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BADGE OF DISHONOR

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This episode analyzes various news reports and historical accounts from 1872-1874, focusing on the character of frontier towns in Kansas, particularly Newton, and the activities of prominent figures associated with their violent reputation. The sources highlight a period of intense lawlessness followed by attempts at reform, and the often brutal consequences of a life defined by conflict.

I. Newton: From "Wickedest Town" to "Regenerated" Community

Newton, Kansas, is presented as a quintessential example of a rapidly developing frontier town, initially characterized by extreme violence and vice, but later undergoing a remarkable transformation.

- **Early Reputation for Lawlessness:**
- In June 1872, Newton is famously described as a place "where as high as nine men have been shot in an evening (for the fun of it)."
- The town's "principal street" boasts the "famous Gold Room or dance house," which, according to an interviewer, provided "evidence from the appearance of the inmates and loafers on the streets that the devil isn't dead in Newton yet." The same source concludes, "It really appears a little the hardest looking town that we, at least, have ever interviewed."
- The presence of establishments like "Rowdy Joe's dance house" further underscores its reputation as a hub for rough behavior.

- **Decline and Shifting Focus:**
- By late June 1872, a shift is noted, with Newton "getting to be somewhat dead, and buildings are being removed from it to Wichita." This suggests a transient nature of the frontier boom, with activity moving to new centers.
- Despite the decline in its "best days for the present," the potential for future development is acknowledged: "but may make a good point hereafter."
- **Remarkable Transformation and Reform Efforts:**
- A striking account from late June 1872 describes a radical change: "You can scarcely imagine the change here since your correspondent wrote it up a year ago, as the 'wickedest town in Kansas;' but to-day all is as quiet as any New England Sabbath."
- Evidence of this "regenerated and reformed Newton" includes a thriving Sabbath school with "30 scholars, all clean and neatly dressed, taking a deep interest," and a significant number of adult teachers (10 men and 9 women).
- The community has "procured a Union library, music books, etc.," and the presence of such an "oasis in the desert" fills the correspondent with "rejoiced" feelings.
- The writer, "Civitas," advocates for further development, urging Newton to "organize a good day school, build a Church or two, and she can soon take rank as among the best towns in our State." This highlights the aspirations for civic and moral improvement.

II. William L. "Billy" Brooks: A Figure of Frontier Justice and Violence

Billy Brooks emerges as a complex and enigmatic figure, embodying the blend of law enforcement, personal courage, and deadly reputation common in the American West.

- **Marshal of Newton and His Persona:**
- Described as having "long hair, in the fashion of Buffalo Bill Cody," Brooks was a "picturesque figure" despite being "only of medium height."
- He possessed "the tenacity of a bulldog" and was "generally credited with being fearless."
- His reputation was further solidified by the fact that he "had killed several men, justifiably, it was said, which added to his stature as Newton's first city marshal."
- **Near-Fatal Encounters in Newton (June 1872):**
- Brooks was the target of multiple shooting incidents during his time as marshal in Newton.

- He was reportedly "shot a few days since by a party of roughs," with the "ball...intended to be lodged in his brain, but he knocked the pistol away and received a wound in the shoulder." (Kansas Daily Commonwealth, June 15, 1872).
- Another account details an incident with a "party of Texans, fresh from the trail," where one, "Joe Miller, fired at him, the ball striking the collar bone, but inflicting merely a trifling wound." (The Commonwealth, June 15, 1872).
- A more dramatic version of an encounter with "two Texas men" states he was "shot three times, on Sunday night last," sustaining wounds "through his right breast, and the other two were in his limbs." Notably, he "continued his pursuit for ten miles before he returned to have his wounds dressed," demonstrating his extraordinary toughness: "Bill has sand enough to best the hour-glass that tries to run him out." (The Wichita City Eagle, June 14, 1872).
- **Later Life and Death(s) - The Shifting Frontier:**
- Brooks's movements reflect the shifting centers of activity in frontier Kansas. He was "formerly a stage driver between [Newton] and Wichita."
- His reputation follows him to Dodge City, where he is implicated in the killing of Matt Sullivan in January 1873: "It is generally supposed that the assassin is a notorious rough known in these parts as Billy Brooks."
- Conflicting reports emerge regarding his death. One report in February 1873 states he "died with his boots on at Dodge City, Sunday night – he was shot dead." This account highlights his violent life: "Billy of late lived at the revolver's mouth, and has finally died there. He was clever and brave, but merciless to a foe. He was the intrepid Marshal of Dodge City." (The Leavenworth Daily Commercial, February 21, 1873).
- However, a subsequent report in March 1873 refutes this: "Billy Brooks, the whilom Wichita stage driver, is not dead, as was reported, but is on duty in Dodge City."
- His ultimate fate is reported in August 1874, when "Billy Brooks, Charley Smith, and a man named Hasbrook were hung at Caldwell on Tuesday night." This was attributed to a "vigilance committee" response to horse theft, suggesting a form of extralegal justice was still prevalent in some areas.

