



Some Widely Publicized Western Police Officers

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Article Summary: The author presents research into the lives of Wyatt Earp and some of the other Western police badge-wearers made famous by TV. The research is based on period newspapers.

Cataloging Information:

Names: Wyatt Earp, William Barclay "Bat" Masterson, Marshal Larry Deger, Bobby Gill, Joe Mason, Ben Thompson, Charles Roden, Annie Ladue, Jim Masterson, Minnie Roberts, C F Gross, Mrs Lake, Marshall Henry Brown, Matt Dillon

Photographs / Images: Wyatt Earp (courtesy Frontier Book Company, Houston, Texas); William Barclay "Bat" Masterson (courtesy Kansas State Historical Society); James Butler "Wild Bill" Hickok

SOME WIDELY PUBLICIZED WESTERN POLICE OFFICERS

BY NYLE H. MILLER

WYATT Earp, one of the top cowtown police officers on TV today, was televised for a couple of years as marshal of Wichita, with Marsh Murdock, publisher of the Wichita *Eagle*, trailing him from one situation to another, recording his brilliant accomplishments in the columns of the *Eagle*.

This characterization, and other parts of the program, were noticeably at variance with the picture contemporary records give of the original Wyatt. I was disturbed by these discrepancies and accordingly I began a systematic search, which continues in spare moments, into the lives of Earp and some of the other Western police badge wearers made famous by TV. A number of interesting contradictions between fact and fiction have turned up.

How much space did the *Eagle* really give to the work of Wyatt Earp? A check of the files during Earp's actual

Nyle H. Miller is director of the Kansas State Historical Society. This paper was presented at the luncheon meeting of the 80th annual meeting of the Nebraska State Historical Society, Lincoln, September 27, 1958.

tenure in Wichita shows that newspaper giving him a couple of brief mentions, and nothing more. There were no long stories in the *Eagle* covering Wyatt's supposedly outstanding police work, even though viewers received that impression from television.

The Wichita *Beacon*, on the other hand, mentioned Earp five times. The longest favorable article giving Earp full credit for an arrest appeared May 12, 1875:

On Tuesday evening of last week, policeman Erp [*sic*], in his rounds ran across a chap whose general appearance and get up answered to a description given of one W. W. Compton, who was said to have stolen two horses and a mule from the vicinity of Le Roy, in Coffey county. Erp took him in tow, and inquired his name. He gave it as "Jones." This didn't satisfy the officer, who took Mr. Jones into the Gold Room, on Douglass avenue, in order that he might fully examine him by lamp light. Mr. Jones not liking the looks of things, lit out, running to the rear of Denison's stables. Erp fired one shot across his poop deck to bring him to, to use a naughty-cal phrase, and just as he did so, the man cast anchor near a clothes line, hauled down his colors and surrendered without firing a gun. The officer laid hold of him before he could recover his feet for another run, and taking him to the jail placed him in the keeping of the sheriff. On the way "Jones" acknowledged that he was the man wanted. . . .

The *Beacon* carried three other mentions of Earp and police work before this unfavorable article appeared on April 5, 1876:

On last Sunday night a difficulty occurred between Policeman Erp [*sic*] and Wm. Smith, candidate for city marshal. Erp was arrested for violation of the peace and order of the city and was fined on Monday afternoon by his honor Judge Atwood, \$30 and cost, and was relieved from the police force. Occurring on the eve of the city election, and having its origin in the canvass, it aroused general partisan interest throughout the city. The rumors, freely circulated Monday morning, reflected very severely upon [Mike Meagher] our city marshal. It was stated and quite . . . generally credited that it was a put up job on the part of the city marshal and his assistant, to put the rival candidate for marshal *hors de combat* and thus remove an obstacle in the way of the re-election of the city marshal. These rumors, we say, were quite largely credited, notwithstanding their essential improbability and their inconsistency with the well known character of Mike Meagher, who is noted for his manly bearing and personal courage. The evidence before the court fully exonerated [*sic*] Meagher from the charge of a cowardly conspiracy to mutilate and disable a rival candidate, but showed that he repeatedly ordered his sub-

