democracy was soon to be replaced by the steady control of a small group of merchants, bankers, and professional men who were intent on establishing stability and a social atmosphere imported directly from the East. Throughout the history of frontier urban development, it was this element of society that quickly assumed control of the economic, social, religious, and cultural life of new communities. Generally, they were recognized as the natural leaders of the town, and most other residents acquiesced in the "better people's" determination to impose "civilized" eastern standards and a stratified social structure on the new community. Understandably, these people have become the villains of western legend because it so goes against the grain of American folklore that this elitist group should have controlled frontier democracy and thwarted the grassroots will of the people.

But when Johnson knew Deadwood, this transformation had hardly begun, and he was probably unaware of anything but the wide-open, bawdy atmosphere of the new town. Everyone knew everyone else in Deadwood.

Johnson said that Calamity Jane was a calamity, alright, and that Wild Bill Hickok wasn't all that wild. He said that Wild Bill was a handsome man and a fine physical specimen, but he considered him a phony. He spent most of his time playing poker and was murdered while doing so – shot in the back of the head by Jack McCall in the summer of 1876 in the Number Ten Saloon. Johnson described McCall as a "nobody who thought he was playin' Hell." McCall was first acquitted by a sympathetic jury in Deadwood and later retried, convicted, and hanged in Cheyenne. It is most interesting that a Deadwood jury would have sympathized with the cold-blooded murderer of a supposedly popular celebrity. Perhaps the purveyors of myth, who generally cast Hickok in a positive light, are not quite on the mark in this case. Maybe the folks in Deadwood didn't consider him a celebrity, just a somewhat faded gambler who had it coming. Or perhaps it just says something disturbing about a casual frontier attitude toward guns and killing.

In his short career, Hickok had been arrested several times for vagrancy and, while a lawman in 1871, had operated out of the Alamo Saloon in Abilene – he was more a gambler, in other words, than a lawman. Eugene Hollon called him a psychopath who played both sides of the law.[23] Franz and Choate comment that, while in Abilene, he spent more time at the Alamo than in doing his duties, which he mostly left to his deputies. Abilene got rid of him at the end of the cattle-trailing season.[24] Yet the mythology surrounding him was so strong that someone like President Dwight Eisenhower, who was raised in the 1890s in Abilene – where Hickok had been marshal in 1871 – was very strongly influenced by him and what he saw as Hickok's code of the West.[25]

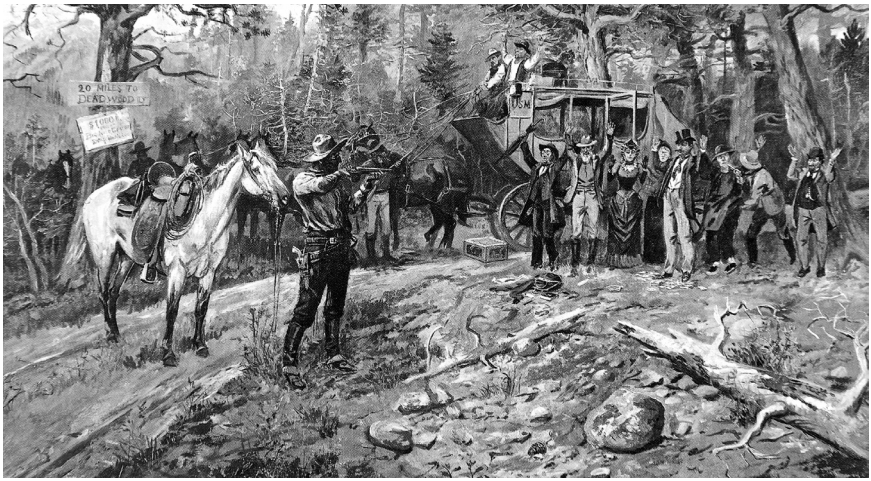
Johnson also knew Wyatt Earp in Deadwood. Earp was in-between stints: he had served as a policeman in Wichita from 1875 to 1876 and then as an assistant marshal in Dodge City in 1876, where he moonlighted as a faro dealer at the Long Branch Saloon. He left Dodge at the end of the cattle season in 1876, obviously drawn by the stories of the great riches to be had in Deadwood. Curiously, there is no mention of Earp in most of the standard accounts of Deadwood. This was all before he was launched to fame in 1881 by the fight at the O.K. Corral. That event, of course, brought him national fame, and consequently his earlier life was embroidered in keeping with his role as a national hero. But in 1876 he was only someone who was extra quick and straight with a gun, a semi-drifter who was wanted for horse stealing in Oklahoma.[26] There is no evidence for many of the exaggerated claims that, for instance, are found in Stuart Lake's biography.[27]