III. Other Instances of Violence and Lawlessness (1872)

The sources also provide snapshots of other violent incidents, reinforcing the pervasive nature of conflict in these frontier environments.

- **Frank Mason (City Marshal of Newton):**
- Killed in June 1872 when "several cattle herders were on a spree at a dance house in Newton...raising a row were ordered out by the proprietor, when revolvers were quickly

drawn and several shots fired, one of which took effect upon Frank Mason, the City Marshal." This highlights the dangers faced by law enforcement.

- **Daniel Waddam:**
- Shot and killed in Newton in July 1872 following a quarrel with "another tieman." The argument escalated "from words they came to blows, when the latter drew a pistol and shot him directly through the heart." This illustrates personal disputes turning deadly.
- **Mr. McClelland and the Hays City Shootout:**
- McClelland, a "rough," was involved in a deadly encounter in Hays City in August 1872, where he killed Jack Wright. The context was a "low doggery" and "stimulated to jealousy by the presence of a frail one, in the person of Nettie O'Baldwin."
- The shootout resulted in Wright's death and McClelland being wounded and captured.
- A fascinating detail reveals the casual nature of justice: during McClelland's hearing, the witness Tom Drum suggested "a little whisky would 'liven things up," leading to the "court, the witness, lawyers, and prisoners [drinking] 'all round.'" This suggests a rudimentary and informal legal system.
- McClelland's story ends brutally; he and "Pony Donovan," a horse thief, were "chained to a post" and subsequently lynched by a silent, armed mob in the middle of the night: "A dozen guns were thrust through the window, a loud report, and two men were launched into eternity." This underscores the prevalence of vigilante justice.
- **Rev. D.C. Kenaston (Lawrence):**
- An assault on a reverend in Lawrence in August 1872, highlights the continued presence of "roughs" from towns like Newton. The attacker, described as "that brute," was known for "many outrages at Newton last year" and had a recurring "brute nature," indicating a struggle for individuals to abandon their violent past.

IV. Key Themes and Important Ideas

1. **The Transient and Volatile Nature of Frontier Towns:** Towns like Newton experienced rapid booms and busts, characterized by both economic opportunity and extreme lawlessness. Their character could change dramatically in a short period, as demonstrated by Newton's swift transition from "wickedest" to "regenerated."
2. **The Dual Nature of Frontier Figures:** Individuals like Billy Brooks embody the complex roles of law enforcer and participant in violence. Their "fearless" nature and willingness to engage in deadly force were often necessary for survival and maintaining a semblance of order, yet also contributed to the high body count.
3. **The Struggle for Order and Morality:** The reports reveal a clear societal tension between pervasive violence and concerted efforts towards establishing civil institutions (churches,

schools, libraries). The desire for a "New England Sabbath" in Newton reflects the aspirations of some residents for a more settled and moral society.