ordinate [Wyatt Earp] to avoid any personal collision with Smith, and when the encounter took place, Mike used his utmost endeavor to separate the combatants. If there is any room to reflect on the marshal, it is that he did not order his subordinate out of Smith's room as soon as he entered, knowing as he did, that Erp had fight on the brain. It is well known that in periods of excitement people do not always act as they would when perfectly collected and unexcited. The remarks that Smith was said to have made in regard to the marshal sending for Erp's brothers to put them on the police force furnished no just grounds for an attack, and upon ordinary occasions we doubt if Erp would have given them a second thought. The good order of the city was properly vindicated in the fining and dismissal of Erp. It is but justice to Erp to say he has made an excellent officer, and hitherto his conduct has been unexceptionable.

To consult another source, what do the official city records of Wichita have to say about Wyatt Earp?

The original proceedings of the city commission show that Wyatt was elected as one of two policemen on April 21, 1875. The policemen were to serve under a marshal and an assistant marshal. Thus Wyatt was third or fourth on the four-man law-enforcement totem pole in Wichita.

A year later on April 19, a few days following the election-eve rumpus described by the *Beacon*, and despite the fact that Wyatt's friend, Mike Meagher, was re-elected marshal, the city commission voted "2 for and 6 against" rehiring Wyatt Earp. On motion, the vote on Earp was reconsidered, and the balloting showed a tie. The matter was then tabled.

A report of the police committee on May 22, 1876, recommended that the "Scrip of W. Earp and John Behrens be withheld until all moneys collected by them for the city be turned over to the City Treasurer. Was sanctioned and accepted." The report further stated that the vagrancy act should be enforced against "the 2 Earps."

Thus Wyatt Earp bowed out of Wichita's official records. Since then his *one-year* service in Wichita as a policeman has received embellishing from a lot of people—perhaps, shall we say, even from Mr. Earp himself!

One of the latest biographies quotes "Marshal" Earp:

In two years at Wichita my deputies and I arrested more than eight hundred men. In all that time I had to shoot but one man—and that only to disarm him. All he got was a flesh wound.

"And you sure tamed that town," the admiring mayor of Dodge City was reported to have replied.

That purported conversation certainly doesn't make sense to anyone who has troubled to look at the contemporary records.

Wyatt soon showed up in Dodge City, where, according to the newspapers, he seems to have served two hitches, *never as the marshal*, but as an *assistant* or *deputy* city marshal, from 1876 to the spring of 1877, and from May 1878, to September 1879.

In Dodge City he gave a better performance as frontier officers go and was an above-the-average law enforcer.

Between his periods of service, the *Dodge City Times* reported on July 7, 1877:

Wyatt Earp . . . is in town again. We hope he will accept a position on the force once more. He had a quiet way of taking the most desperate characters into custody which invariably gave one the impression that the city was able to enforce her mandates and preserve her dignity. It wasn't considered policy to draw a gun on Wyatt unless you got the drop and meant to burn powder without any preliminary talk.

Whiling away his time, Wyatt apparently ran afoul of one of the dance-hall girls, for two weeks later the *Times* chronicled:

Miss Frankie Bell, who wears the belt for superiority in point of muscular ability, heaped epithets upon the unoffending head of Mr. Earp to such an extent as to provoke a slap from the ex-officer, besides creating a disturbance of the quiet and dignity of the city, for which she received a night's lodging in the dog house and a reception at the police court next morning, the expense of which was about \$20.00. Wyatt Earp was assessed the lowest limit of the law, one dollar.

On January 22, 1878, the *Ford County Globe*, Dodge City, reported: "Wyatt Earp, our old assistant Marshal, is at Ft. Clark, Texas."

In April, 1878, drunken trail hands picked off Dodge City's popular Marshal Ed Masterson, brother of the more famous Bat. Ed was mourned by the citizenry and was given an all-out funeral, with the *Globe* reporting: "Crape draped almost every door in the City. Never before was such honor shown in Dodge, either to the living or dead."

By early May, 1878, Wyatt had returned from Texas. "He was immediately appointed Asst. Marshal, by our City dads, much to their credit," according to the *Globe*.

