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Article Title: The National Cattle Trail, 1883-1886

Full Citation: Theodore B Lewis, "The National Cattle Trail, 1883-1886," *Nebraska History* 52 (1971): 204-220

URL of article: <http://www.nebraskahistory.org/publish/publicat/history/full-text/NH1971CattleTrail.pdf>

Date: 5/14/2015

Article Summary: Complex motives lay behind the movement to establish a national cattle trail. Even though the St. Louis convention's 1884 plan for a trail was highly controversial, Texas congressmen nearly succeeded in making it law.

Cataloging Information:

Names: Joseph Nimmo, John H Reagan

Place Names: Colorado, Indian Territory, Kansas, Montana, Nebraska, New Mexico, Texas

Keywords: Texas fever (splenic fever), quarantine laws, Bureau of Animal Industry, Chicago convention, St. Louis convention, Joseph Nimmo, Nimmo report, open range, public domain, long drive, John H Reagan

Photographs / Images: "On the Great Cattle Trail," a drawing by A Castaigne; birdseye view of Sidney, 1876; Cowboy Capital historical marker at Ogallala



Scribner's Magazine of June, 1892, first published A. Castaigne's drawing "On the Great Cattle Trail."

THE NATIONAL CATTLE TRAIL, 1883-1886

By THEODORE B. LEWIS

THE IDEA of a national cattle trail stretching from Texas to Canada was a notion bizarre enough to receive some derisive attention when it was first proposed. Later historians of the west have tended to look upon it as an amusing but abortive attempt to stop the westward progress of agriculture,¹ or mention it as the last ditch stand of the open range industry based on the long drives. The only detailed study of the trail is concerned, to a large extent, with the proposed route and the local personalities involved.²

Most of these views are partially accurate, but they fail to state fully the complex motives behind the movement to establish a national cattle trail or its near success in Congress. Furthermore, they do not develop how the trail agitation alienated the cattle raisers of Texas from their former customers on the northern ranges and what this split indicated for the future of the cattle industry. This essay will examine the basis of the agitation for a trail, why its adoption by the St. Louis convention of 1884 split the ranchers, and finally, how the Texas Congressmen cleverly turned the arguments of the northern ranchers to their advantage and came close to writing their "Utopian" plan into law.

The concept of a national trail grew out of the experience of the Texas ranchers and Kansas stock buyers with the long drives to the northern ranges. While some Texas beef was shipped directly to market and some to the Indian Territory

and Kansas for fattening, the disposal of surplus cattle to the ranchers of the Great Plains was very early an important part of the Texas cattle industry. During the opening years of the great cattle bonanza, the demand for Texas stock increased rapidly as foreign and domestic capital in undreamed of quantities was poured into the lucrative business of ranching on the public domain.³

As long as this community of interest between the northerners and the Texans remained, a constantly increasing market for Texas cattle could be found to the north. During the 1870's and early 1880's, the only hindrance to the drives was the attitude of the farmers and cattle raisers of Kansas, the Indian Territory, and to some extent the Texas Panhandle.⁴ While historians have noted the fencing of farm lands as a deterrent to the drives, it is clear that the cattle growers of these areas were united with the farmers in opposing them.⁵

Their opposition to the drives was based on the fear of Texas fever, as well as their natural desire to use the grass for their own cattle. So much publicity was given to disease that it is difficult to determine the amount of damage it really caused.⁶ Farmers and ranchers alike desired to protect their stock from mixture with the Texas cattle, and farmers, of course, had no desire to have their crops used as forage by the passing herds. Whatever motive was uppermost, beginning in 1867, quarantine laws steadily forced the Texans west until "in 1885 Ford county, of which Dodge City was the county seat, was checkered with fields of barley, wheat, corn, millet, oats, and numerous orchards— . . ." ⁷

These difficulties, along with problems in the Indian Territory, hindered the trade north to the Kansas railheads, but had relatively little effect on the drives to the northern ranges. They tended to increase the volume of the latter trade which had begun as an outlet for surplus cattle but by the late 1870's had become the object of deliberate production. As long as the bonanza continued to require Texas stock for the ranges, the southern ranchers could ignore the problems in Kansas. None of the Texans seems to have realized that "any business that pays 25 to 50 per cent a year will soon become overcrowded."⁸