In Deadwood, according to Johnson, Earp was in the firewood business. "Why not?" Johnson said. "There was good money in getting it out.

There was a 'right smart' of it around. That's how Deadwood got its name." According to Stuart Lake, who did get this detail right, Earp spent the winter of 1876–77 in the firewood business and made an absolute killing in the process.[28] Lake's notes in the Huntington Library mention that Earp had told him that he outfitted himself in September 1876 for Deadwood and, when he arrived, started hauling firewood, netting $120 to $130 a day.[29] This was very good money, but the work was not steady. So, as Earp told Lake, he also rode shotgun on gold shipments out of the Hills in the winter of 1877, one run carrying the "breathtaking" sum of $200,000. Earp was armed with a brace of single-action Colt .45s, a Winchester repeating rifle, and a Wells Fargo regulation short-barrelled shotgun.[30] Several miles outside Deadwood, the stagecoach was shadowed by two groups of horsemen, but perhaps the reputation of Earp was enough to keep the gold shipment safe. Johnson said that Earp's marksmanship was never in question. There was, in fact, no record of Wells Fargo working out of Deadwood, or any record of Earp working for the company. But Earp's memory was only slightly fuzzy. The Cheyenne and Black Hills Stage and Express did bring out a $200,000 shipment in the winter of 1877, and Earp was listed as a "special shotgun messenger."[31] According to Robert DeArment, Earp acted as shotgun messenger on this single run from Deadwood to Cheyenne in the spring of 1877.[32] When he left Deadwood, he returned to Dodge in July to resume his duties as marshal. Earp later compared the atmosphere of Deadwood to that of Dodge, commenting that, although there were far more gamblers and outlaws in Deadwood, it was far more law-abiding than Dodge. The difference, he thought, was that there were practically no Texans there and thus no mobs of toughs to terrorize the town.[33]

In a number of ways, Hickok and Earp had similar backgrounds. Both had been born in Illinois and made their reputations as marshals of turbulent cowtowns. Both possessed unquestioned bravery and saw the law not so much as a calling as an occupation perfectly compatible with their real love – gambling. And both were to have their reputations inflated beyond recognition, so that it is now very difficult to separate truth from legend. However, it can be said that neither was very effective in his day-to-day duties as a peace officer.[34]

Johnson also knew some of the notorious criminals who drifted into Deadwood. Flyspeck Billy was mostly associated with the town of Custer. Speaking of him, Johnson said, "He was just a damned nuisance. Not even a good badman." Johnson said that Flyspeck Billy was lynched for a foolish murder that he committed and, being written up in the local paper for want of other news, became more infamous in death than he ever was in life. His



Charles M. Russell, *The Hold up (Big Nose George)* 1899. Russell's painting depicts a holdup by George Parrott's gang between Miles City and Bismark. Amon Carter Museum of American Art, Fort Worth.

real name was James Fowler, and he has been described by Mari Sandoz as a slight, almost beardless, youth who got his nickname from the generous "spatter of very dark freckles across his nose."[35] He was taken from the sheriff and lynched for having killed a freighter named Abe Barnes in Custer City.