Contemporary newspaper accounts indicate that Wyatt was an efficient and well-liked *assistant marshal* at Dodge City, in contrast to his career at Wichita, although he failed to receive as much newspaper notice as did Sheriff Bat Masterson. Bat was credited with capturing the bandits who attempted to rob a west-bound Santa Fe train at Kinsley in January, 1878, innumerable horse thieves and other roustabouts, while Wyatt's record in the newspapers was not as impressive.

Wyatt bowed out of Dodge City about the time the following colorful puff appeared in the Dodge City *Globe*, September 9, 1879:

It was casually observed several times by several old timers last Friday that Dodge City was redeeming herself. By this remark they intended to convey the idea that we were extricating ourselves from that stupid lethargy which had fallen upon us of late, and were giving vent to our uncurbed hilarity—"getting to the booze joint," as it were, in good shape, and "making a ranikaboo play for ourselves." We speak in the plural number because a large portion of our community were "to the joint" and we cannot mention the pranks of each without overlooking some and causing them to feel slighted. The signal for the tournament to begin was given by a slender young man of handsome external appearance who regaled his friends with a pail of water. The water racket was kept up until it merged into the slop racket, then the potatoe and cucumber racket, and finally the rotten egg racket, with all its magnificent odors. This was continued until the faces, eyes, noses, mouths and shirt bosoms of several of the boys were comfortably filled with the juicy substance of the choicest rotten eggs, compelling them to retire from the field, which they did in a very warlike manner. As the evening shades began to appear the skirmishers were soon actively engaged, and at a little before the usual hour slugging commenced all along the line. One or two "gun plays" were made, but by reason of a lack of execu-

tion, were not effective. We cannot indulge our readers with a lengthy description of the scenes of this glorious occasion. It is described by many eyewitnesses as being equal to the famous "Mystery of Gil-Gal," where the inspired poet says:

They piled the "stiffs" outside the door,
I reckon there was a cord or more,
And that winter, as a rule,
The girls went alone to spelling-school.

Upon the sidewalks ran streams of the blood of brave men, and the dead and wounded wrestled with each other like butchered whales on harpooning day. The "finest work" and neatest polishes were said to have been executed by Mr. Wyatt Earp, who has been our efficient assistant marshal for the past year.

The finest specimen of a polished head and ornamented eyes was bestowed upon "Crazy Horse." It is said that his head presented the appearance of a clothes basket, and his eyes, like ripe apples, could have been knocked off with a stick. . . . It was not until towards morning that the smoke cleared away, the din of battle subsided and the bibulous city found a little repose. . . .

Of Wyatt's retirement from Dodge City, the *Globe* simply stated: "Mr. Wyatt Earp, who has been on our police force for several months, resigned his position last week and took his departure for Las Vegas, New Mexico."

In wrapping up the Kansas career of Wyatt Earp I should mention that we at the Kansas State Historical Society are still trying to maintain open minds about the widely circulated and much discussed story that Wyatt bravely stepped out of the crowd at Ellsworth in August, 1873, to take Ben Thompson's guns from him. For the record, however, we have been unable to find Wyatt's name in the contemporary papers as being among those present when the trouble was on. The *Ellsworth Reporter*, in its story from the scene, reported that "Deputy Sheriff Hogue . . . received the arms of Ben Thompson."

Next up in this attempt to stay with the facts—no matter what—is the famed William Barclay "Bat" Master-son, who was a prisoner in the Dodge City jail the night of June 6, 1877, and gloriously made the transition to a city policeman, sheriff of Ford County, and finally to the sports desk of the *New York Morning Telegraph*.