Even during the period when the northern ranchers needed Texas stock to build up their herds because they could not breed their own fast enough to keep pace with the fever of speculation that affected the industry. They had however special problems which distinguished them from their fellow cattlemen to the south. Most of these grew out of their uneasy tenancy on the public domain. Their inability to get legislative recognition of their "range rights" and other devices to engross the public lands made the northern ranchers a good target for eastern politicians.⁹ They were accused of being the product of alien capital benefiting from the free lands of the United States, as well as combining to block the westward advance of the homesteader. Charges of this type tended to make them think of themselves as a group apart from ranchers in other sections.¹⁰

It would appear that actually the northern cattlemen had as much, if not more, in common with the stockmen of Kansas than they did with the Texans. They also professed to fear the effects of Texas fever on their herds. Even to a greater extent than the farmers and ranchers along the routes of the drives, they had invested heavily in expensive breeding stock which was threatened by Texas cattle in the unfenced areas. Finally, in the north some men had begun to wonder if the grass would continue indefinitely to serve all comers. "In the autumn of 1883 there became apparent an increasing disposition among those old stockmen who had not lost their heads in the popular excitement to dispose of their holdings . . ." ¹¹

The idea of a national trail seems to have stemmed from the fears of Kansas cattle buyers who saw a threat to their livelihood in the increasing severity of quarantine regulations. The first suggestion for a national trail came on January 16, 1883, from the *Ford County Globe* of Dodge City. It called for the federal government to establish a trail from Dodge City south to Texas. Events during that year drew attention to the proposal. Arapahoe and Cheyenne lands east of the Panhandle were leased, and there were rumors that the Indian Territory would be closed to drives.¹² In November of 1883 northern and eastern cattle growers met in Chicago and called for federal legislation to establish uniform quarantine regulations. Although this was regarded as unfriendly by the

southerners when it resulted in the establishment of the Bureau of Animal Industry the following year, it provided an obvious example of a way to achieve federal action.¹³

In the spring of 1884 these factors were reinforced by new quarantine restrictions passed by Kansas and Wyoming. Federal troops were called out to move herds through the Indian Territory where Kansas and local cattlemen made a concerted effort to turn them back. *The Kansas Cowboy* of Dodge City now called for a trail from Texas to the Dakotas.¹⁴ Brokerage houses in St. Louis took the plan under consideration, and Colonel Robert D. Hunter of the firm of Hunter, Evans, and Company began issuing invitations to, and arranging for, a convention to be held in St. Louis in November.¹⁵

The Texans, forming the largest block of votes at the convention which met on November 17, had "concluded that there is only one matter that they will press . . . , and that is the national trail." It is clear that the convention was by no means entirely a Texas project. Packers and shippers were interested in continued competition between Texas and northern beef which rigid quarantine restrictions would stop.¹⁶ St. Louis interests were charged with picking up the check for the convention in an effort to prevent Chicago from monopolizing the cattle business. Buyers and others involved in shipping cattle to Kansas were backing the trail. From the outset the southern cattlemen could draw on the moral and monetary support of these interests.¹⁷

It was apparent when the convention met that it would be difficult to reconcile the desires of the 1,365 delegates who had assembled. Texas, backed by New Mexico, had decided on nothing less than the trail. Kansas and some of the delegates from Colorado were just as heartily opposed to it.¹⁸ Wyoming and Montana promoted a bill to authorize the leasing of public lands but were also interested in national quarantine regulations. To round out this medley there even was a group interested in capturing the English market by the use of ice breakers to carry beef through Hudson Bay.¹⁹

In spite of this variety of interests, the advocates of the trail had things pretty much their own way from the outset.