4. **Vigilante Justice and Informal Legal Systems:** The lynching of McClelland and Donovan, and the casual "whisky" during a court hearing, illustrate the often-rudimentary or absent formal legal structures. Frontier communities frequently resorted to extralegal measures to deal with crime, particularly for perceived threats like horse theft.
5. **The High Cost of Frontier Life:** The frequent mention of shootings, killings, and assaults underscores the constant danger faced by residents, especially those in law enforcement or involved in the more illicit aspects of society. Life was often "at the revolver's mouth."
6. **The Fluidity of Reputation and Identity:** Figures like Billy Brooks could be simultaneously admired as "intrepid Marshals" and feared as "notorious roughs." Their identities were often shaped by their actions and the shifting perceptions of frontier society.

Thought-Starters

What was the reputation of Newton, Kansas, in the early 1870s?

Newton, Kansas, held a notorious reputation in the early 1870s as a violent and "hard-looking town." Reports from June 1872 describe it as a place where "as high as nine men have been shot in one evening (for the fun of it)" and where "the devil isn't dead." The town's principal street, with its "Gold Room or dance house," was noted for its "inmates and loafers" who gave evidence of its wild character. At one point, it was even dubbed "the wickedest town in Kansas."

How did the character of Newton, Kansas, change by mid-1872?

By mid-1872, Newton, Kansas, was undergoing a significant transformation. While earlier in June the town was still characterized by its rowdiness, by late June, a correspondent noted a dramatic change, describing it as "as quiet as any New England Sabbath." This shift was largely attributed to the establishment of a flourishing Sabbath school with 30 scholars and 19 teachers, equipped with a Union library and music books. The correspondent, "Civitas," expressed joy at finding this "oasis in the desert" and suggested that Newton was "regenerated and reformed," with the potential to become one of the best towns in the state if it organized a good day school and built churches. The removal of dance houses, such as "Rowdy Joe's," to other locations like Wichita also contributed to this change.

Who was William L. "Billy" Brooks and what was his role in Newton?

William L. "Billy" Brooks was Newton's first city marshal in 1872. He was described as a "picturesque figure" with long hair, known for his "tenacity of a bulldog" and fearlessness. Prior to his marshal duties, he was a stage driver between Newton and Wichita. Brooks had a reputation for having "killed several men, justifiably," which enhanced his stature. His role as marshal often put him in dangerous situations, attempting to "preserve the peace" in the town's unruly environment, frequently leading to him being shot by roughs and Texans on a spree.

What incidents of violence did Billy Brooks experience as Marshal of Newton?

As Marshal of Newton, Billy Brooks was involved in several violent encounters. In early June 1872, he was shot in the shoulder when a "party of roughs" attempted to lodge a ball in his brain, but he managed to knock the pistol away. Days later, while attempting to quell a disturbance by "Texans, fresh from the trail" who had "corralled the proprietor of a dance-house with their six-shooters," one of them, Joe Miller, fired at him, striking his collar bone but inflicting only a trifling wound. Another account from mid-June 1872 describes him being shot three times—through his right breast and in his limbs—while attempting to arrest "a couple of Texas men" who were "making it hot for pedestrians." Despite these serious wounds, he notably continued his pursuit for ten miles before seeking medical attention.

How did Billy Brooks' life end?

Billy Brooks' life was marked by continued violence, eventually leading to his death. After his time as marshal in Newton, he became Marshal of Dodge City. Initial reports in January 1873 linked him to the assassination of Matt Sullivan in Dodge City, and a February 1873 report from The Wichita Beacon stated he "died with his boots on at Dodge City, Sunday night – he was shot dead." The report characterized his life as "at the revolver's mouth," and that he ultimately died there, being "clever and brave, but merciless to a foe." However, a later report in March 1873 contradicted this, stating he was "not dead, as was reported, but is on duty in Dodge City." His ultimate demise was reported in August 1874, when word came that he, along with Charley Smith and a man named Hasbrook, was "hung at Caldwell on Tuesday night" by a vigilance committee. This occurred after the theft of mail contract stock, and after a sheriff's attempt to make arrests was repelled by armed men.

What other notable violent incidents occurred in Newton and nearby areas during this period?