First, about that night in jail, as recorded in the *Dodge City Times*, June 9, 1877:

Bobby Gill done it again. Last Wednesday was a lively day for Dodge. Two hundred cattle men in the city; the gang in good shape for business; merchants happy, and money flooding the city, is a condition of affairs that could not continue in Dodge very long without an eruption, and that is the way it was last Wednesday. Robert Gilmore was making a talk for himself in a rather emphatic manner, to which Marshal [Larry] Deger took exceptions, and started for the dog house with him. Bobby walked very leisurely—so much so that Larry felt it necessary to administer a few paternal kicks in the rear. This act was soon interrupted by Bat Masterson, who wound his arm affectionately around the Marshal's neck and let the prisoner escape. Deger then grappled with Bat, at the same time calling upon the bystanders to take the offender's gun and assist in the arrest. [Policeman] Joe Mason appeared upon the scene at this critical moment and took the gun. But Masterson would not surrender yet, and came near getting hold of a pistol from among several which were strewed around over the sidewalk, but half a dozen Texas men came to the Marshal's aid and gave him a chance to draw his gun and beat Bat over the head until the blood flew. . . . Bat Masterson seemed possessed of extraordinary strength, and every inch of the way was closely contested, but the city dungeon was reached at last, and in he went. If he had got hold of his gun before going in there would have been a general killing. . . .

Next day Judge Frost administered the penalty of the law by assessing twenty-five and costs to Bat, . . . and five to Bobby.

The boys are . . . at liberty now.

Within four months Bat was on the Dodge City police force. That's the way it went with some of these characters who served the West as police officers. For a time they were being hunted, then the badges were redistributed, and they did the hunting. Maybe that's how this game of cops and robbers got started in our younger days. You know how it was, one had to take his turn at both ends of the gun in that game, else it was no go. So it would seem on occasion that some of the police jobs in our more open communities must have been similarly rotated in the early days.

In November, 1877, Bat, who perhaps was still feeling the bloody shellacking Marshal Deger and associates had

given him, ran against Deger for sheriff and beat him by three votes.

Bat was better-than-average as sheriff and notices like the following appeared in the newspapers of Dodge City and elsewhere in Kansas:

. . . During Sheriff Masterson's term of office he has kept things as straight as a string in his county. He is one of the most noted men of the southwest, as cool, brave and daring as any one who ever drew a pistol. He was with Gen. Miles' expedition in 1874, and was present at the time of the capture of the Germain children. He was also one of the twenty-six who defended the Adobe Walls in 1874, against some eight hundred Indians, and although he has been in many a tight place he has always managed to save his scalp. (Leavenworth *Times* quoted in the Dodge City *Globe*, February 4, 1879.)

A two-line item in the *Globe* of January 21, 1879, also reported that Bat had been appointed U. S. marshal.

As mentioned, Sheriff Bat Masterson received more notice in the newspapers for his creditable handling of the police business of Dodge than did Assistant Marshal Wyatt Earp, but part of the reason, one can't deny, could be that almost any sheriff should cut a bigger swath than a mere assistant city marshal.

Yet when confronted with newspaper accounts which report that Masterson seemed "possessed of extraordinary strength" and was cited on several occasions for his brilliant police work, it's beyond me why the Wyatt Earp TV show should portray Bat as a boyish, almost amateur officer of the law, learning his trade under the tutelage of the *experienced* and *redoubtable* Earp.

Bat's opponent in the election of November, 1879, was an employee at Hoover's saloon. The campaign was bitter, and Bat lost. One Charles Roden, in a letter published in the *Speareville News*, November 8, accused Bat of striking him several times, and further claimed that someone, probably Masterson's brother, searched his pockets for weapons. After the search, said Roden, he found that his pocketbook had disappeared. Editor Fry of the *News* printed this story

with accompanying comments tending to corroborate it, all of which stirred the wrath of Bat Masterson.

Bat promptly issued the following challenge to Fry in the *Dodge City Times*, November 15:

In answer to the publication made by Bob Fry of the *Speareville News*, asserting that I made threats that I would lick any s— of a b—— that voted or worked against me at the last election, I will say it is as false and as flagrant a lie as was ever uttered; but I did say this: that I would lick him the s— of a b—— if he made any more dirty talk about me; and the words s— of a b—— I strictly confined to the *Speareville* editor, for I don't know of any other in Ford county.

W. B. MASTERSON.

Bat had a right to squawk on this occasion, although purists may shudder at his language. Before the month was over Roden, whose attack in Fry's paper was responsible for Bat's outburst, became a fugitive from justice for stealing salt, flour and blacksmith tools. Considering this and other developments, it was generally conceded, even by the *Speareville* editor, that Roden had lied about Masterson.