Their first victory came when it was decided to vote by cattle association rather than by state, a clear indication that the Texans were in control. Apparently Montana and Wyoming promised not to oppose the trail if they were supported on a resolution for the leasing of public lands. Those who favored federal quarantine legislation were blocked when a delegation from their separate convention at Chicago was refused the right to be seated in the St. Louis convention. Because "of the superior strength and importance of the St. Louis convention . . . the Chicago convention was not entitled to recognition on terms of equality."²⁰ This action caused some to remark that "it was quite apparent long ago that the promoters of this convention did not desire the attendance or cooperation of cattlemen . . . east of the Missouri or Mississippi."²¹

The resolution for the trail introduced by Judge J. A. Carroll of Denton, Texas, caused "an excited and lengthy debate," but was finally "endorsed by a very large majority." Delegates from Kansas fought against it to the end, promising to fight it in Congress as well as on the border.²² There was some opposition from Montana owing to fear of overcrowding, and one delegate from that Territory objected to a phrase denoting Texas as the "breeding ground" of the west. When the resolution finally emerged from committee, it did not specify a route but merely memorialized Congress for a trail from the Red River to Canada with locations for the isolation of diseased cattle. A watered down petition for an act authorizing leasing was drawn up after some remarks about foreign capitalists. Finally, a committee of nine was selected to present the memorial to Congress.²³

It does not appear that the memorial was ever actually presented. Instead, Texas now made the trail its project. The Texas Live Stock Association provided a fund to send two lobbyists to Congress equipped with promotional material to distribute. The state legislature then passed a joint resolution requesting their representatives and senators to back a trail bill. January 17 and 19 the complied by introducing bills into the House and Senate respectively.²⁴

These bills called for three commissioners to be named to lay out a trail six miles wide which would have entered the



SKETCH BY
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CHICAGO ENGRAVING Co.

Birdseye view of Sidney, 1876. Sidney Barracks, upper left. Sidney was located in the heart of the Nebraska range country, to which hundreds of thousands of Texas cattle were driven during the 1870's and early 1880's. At round-up time it was a major shipping point.

neutral strip and would have cut the southwest corner of Kansas. Both bills were referred to the respective Committees on Commerce. Within a week, a joint resolution of the Kansas legislature was received by the Congress condemning the bills. The only action taken was the request by the House Committee on Commerce that a study of the range cattle industry be prepared. This resulted in the Nimmo report. The bills died in committee.²⁵

If the results of the first attempt to legislate a trail had been disappointing, events outside Congress were even more discouraging. Kansas and Colorado had passed quarantine laws that "appear to constitute an absolute embargo against driving or transporting by rail Texas cattle into or across those states."²⁶ They were followed by less restrictive measures by Wyoming and Nebraska. The secretary of the Wyoming Stock Growers Association warned that if fever broke out the drives would be stopped. In May most of the important associations along the proposed route as far north as Montana signed a declaration stating their intention to "defend our ranges against the establishment of the [national] trail and our herds against disease consequent upon such establishment by every means necessary to prevent passage of such cattle."²⁷

While opposition from Kansas and parts of Colorado had been expected, by mid-summer the northern range country had turned against the Texans. The tenuous but mutually profitable bond between the two sections had broken down, and they were now competitors for a dwindling market. Yearlings which had brought \$13.50 cwt. in 1884 moved slowly at \$6.00 the following summer. The factors that were bringing an end to the cattle bonanza were varied, and would effect a total collapse in 1886. Overproduction, speculation, and a fall in the export of beef to England were only a few of the many causes.²⁸ The important thing was that "the northerner don't want Texas cattle and can't be compelled to buy them." While the charges were probably true that many of the quarantine laws were a pretext to reduce the competition from Texas beef, equally so was the fact that "the northwestern ranges are now so fully stocked that it is only an occasional ranch man who desires Texas cattle."²⁹

A Presidential order in 1885 evicted the cattlemen leasing lands in the Indian Territory and provided a further surplus. While the two hard winters of 1886 and 1887 would provide the *coup de grace* for the open range industry and the long drive,³⁰ the problem was already insoluble. The northern resistance to the drives continued to grow at the same time that Texans and their supporters were threatening to dump surplus Texas beef on an already depressed market if the trail was not put into operation. South Texas cattlemen seem to have regarded the trail as a panacea with no thought for the perplexing problem of how the northern stockman was going to be forced to buy their herds once driven to their ranges. The northerners adopted all the arguments that the cattlemen of the drive routes had employed in the past: fever, degeneracy of stock from Texas, and over-crowding.³¹

In the summer of 1885 conventions of Texas cattlemen had some success with representatives of Kansas Associations, but the governor of that state remained unalterably opposed to the trail. This caused the trail route to be moved west to avoid Kansas, and follow the eastern boundary of Colorado.³² On the whole the Texas congressmen were much better organized when they returned to Washington. The bill itself had been revised to eliminate the objections of some parties. Even more important to their hopes for success was the completion of the Nimmo report which would prove to be their most powerful tool.

