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Junction City and the Chisholm Trail

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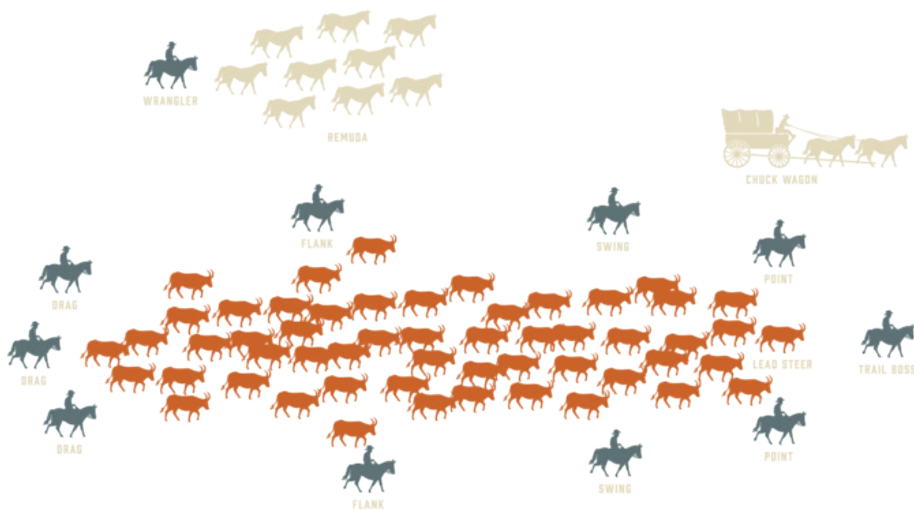
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CHISHOLM TRAIL PACK

The Chisholm Trail: Driving the American West, a traveling exhibit that is a joint project of Symphony in the Flint Hills and Flint Hills Design. Nathan Esau

JUNCTION CITY AND THE CHISHOLM TRAIL

Oral history tells of a site on the banks of McDowell Creek in northeast Geary (formerly Davis) County called Dead Man's Gulch. The case was already cold in August 1875 when they first found the body of the dead sheepherder. According to the local newspaper, the cause of death was apparent. Yet a mystery lingered around his death that survived only in rumor and memory, rooted in the history of the rivalry that simmered between farmers and cattlemen. It began with the Chisholm Trail.

In June 1867 Illinois businessman Joseph G. McCoy had grand plans to build a cattle-shipping empire connecting the hundreds of thousands of cattle raised in Texas to eastern markets—all he needed was the perfect location. Junction City, located on the Kansas Pacific Railway and at the nexus of the Smoky Hill and Republican rivers, had it all: connections to major thoroughfares, rapid population growth and development, and active businessmen ready to invest in a promising venture.

McCoy had no trouble lining up a meeting with a prominent Junction City investor to buy land near town, but he did not count on the strength of local residents' opposition to the cattle trade. Indeed, months before McCoy's visit, disgruntled Davis County residents had already petitioned the state legislature to



POLY CULTURE (1)
Matt Regier

block Texas cattle from entering Kansas because they carried “Texas fever,” a mysterious, deadly disease spread to Midwestern cattle by Texas longhorns, who were immune to it. It is likely the businessman never intended to make a serious offer. “[A]n exorbitant price was asked, in fact a flat refusal to sell at any price was the final answer of the wide-awake Junctionite,” McCoy recalled bitterly in his 1874 memoir.

“So by that one act of donkey stupidity and avarice Junction City drove from her a trade which soon developed to many millions.”

Junction City was hardly alone in its “donkey stupidity.” In Solomon City, about ten miles west of Abilene, McCoy’s proposition met with “stupid horror.” The citizens of Salina, fifteen miles down the Kansas Pacific, shared a similar aversion, treating McCoy’s

plan “as a monster threatening calamity and pestilence,” in his words. Davis County residents had several excellent reasons to oppose the cattle trade. Chief among them was fear of Texas fever. Local farmers and ranchers were also understandably leery of inviting competition into the county. But beyond the threat of property loss and the fierce protectiveness with which farmers guarded their livelihoods,

Kansans had another reason to dread the cattle trade—the crime, chaos, and violence that inevitably accompanied it.

Cowtowns like Abilene and, later, Ellsworth had a well-deserved reputation for attracting outlaws. Cattlemen selling their stock at market might walk away with thousands of dollars in their pockets—money begging to be spent in local saloons or houses of prostitution, and a ripe target for thieves.