Early in 1880 Bat's term as sheriff ended. In the regular U. S. census of Dodge City as of June 1880, Bat Masterson, "25," was shown as a "laborer," sharing a "dwelling" with Annie Ladue, "19," "concubine."

In this same 1880 census, Bat's other brother, Jim, "24," then city marshal of Dodge, was listed a few lines above Bat. Dwelling with him was Minnie Roberts, "16," "concubine." Maybe that was the way some of the officers in those days kept watch over juvenile delinquents. They just lived with them!

By 1881 Bat was reported to be a faro dealer in the Southwest and Jim had gone into the saloon and dance hall business in Dodge City. That spring someone warned Bat that Jim was in trouble with his partner over a bartender. Bat returned to Dodge on the morning of April 16, determined to help his kin.

Jim's partner and the bartender were easily found and one of Dodge City's liveliest gun battles ensued. Brisk firing sounded from all directions as assorted other roosters joined in the fray.

When the firing ceased it was discovered that the only casualty was the bartender, who was shot through a lung, probably by a slug from Bat's gun. Bat was taken to court and fined eight dollars for unlawfully discharging a pistol in the street and disturbing the peace. Quickly helping Jim to settle his business affairs, Bat and his brother left town in a matter of hours.

Needless to say, there was much caustic comment in the Kansas press about the quality of justice in Dodge City.

But Dodge City did not go to the devil. There were other forces helping to settle the town, which were taking hold as early as 1878 when Sheriff Masterson and Assistant Marshal Earp were in business. Even the editor of the *Times*, when confronted with the news, handled it gingerly, for he wrote in the issue of June 8:

The "wicked city of Dodge" can at last boast of a Christian organization—a Presbyterian church. It was organized last Sunday week. We would have mentioned the matter last week but we thought it best to break the news gently to the outside world. . . .

It can be concluded that Bat and Wyatt were energetic in aiding and protecting some of Dodge's institutions on Front street, but it doesn't necessarily follow that churches also had their special care. Even though TV seems to have placed halos on our two friends, I doubt that either was found in when the roll was called at the new church.

Maybe they just weren't Presbyterians!

James Butler "Wild Bill" Hickok, of Hays and Abilene fame, was another so-called "law-and-order" marshal whom TV honors with a feature program. The name Wild Bill should be a suggestion, however, that the original was not always as calm mannered as his TV counterpart.

A Manhattan editor met Wild Bill on a train in north-east Kansas in 1867. Referring to him as "the celebrated scout," since Hickok had been serving with the Army on the Western plains, the editor remarked that Hickok and party "were more or less affected by frequent potations from their bottles, and Wild Bill himself was tipsy enough to be quite belligerent."

Hickok held varying jobs in 1868. Records show that early in the year he was an assistant wagonmaster, Fort Union. He signed himself as deputy U. S. marshal at Hays, in one letter under date of March 28. Later he was a guide for troops encamped near Fort Dodge and Fort Lyon.

Beginning in the summer of 1869 Wild Bill seems to have taken a brief turn as acting sheriff of Ellis County, Kansas, but he is reported to have failed of election in November.

Railroad hands, freighters and soldiers from the nearby fort, who continually sought excitement in Hays, kept the place in constant uproar. Although the position of acting sheriff was a tough assignment, Hickok evidently was appreciated by some of the town folks. But it is reported that he left the office and city in a hurry early in January, 1870, when some soldiers ganged up on him.

In 1876 the *Ellis County Star*, of Hays, paid Hickok this delayed compliment:

. . . While here he killed several men; but all their acquaintances agreed that he was justified in so doing. He never provoked a quarrel, and was a generous, gentlemanly fellow. In person he was over six feet tall, broad-shouldered, and a specimen of perfect manhood throughout. He was a dead shot, wonderfully quick in drawing and shooting, the latter faculty filling his enemies with a very wholesome respect, when in his presence. . . .

In February, 1870, a Topeka newspaper reported: "Wild Bill was up before Judge Holmes yesterday, and fined five dollars for striking straight out from the shoulder and consequently hitting a man."