Joseph Nimmo's report on the "Range and Ranch Cattle Industry of the United States" has been used by generations of historians as a valuable source of figures on the open range industry at the height of the bonanza. There is no reason to question the statistical material. If the report is read in the context of the fight over the national trail, it is apparent that it was extremely valuable propaganda for those favoring the trail, and damaging to its opponents. This is not to say that it can be proved that the author was deliberately building a case for the Texans, but the "authorities" from whom he solicited information were all in favor of some form of trail.³³ Furthermore, the information he collected is presented so as to paint an extremely bad picture of the northern ranchers.

The report admitted that there was opposition to the trail from both the ranchers on the public domain and those of Kansas and Nebraska, but it concentrated on the objections of the former.

In so far as such opposition is based on considerations of a commercial nature, namely, the shutting off of competition of Texas cattle-breeders from the northern ranges, it could not, of course meet any co-operation from the National Government, as that would be to favor the restriction of free competition in a legitimate trade. Nor does it appear to be becoming in the northern owners of herds to seek such protection so long as they enjoy the privilege by sufferance of allowing their cattle to graze upon the public domain.³⁴

The danger of Texas fever was minimized, and the trail was described as an attempt to provide protection from what small danger existed. The various state quarantine regulations were singled out for attack.

That the freedom of commercial intercourse should be invaded or even threatened by indirection, through the exercise of the police powers of a state for sanitary purpose, is repugnant to the cherished love of liberty which has from the beginning characterized the people of this country.³⁵

Having stated that the northern ranchers were seeking to monopolize the public domain and that quarantine regulations were not only in restraint of trade but also un-American, the report presented the opinion of several pro-trail correspondents that Texas would "in the future hold the position of a breeding ground and the northern ranges that of a maturing and fattening ground." The charge that Texas stock was of poor quality was countered by the testimony of a Texan that "the herdsmen of Texas are making strenuous efforts to improve the breed. . . ."³⁶ The request of the northerners for leasing of the public domain "would be in the face of a line of policy regarding the disposition of public lands. . . ." Finally, the report stated that the trail would be "to the interest of the great majority of the people of every State that they shall be able to purchase beef at the cheapest possible rate. . . ."³⁷

It is not necessary to indict Nimmo for collusion with the trail sponsors, but they supplied some of his expert advisers. Such statements as "the people of Texas are, of course, unanimous in favor of the trail"³⁸ must have been known to be false. He may merely have been a strong believer in *laissez-faire*. If this report is read in the light of the objections