Johnson also ran into Big Nose George Parrott, who drifted into the Hills in this period. He was the leader of a gang that included Frank Towle, Tom Reed, Charley Ross, and Dutch Charley and haunted the Deadwood–Sidney route. By the spring of 1879, the shotgun messengers guarding the gold shipments were becoming too effective, so Parrott moved on to the more steady and relaxing occupation of stealing horses in Montana. He was later lynched, and part of him was made into a pair of shoes, proudly worn by the later Governor of Wyoming (see chapter 3).

Johnson laughed at the mention of Deadwood Dick; there was no such person. He was the invention of a man named Edward Wheeler, a dime novelist, who brought out his first inane "Deadwood Dick" novel in 1877. There followed a series of Deadwood Dick dime novels in the 1870s and 1880s, depicting the character as a sort of Robin Hood figure who is forced to step outside the law because justice cannot be found in the courts.[36] Simplistic and silly, the books nonetheless reveal some deeply held beliefs among many Americans. Their theme would be echoed in *The Virginian* and also in the real-life actions of the big ranchers in the Johnson County War.[37]

Johnson had some harsh words for some of the supposed lawmen of the time, a few of whom were as bad and trigger-happy as the outlaws. Daniel Boone May, Johnson thought, was one of the bad ones. May arrived in Deadwood in 1876, riding shotgun on a stagecoach. According to Johnson, May wantonly had killed several men whom he accused of resisting arrest.

Daniel Boone May, in September 1878, was guarding a stagecoach with John Zimmerman. The two had caught wind of an intended holdup, so they rode several hundred yards behind the coach, hoping to lure the robbers into an attempt on the stage. Everything went according to plan, and in the ensuing gun battle they killed one of the robbers, whom they buried without ceremony. But they subsequently discovered that the man they had killed was Frank Towle, a veteran of several gangs, including that of Big Nose George. And, best of all, Towle had a price on his head. So May rode out to Towle's grave, dug him up, cut off his head, and brought it back the 180 miles to Cheyenne in a sack as evidence for the reward. Unhappily, the Laramie County Commissioners argued that May had not proven that he had killed Towle. So back in the sack went Towle's decomposing head, and May went on to see if he would have better luck with the Carbon County authorities. Alas, they too argued that May had only proven a certain brashness and lack of squeamishness in carting about a rotting head.[38] However, May did gain a certain notoriety through this episode that stood him well in his duty as a shotgun messenger. If it was known that he was guarding a shipment of gold, that stagecoach was given a miss. He gained the reputation of capturing and killing more outlaws, both stagecoach robbers and horse thieves, than any other shotgun messenger. But, as Johnson mentioned, he also had the reputation for killing captives unnecessarily. For instance, May faced murder charges in the death of "Curly" Grimes, an outlaw generally considered one of the best horse rustlers on the plains. May, together with William Llewellyn, helped capture Grimes in the summer of 1877, and while they were escorting him to Deadwood for trial, Grimes attempted to escape. May and Llewellyn shot him down and killed him. In the inquest that followed, the two were charged with murder. Although the jury found that the killing of Grimes was not justified, the ensuing trial in August 1880 rendered a verdict of not guilty. Understandably, May acquired a mixed reputation. When last heard of, he was in South America, involved in a mining venture.[39]

Johnson was in Deadwood when one old character named Phatty Thompson arrived there with a wagonload of eighty-two cats. As the place was becoming overrun with rats and mice, every woman in the settlement

wanted a cat – even though they sold for ten dollars and up, those of finer pedigree going for as high as twenty-five dollars.

Although Johnson was only sixteen, he was tall and strong for his age, and he knew how to take care of himself. One day he got into an argument with a man who was abusing one of the stagecoach horses. When the man came at him with a knife, Johnson picked up a neck yoke and dropped him with a blow to the head. Thinking he had killed the man, he left Deadwood in a hurry. Years later he said that he was surprised and shocked at the thrill he felt as he struck the man down. "This was a wa'nin' to me." And so he took his horse and saddle, bedroll, and gun and joined forces with a scout attached to the Fifth Cavalry named William F. Cody.