Moving on to Abilene, we find that the minutes of the city council show that Hickok was appointed marshal on

April 15, 1871, and was discharged December 12, of the same year, "for the reason that the City is no longer in need of his services."

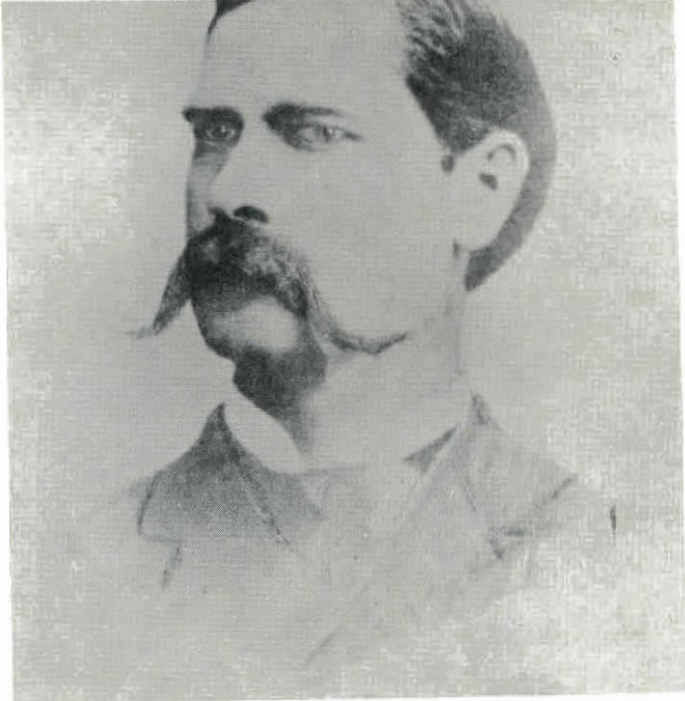
Hickok's shooting record in Abilene is well known. On one occasion he was quicker at the trigger than he was in the head and fatally wounded a policeman before realizing his error.

C. F. Gross, clerk of Drover's Cottage in 1871, wrote in 1925 of Wild Bill's love affairs in Abilene:

. . . [Hickok] always had a Mistress I Knew two or three of them one a former Mistress of his was an inmate of a cottage in McCoys addition. Bill asked me to go with him to see her to be a witness in an interview. I believe she was a Red Head but am not sure. she came to Abilene to try & make up with Bill. He gave her \$25.00, & made her move on. There was Nan Ross but Bill told her he was through with her. She moved on. When Mrs Lake the Widow of "Old Lake of Circus fame," Came to Abilene she set up her tent Just West of the D Cottage on the vacant ground Bill was on hand to Keep order. Bill was a Handsome man as you Know & she fell for him hard, fell all the way *clear to the Basement*, tried her best to get him to marry her & run the Circus Bill told me all about it. I said why dont you do it— He said "I Know she has a good show, but when she is done in the West, she will go East & I dont want any paper collar on, & its me for the West. . . ."

Obviously this purported statement belongs in the "Famous Last Words" class, for Wild Bill did marry Mrs. Lake!

In another letter, and this, too, was written over fifty years after Gross and Wild Bill were in Abilene, Gross reported that Frank and Jesse James and Cole Younger came into the city for a rest and Wild Bill did nothing about it. Asked why Hickok didn't take them in, Gross quoted Younger as replying: "he has been promised . . . that we will make no bad breaks in the town, and will not molest or in any way make trouble for him. . . . No doubt he would like to Capture us, but . . . if he tries for us by himself its 3 to one. if he tries to get help we will *get Him*. . . ." Gross reported that Hickok and the trio had met in Missouri and had considerable respect for each other's guns.