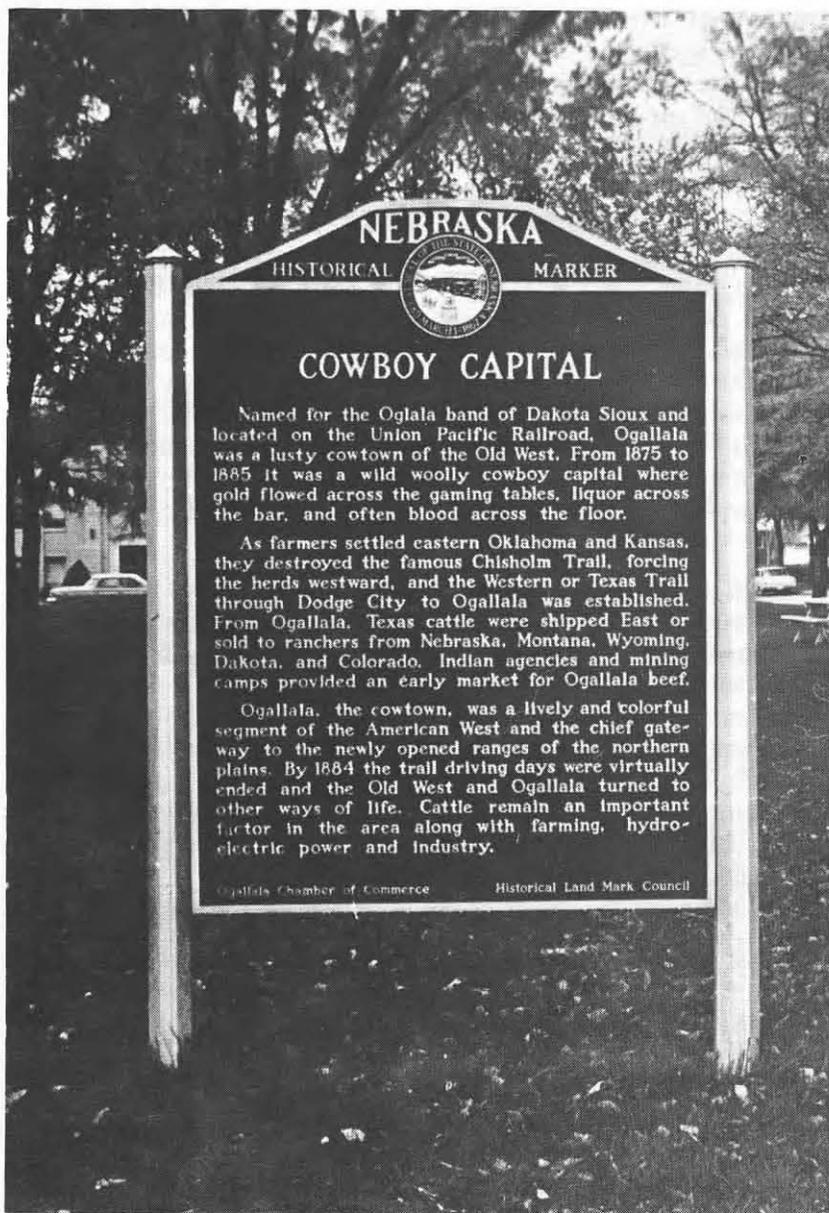
which had been raised to the trail, it is noteworthy that it refutes, or at least casts doubts upon their validity. Furthermore, it impugns the motives of the northern ranchers and builds up the Texans as the backbone of the industry. A Texas congressman, armed with this impartial government survey, had a strong tool for convincing an easterner, who knew little and cared less about the trail, to vote for its passage.

The new bills that were introduced into the Senate and House were better phrased and shorter than the previous ones.³⁹ The request was now only for fractional range No. 41 "along the eastern boundary of Colorado containing altogether about 210,000 acres of land, which is not desirable for settlement." The land was to be set aside for a period of ten years.⁴⁰ Senator Coke of Texas had little difficulty in having his bill passed with only a few modifications in phraseology. It was submitted to the House Committee on Commerce where Representative Reagan became its sponsor.⁴¹

On March 23, 1886, the Senate bill was reported from the Committee on Commerce of the House.⁴² This report was very favorable and showed the beneficial influence of the Nimmo Report. This document stated that there had been numerous grants to railroads and wagon roads as precedent for the trail, "while the bill under consideration simply asks for the use of 210,000 acres of very undesirable land for a period of ten years. . . ." The danger of fever was summed up in the statement, "It should be remembered that splenetic fever, *if it exists at all* [italics mine], is confined . . ." to the Gulf area. Finally, the report closed with this plea:

Believing, therefore, that this trail should be kept open for this great cattle traffic, in the interests of the great mass of the laboring people of the United States, who require cheap and healthy food, we recommend passage of this bill.⁴³

With the publication of this report, it must have seemed that the bill would have little difficulty in passing. Reagan and others in favor of the trail had managed to picture the northern ranchers as squatters on the public domain who were deliberately attempting not only to deny the Texans their rightful function as the breeders for the cattle industry, but who were also opposing the true interests of the working



The Cowboy Capital marker at Ogallala is No. 5 in a continuing series of sponsored by the Nebraska State Historical Society.