Beyond the incidents involving Billy Brooks, Newton and surrounding areas experienced other significant violent events. In June 1872, Frank Mason, another City Marshal of Newton, was shot by a cattle herder during a spree at a dance house. In July 1872, Daniel Waddam, a tie contractor, was shot through the heart in Newton after a quarrel with another tieman escalated. Additionally, a "Mr. McClelland," described as a "rough" from Newton, was later shot and killed by a posse in Hays. His death was tied to a prior incident in Hays City where he shot and killed "Jack Wright" in a saloon over a woman named Nettie O'Baldwin. McClelland and a horse thief named "Pony Donovan" were subsequently lynched by a mob in Hays City. In August 1872, Rev. D.C. Kenaston was the victim of a "fearful and shameful assault" in Lawrence by a "brute" known from "many outrages at Newton last year."

What was the judicial process like in Hays City in September 1872, according to the sources?

The judicial process in Hays City in September 1872, as described in the source, appears highly informal and unconventional. During a hearing for McClelland, accused of shooting Jack Wright, the principal witness, Tom Drum (proprietor of the saloon where the shooting occurred), suggested that "things looked d___ dry" and that "a little whisky would 'liven things up." The "honor" (judge) readily agreed, and a decanter of whisky was placed before him. Witnesses,

lawyers, and even the prisoners all drank "all round" before each witness took the stand. This suggests a very lax and perhaps even corrupt or overly casual approach to legal proceedings, where alcohol consumption was integrated into the court's function.

How did the community respond to crime and lawlessness in these Kansas towns?

The community response to crime and lawlessness varied. In Newton, beyond official marshal intervention, there was a visible effort towards moral reform, exemplified by the flourishing Sabbath school, aiming to transition the town from its "wickedest" reputation to a more "regenerated and reformed" state. However, in other instances, particularly where official law enforcement struggled, citizens resorted to vigilante justice. The hanging of Billy Brooks, Charley Smith, and Hasbrook by a "vigilance committee" in Caldwell in 1874, after a sheriff was driven back by armed men, is a clear example of communities taking matters into their own hands to deal with horse thieves and "hard cases." Similarly, the lynching of McClelland and Pony Donovan in Hays City by an armed mob suggests a raw, unofficial form of justice in response to perceived desperadoes.

Study Guide

Quiz:

1. Based on the early reports, describe the initial reputation of Newton, Kansas, in 1872. Provide specific details from the text to support your answer.
2. What evidence suggests a shift in Newton's character by June 1872, according to the "Civitas" report in *The Kansas Daily Commonwealth*?
3. Describe Billy Brooks's role and reputation in Newton, based on the provided sources. What incidents highlight his character?
4. What details are provided about the circumstances surrounding the death of Matt Sullivan in Dodge City, and who was initially suspected?
5. How do the different newspaper reports portray the life and eventual fate of Billy Brooks, and what inconsistencies or contradictions exist?
6. What incident involving Frank Mason highlights the dangers faced by law enforcement in Newton during this period?
7. Briefly recount the reported circumstances surrounding the death of Daniel Waddam in Newton.
8. Describe the vigilante action that occurred in Hays City involving McClelland and "Pony Donovan." What motivated this action?
9. How does the report concerning the assault on Rev. D.C. Kenaston in Lawrence connect back to the earlier reputation of Newton?
10. What do the various reports suggest about the level of organization and authority in Newton and other frontier towns during this era?