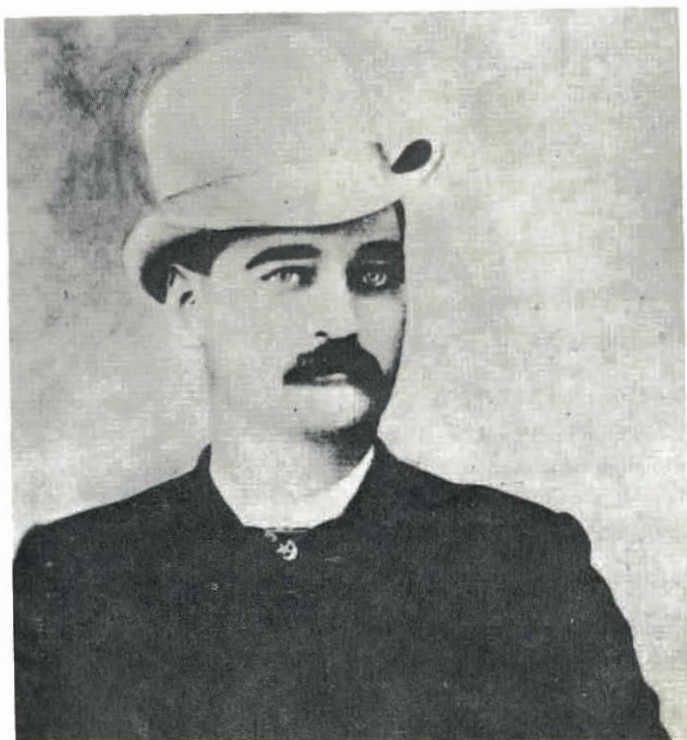


(Photo, courtesy Frontier Book Company, Houston, Texas)

Above—Wyatt Earp

Below—William Barclay "Bat" Masterson

(Photo, courtesy the Kansas State Historical Society)





James Butler "Wild Bill" Hickok

Wild Bill was on the move again. A letter dated "Ft. Laramie, June 18, 1876," and published in the *Ellis County Star*, of Hays, reported: "The notorious Wild Bill is stopping here, and I have been told from a pretty reliable source that he was arrested on several occasions as a vagrant, having no visible means of support." Several weeks later Hickok was killed while gambling in a saloon at Deadwood.

Although contemporary records are sometimes confusing, they lack the distortions of the legends, and are therefore to be preferred, ie., if one can stand facts at all.

Caldwell, another Kansas cowtown where being alive was once judged dangerous, had a marshal by the name of Henry Brown. The townsmen liked him so well that the mayor presented him in December, 1882, "an elegant gold-mounted and handsomely-engraved Winchester rifle." For "valuable services rendered the citizens of Caldwell" was the inscription on the silver plate attached to the gun's stock.

What happened to Marshal Brown? He and a deputy asked the city fathers for a few days' leave to go into the Indian territory to hunt outlaws. Several days later they and two cowboys attempted to rob a bank at Medicine Lodge (April 30, 1884). Brown was shot down, and the others were hanged. To my knowledge Marshal Brown has not yet been made a TV hero, but give the program planners time!

The case of Matt Dillon, in "Gunsmoke," is different. Though he himself is a fictional character, he spends much of his time cleaning up Dodge City (in its TV background of mountains), and maybe a few gangs that were real. No doubt some of the original Western marshals are fidgeting in their graves because this U. S. Marshal Dillon is taking credit for jobs they thought they had done. Meanwhile the Kansas State Historical Society receives requests for contemporary records on Matt Dillon, and people are disappointed when nothing can be furnished.

Well, you will ask, what are historical societies going to do about this blatant disregard by TV script writers for the facts of history? As far as I'm personally concerned, the answer is "Nothing," for I can appreciate the value of publicity as well as anyone, and the West certainly is reaping a harvest. Some of our frontier police officers are already well on their way to becoming as famous as Robin Hood.

But historical societies must continue to do their best to record history accurately, though I can attest it's not always the way to be popular. The stories about these colorful figures when written by serious historians of course can be kept somewhat within bounds. But when they reach the public domain, and TV, where they certainly have a right to go, even the wide-open sky isn't a limit to the elaborations and developing legends.

So, to forestall ulcers, I say let the army of frontier police officers continue to blaze away on TV. While they're at it, you might as well close your history books, relax and enjoy yourself, for it would be too noisy to read anyhow. Real history can be just as colorful as that outlined on TV. But it is admitted that much of the genuine frontier marshal stuff just wouldn't go on television for family viewing.

Bear in mind that history is history and what comes over television quite often isn't. But nothing should stop you from enjoying either, even though the twain may never have met.