man. The land in question was of no value to the homesteader, and, therefore, every true friend of the working class who was opposed to foreign interests monopolizing a great American industry would be bound to back the bill.⁴⁴

On April 28 Reagan moved for passage of the trail bill. He pointed out that the drive was just "beginning and a refusal on the part of this house to take up and pass the Senate bill will injure the men engaged. . . ." The debate on the bill was short. Some representatives wanted to be assured that the rights of any settlers actually occupying the area would be satisfied. Representative Holman of Indiana made some remarks of little consequence about "the tendency of legislation ordinarily to favor great interests at the public expense." Reagan appears to have quieted his fears. Some minor amendments were made to protect the rights of settlers and to reserve to the government the right to repeal the act at any time.⁴⁵

With these objections removed the bill was put to a vote. The result was a decided anticlimax. The tally was completed to show 69 in favor of the trail and 29 opposed. At this point Representative Hepburn of Iowa rose to announce that there was not a quorum. When Texas Representative Samuel Lanham called for a roll call vote, Reagan replied, "I shall be forced, Mr. Speaker, to withdraw the bill under the understanding I have with other gentlemen, and yield. . . ." Although the press announced that the bill would shortly be reintroduced, this was the last action taken on the cattle trail. The Congress adjourned on August 5.⁴⁶

That summer herds used the route and found it practical. Even a village, Trail City, Colorado, was founded to take advantage of the business which quarantine legislation denied the Kansas cowtowns, but the idea of a federal trail was a dead issue by the time Congress met again.⁴⁷

There were several reasons why the bill was never reintroduced. In the first place the dimensions of the trail had been so reduced that it was no longer an idea which could catch the imagination of anyone not directly concerned. Many wondered if there was sufficient area allotted to feed the cattle that would be driven over it. Earlier there had been

some talk of using the land grant merely to prevent the spread of Texas fever and of constructing a railroad over it to transport cattle to the northern ranges. The principal reason why the trail became a dead issue was, however, the collapse of the range cattle industry.⁴⁸

After the summer of 1884 the market had steadily declined.⁴⁹ The weather had turned against the cattlemen, both northern and southern. Drought conditions in the summers were followed by extremely severe winters.⁵⁰ By the time the trail bill was brought to a vote, dire predictions of overstocking the ranges were current in national magazines,⁵¹ men who had begun dumping their cattle on the market could hardly be expected to show interest in a bill pending in Washington. "Prices tumbled amidst the selling spree, until steers worth \$30 a year before went begging at \$8 or \$10 each. 'Beef is low, very low, and prices are tending downward, while the market continues to grow weaker every day,' " complained the *Rocky Mountain Husbandman*.⁵²

The great day of the open range industry was over. Spawed by the application of speculative capital to the free grass of the public lands of the United States, it burst like many bubbles before it. The sponsors of the trail were deliberately trying to perpetuate an increasingly artificial situation. Essentially they were requesting that the federal government guarantee them a market on the plains. When the ranchers there fought back with quarantine laws, the Texans branded them as tools of foreign capital and asserted their God-given right to over production. The results were brought home with a vengeance by the winter of 1886-1887:

Ranchers, huddled about their stoves, did not dare think of what was happening on the range - of helpless cattle . . . fighting to strip bark from willows and aspens along streams, "dogies" and unseasoned eastern cattle floundering in drifts, whole herds jammed together in ravines to escape the frosty blast and dying by the thousands. When spring finally came cattlemen saw a sight they spent the rest of their lives trying to forget.⁵³

This gruesome end to ranching on the open range was, of course, the end of the idea of a national cattle trail.

NOTES

1. "There is no need that any of our readers should get excited [over chance of trail being passed by Congress] . . . The scheme is thoroughly Utopian and there is about as much danger of its being carried out as there is of building a railroad from St. Louis to the Mountains of the Moon." *Breeders Gazette*, VI (1884), 814; "The talk of a national cattle trail on the public domain never came to a point of action." Robert Riegal, *America Moves West* (New York, 1956), 530.