Quiz Answer Key:

1. Early reports depict Newton as a lawless and dangerous town. *The Iowa Register* described it as the "hardest looking town" they had ever interviewed, noting the frequent shootings and the apparent lack of morality evidenced by the "inmates and loafers" around the dance houses.
2. The "Civitas" report in June describes a significant change, noting that Newton was as "quiet as any New England Sabbath." The presence of a thriving Sabbath school with 30 neatly dressed scholars and 19 teachers, along with a Union library and music books, indicated a move towards community and morality.
3. Billy Brooks was the city marshal of Newton and was portrayed as a fearless and tenacious figure. He was credited with justifiably killing several men, adding to his stature. Reports detail his attempts to preserve peace, including being shot while confronting rowdy Texans, demonstrating his dedication to his duty.
4. Matt Sullivan was shot and killed by an unknown person while standing in his saloon in Dodge City. Initial reports in *The Leavenworth Daily Commercial* suspected Billy Brooks of the assassination.
5. Newspaper reports present a somewhat contradictory picture of Billy Brooks's demise. While one report in *The Leavenworth Daily Commercial* claimed he died in Dodge City, a later report in *The Wichita Eagle* stated he was still alive and on duty there. Ultimately, a report in *The Daily Kansas Tribune* indicated he was hanged in Caldwell as a horse thief.
6. The report concerning Frank Mason states that he, the City Marshal, was shot when attempting to quell a disturbance caused by several cattle herders on a spree at a dance house. This incident illustrates the immediate threat of violence faced by law enforcement while trying to maintain order.
7. Daniel Waddam was reportedly shot and killed in Newton following an argument that escalated into a physical fight with another tieman. The tieman drew a pistol and shot Waddam directly through the heart, according to a rumor brought from Newton.
8. In Hays City, a vigilante mob lynched McClelland, who had killed Jack Wright, and a horse thief named "Pony Donovan." This action was taken after McClelland was imprisoned, suggesting a lack of faith in the formal justice system or a desire for swift retribution.
9. The report about the assault on Rev. D.C. Kenaston identifies the assailant as one of the "roughs who figured in the many outrages at Newton last year." This connects the individual's violent behavior to Newton's earlier reputation for lawlessness, suggesting that individuals associated with that period continued to engage in criminal activity elsewhere.
10. The reports suggest a fluid and often weak level of organization and authority in these frontier towns. While there were city marshals attempting to enforce the law, incidents of widespread violence, vigilante justice, and the movement of individuals between towns indicate a less than fully established and consistently effective legal system.

Essay Format Questions:

1. Analyze the transformation of Newton, Kansas, as depicted in the provided newspaper excerpts from 1872. What factors might have contributed to its initial lawless reputation, and what evidence suggests a shift towards a more settled and moral community?
2. Compare and contrast the portrayals of law enforcement, specifically focusing on Billy Brooks and Frank Mason, in the town of Newton during 1872. What challenges did they face, and how effective were their efforts to maintain order?
3. Examine the role of violence and the prevalence of pride, alcoholism, “cowboy machismo” and firearms in the daily life of Newton and other frontier towns mentioned in the sources. How did this environment shape the social dynamics and reputation of these communities?
4. Discuss the significance of newspaper reports as primary sources for understanding the history of the American West. What insights do these articles provide about life in towns like Newton, and what potential biases or limitations might exist in these accounts?
5. Analyze the concept of “frontier justice” as it is illustrated in the events described in the provided sources, particularly the vigilante action in Hays City and the accounts of Billy Brooks's actions. To what extent did formal law enforcement succeed or fail in establishing order, and what were the consequences of this?

Glossary of Key Terms:

- **Dance House:** A commercial establishment offering music, dancing, and often alcohol, frequently associated with entertainment and sometimes illicit activities in frontier towns.
- **City Marshal:** The chief law enforcement officer of a town or city, responsible for maintaining order and enforcing local ordinances.
- **Roughs:** A term used to describe unruly, violent, or lawless individuals, often associated with the transient populations of frontier settlements.
- **Posse:** A body of men, typically armed, summoned by a law enforcement official to assist in apprehending a criminal.
- **Vigilance Committee:** An organized group of private citizens who undertake law enforcement functions without legal authority, often in response to perceived inadequacies of the formal justice system.
- **Spree:** A period of unrestrained indulgence in a particular activity, often involving drinking and boisterous behavior.
- **Tie Contractor:** An individual or company that contracts to supply railroad ties, essential components for railway construction.
- **Doggery:** A cheap or disreputable saloon or drinking establishment.
- **Whilom:** Former; having been previously.