FERTILE EARTH
Shin-hee Chin

In November 1867, as the cattle-driving season closed for the year, an unlucky cattle drover begged for his life and gave up \$2,500 in Morris County after selling his stock.

In June 1868 a cattleman left McCoy & Brothers with \$200 in greenbacks, \$200 in gold, a horse, and a hired hand. Before he reached Council Grove, his assistant had stolen it all.

In November of the following year, disgruntled Texans attacked the Junction City marshal, succeeding instead in killing an innocent carpenter named Ira Buchanan. By the time the case went to trial in 1872, the focus of the Texas cattle trade had shifted from Abilene to Ellsworth and Wichita, but the battle between cattle interests and farmers continued in Davis County on new turf: the herd law.

The proposed herd law, which required farmers' livestock not be allowed to run at large, would end the days of the open range. The prospect pitted the powerful cattle industry against local farmers. As one impassioned writer

argued, the status quo unfairly favored stock raisers and cattle drovers because it required farmers to spend an "enormous sum...[s]olely to protect our crops from the depredations of [cattle]...solely to prevent another industry from stealing." Between 1872 and 1875 Davis County repeatedly failed to pass a herd law even as opposition to the cattle-driving industry mounted.

To add insult to injury, the Texas cattlemen who in 1869 attempted to murder the city marshal and killed Ira Buchanan instead were, in 1872, found not guilty by a jury of their peers in the court of a Judge Canfield in a trial the *Junction City Weekly Union* called "the farce to the tragedy." In counties benefiting from the cattle trade, Texans who ran afoul of the law tended to get off lightly, in part due to the "need to retain the good will—and the trade—of cattle town transients." The failure to do so could result in, for example, the attempted murder of a city marshal.

The case against Buchanan's killers had lingered for years, and when the

jury refused to find them guilty, the local newspaper erupted. “Our court has gained such ill repute, that from almost every man’s mouth may be heard the charge, that money will accomplish anything,” the editors of the *Weekly Union* printed March 30. Mob law, they argued, was superior to that “outrageous farce on law and justice.” A week later, while toning down their criticism of Judge Canfield, they reissued their veiled call for extrajudicial justice: “When great wrongs repeatedly pass by unpunished, there is but one alternative left the people, and that is to protect themselves.”

The sentiment was shared on both sides of the fence. Farmers opposed to the Texas cattle trade had threatened in 1867 to “prevent if necessary, by force, said cattle” from entering Davis County. An 1872 item authored by opponents of the herd law reads like the seemingly benign yet deeply chilling threat of a 1930s mafioso: “A good fence makes sleep comfortable. A herd law throws

one upon the mercy of struggling cattle men, and the appetite and general maliciousness of a ‘long horn.’ Fences secure peace to a neighborhood.” In other words, “pay for protection or the cattle might wander into your fields one of these days.”

As the county grew, so did the stakes in the rivalry between farmers and cattlemen. By 1874 the *Weekly Union* was calling for civility: “it benefits neither side to attempt to carry their point by using approbrious epithets or slang phrases, for a candid, well-balanced mind is affected by neither.” By 1875 the *Weekly Union* had changed its tone. Calling on the public to vote for the herd law, the editors declared, “If they don’t they will prove themselves a lot of ninnies.” Once again, the herd law failed.

Thus we come to Dead Man’s Gulch. In 1875 a Mr. Gleason discovered the decomposed body of a man on McDowell Creek, “very close to the Riley and Wabaunsee



WIRE (5)
Don Wolfe

lines.” Two weeks before, the man had driven 1,260 head of sheep into the neighborhood and “nothing more was thought of him” until the sheep and sheepdogs turned up without the shepherd. His body was found at his campsite on the creek, lying on a bed crushed beneath the trunk of a cottonwood tree. “It is supposed that he built his camp fire near the tree,” deduced the *Weekly Union*, “and in the night it burned at the base so as to cause it to fall.”

Flint Hills native and scholar Jim Hoy has another theory. Oral history, passed on to him by a local rancher, preserved a few details left out of the newspaper. It emerges that the unfortunate shepherd had been warned by cattlemen to leave the

county and stop infringing on their range. When the shepherd declined, Hoy suspects the cowboys took matters into their own hands. As he noted wryly in his book *Flint Hills Cowboys*, “big, green cottonwood trees are just like tinder, as any cattle-respecting cowboy on a coroner’s jury would know.” The facts were evident, Hoy observed—“No need to look for a gunshot wound.”

Katie Goerl is the Executive Director of the Geary County Historical Society. Katie is a Kansas State University graduate and a lifelong Kansas resident.