2. Ray A. Billington, *Westward Expansion* (New York, 1950), 677; Floyd Streeter, "The National Cattle Trail," *Cattleman*, XXXVIII (1951), 26-27, 59-74.

3. Ernest S. Osgood, *The Day of the Cattleman* (Minneapolis, 1954), 177. For contemporary testimony, see Joseph Nimmo, "The Range and Ranch Cattle Business of the United States," *House Executive Document No. 267*, 48th Congress, 2nd Session, 1884-1885, Serial No. 2304; On foreign investment, see W. Turrentine Jackson, "British Interests in the Range Cattle Industry," *When Grass Was King* (Maurice Frink, ed., Boulder, Colo., 1956); and Walter P. Webb, *The Great Plains* (New York, 1931), 233-237.

4. See Herbert O. Brayer, "The History of Cattle in Kansas," *The American Cattle Producer*, XXVII (March, 1946), 10.

5. Webb, 284; Brayer, "Kansas," 10; Osgood, 177.

6. The cause of the fever, ticks, was not known at the time. For various theories, see Nimmo, *passim*; According to most reports, Texas cattle, which were immune themselves, if driven slowly north became free of the ability to transmit it. Rail transport was resisted on this ground. Nimmo, 40-41; Osgood, 90.

7. Brayer, "Kansas," 10; Louis Pelzer, *The Cattleman's Frontier* (Glendale, Calif., 1936), 50. Legislation of 1876 had pushed the drives west of Ellsworth, Herbert O. Brayer, "The Texas Cattle Industry Through the Years," *American Cattle Producer*, XXVII (December, 1945), 11.

8. Leasing and fencing of Indian lands caused bitterness and violence. See Jackson, 195-196; Jack M. Potter, *Cattle Trails of the Old West* (Clayton, N. M., 1939), 20-21; By 1885, the Texans believed that they should have a monopoly of cattle bred for stocking purposes, Nimmo, 32, 39. This was vigorously assailed by northerners, *Breeders Gazette*, VIII (1885), 987. In spite of the fall in the market, Texas production continued to rise well into 1888. See graph, Brayer, "Texas," 10; Charles I. Bray, "Financing the Western Cattleman," Colorado Experimental Station, *Bulletin No. 338*, 16.

9. Nimmo, 184; A bill to set aside much of the Great Plains as pastoral land received President Hayes' signature, but failed because of the opposition of small ranchers, Herbert O. Brayer, "Colorado's Cattle Industry," *American Cattle Producer*, XXVII (1945), 10. The northerners continued to back legislation allowing the leasing of the public domain.

10. Webb, 282-283; Nimmo, 38-39.

11. There appears to have been little fever north of the South Platte but the issue is again confused. Nimmo, 93; *Ibid.*, 26, 188; Osgood, 139-140; Some of the fencing of the public domain became a national scandal. Webb, 238; *Prose and Poetry of the Live Stock Industry of the United States*, National Live Stock Historical Association (Denver and Kansas City, 1904, 1905), 671.

12. Allegedly by railroad interests. Streeter, 26; On Indian Territory, see Osgood, 178.

13. Osgood, 176; Jackson, 195.

14. For a discussion of the constitutionality of these laws, see Osgood, 163-164, 178; Jackson, 195-196.

15. Streeter, 26; Mrs. Augustus [Ella B.] Wilson, ed., *Parsons Memorial and Historical Magazine* (St. Louis, 1885), 320.

16. Wilson, 290; I find no evidence to support the statement of Fred A. Shannon that the cause of the convention was grievances against the shippers and packers, *The Farmers' Last Frontier, [The Economic History of the United States]* (New York, 1945), 233. See Osgood, 171.

17. *Breeders Gazette*, VIII (1885), 438.

18. Wilson, 297; *St. Louis Post Dispatch*, November 20, 1884. The Colorado delegates were split over the trail, Ora B. Peake, *The Colorado Range Cattle Industry* (Glendale, Calif., 1937), 32.

19. Wilson, 291, 296-297; *St. Louis Post Dispatch*, November 17, 1884.

20. *Atchison (Kansas) Daily Champion*, November 18, 22, 1884; Wilson, 290-291; Nimmo, 38.

21. *Breeders Gazette*, VII (1884), 778; On sectional friction see also Osgood, 180; Frink, 90.

22. *Atchison Daily Champion*, November 21, 1884; *St. Louis Post Dispatch*, November 20, 1884.

23. *Atchison Daily Champion*, November 21, 23, 1884; A memorial was also sent to the governors of the states and territories which would be affected, requesting their cooperation. See Wilson, 310-311, 304-305.

24. The divisive nature of the question was indicated when trail supporters were unable to pass a bill to provide for a southern extension of the trail in the Texas legislature. Streeter, 27; HR. 7971 by Rep. Miller and S. 2562 by Sen. Coke, *Congressional Record*, XVI, Part I, 811, 823.

25. Streeter, 27; *Congressional Record*, XVI, Pt. 2, 1037.

26. Nimmo, 35; Kansas forbade drives between March 1 and Sept. 1. Streeter, 60.

27. The governor was given discretionary power in most of the other laws. *Idem.*; Nimmo, 35-36; Osgood, 164; Peake, 32-33.

28. The lack of cooperation on anything beside the trail at the convention had not created any sympathy for the Texans; Bray, 17; See Webb, 235-238.

29. *National Live Stock Journal*, XVI (1885), 380; *Breeders Gazette*, VIII (1885), 987.

30. Billington, 685; Although much reduced, the drives continued into the 1890's, presumably because of high rail rates, *Prose and Poetry*, 538; There does not seem to be any evidence that the better quality of Texas cattle had reduced their resistance to the drives. See J. Frank Dobie, *The Longhorns* (Boston, 1941), 86.

31. Nimmo, 94 and *passim*; Actually several larger herds were moved through Kansas by special agreement with the Kansas cattlemen. Streeter, 66.

32. Streeter, 66; Wayne Gard, *The Chisholm Trail* (Norman, Okla., 1954), 260.

33. Representative Reagan of Texas did, however, sponsor a bill in Nimmo's interest. It was a "petition for relief," *Congressional Record*, XVII, Part 5, 4873; See Nimmo, Appendices 1, 2, 5, 29, 34.

34. Nimmo, 26, 35-38.
35. *Ibid.*, 29-30, 39.
36. *Ibid.*, 32, 38.
37. *Ibid.*, 39, 48. See page 49 for remarks on monopolization of public lands by "unnaturalized foreigners."
38. He called on Rep. Miller. See Nimmo, Appendix 29, 38, 159.
39. S. 721 on December 21, 1885 by Sen. Coke; HR. 2450 on January 6, 1886 by Rep. Miller. *Congressional Record*, XVII, Part 1, 346, 488.
40. House Report No. 1228, 49th Congress, 1st Session, 1. It will be noted that the trail no longer stretched from Texas to Canada, and the Colorado and Wyoming ranges were apparently the only ones to be served. The average width had been reduced to two miles.
41. The bill was passed on 19 March 1886, *Congressional Record*, XVII, Part 3, 2521-2522; Reagan was ex-Postmaster General of the Confederacy.
42. *Congressional Record*, XVII, Part 3, 2668.
43. House Report No. 1228, 1-2, 5. A letter from the Secretary of the Interior testifying that the land was undesirable was appended.
44. Adams of Illinois did claim that the land was susceptible to irrigation, but there did not appear to be much interest, *Congressional Record*, XVII, Part 4, 3936.
45. *Ibid.*, 3935-3936. Anderson of Kansas, who evidently had not read the bill, asked twice if it touched on Kansas. Both times he was assured that it did not.
46. *Idem*; *Congressional Record*, XVII, Part 4, 3936; Part 8, 8040; *Chicago Daily Tribune*, April 29, 1886.
47. Streeter, 70.
48. *Chicago Daily Tribune*, April 29, 1886, November 19, 1884.
49. Nimmo, 40-41; Osgood, 90; Brayer, "Kansas," 10.
50. Billington, 685.
51. See a remarkably accurate prediction by Frank Wilkeson, "Cattle Ranching on the Plains," *Harper's*, LXXII (April, 1886), 788-795.
52. Billington, 685.
53. *Ibid.*, 686.