

NÉ D'HIER: AMERICAN VIGILANTISM, COMMUNAL REBIRTH AND POLITICAL TRADITIONS

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... en Amerique l'individu est tout, et la société n'est rien... de la enfin toutes les armes de la loi subordonnées au droit individuel qui fait la base et l'essence de la republique. Mais, et surtout chez un peuple né d'hier, formé de tant d'elements divers et opposés, ou la sève surabonde, que avec une étrange fièvre d'action cherche son unité and son équilibre, cette équilibre, cette magnifique medaille devait avoir son revers.

Eugene Dumez

One Myth

The great bard of American vigilantism, Alexandre Barde, floridly embroidered the primal myth into which such groups always cast their activity. In the beginning was Eden when «courage, probity, and honor flourished openly as orange blossoms under the tropical sun» during «a golden age, when society was composed of primitive virtues». But the serpent of greed and apathy led to crimes committed «every day, every hour, every minute» by a Satanic «army of generals, officers, soldiers». Soon in the Attakapas area of Louisiana more than anywhere on earth, evil achieved its greatest sway, in all its forms from forgery to murder to unnatural lust for black women to pernicious lawsuits; this «net of invisible enemies» made even «rape and infanticide rampant». At this juncture, however, honest men, happily untouched by this gross corruption, their very names «certificates of probity and honor», acted with hands wholly «pure and disinterested», and hearts braving all danger. And once such men rose up and destroyed corruption, all was again happy, all «the mire» was removed, so that once again «ladies may venture out in their satin slippers for they no longer fear the rabble»¹.

If a bit more restrained in rhetoric, vigilante chroniclers all shared Barde's conclusion. «Blessed be the Committees of Vigilance which have leaned over

¹ Alexandre Barde, *L'Histoire des Comités de la Vigilance des Attakapas* (1861) translated and edited by Henrietta G. Rogers (M.A. thesis, Louisiana State University, 1936), 6-7, 70-71., 356-58, 378, 2.

the coffin of Public Opinion and drawn it from the tomb as «Christ did Lazarus». It was not only Latter-Day Saints who paralleled the basic Christian story from the old world with one from the new; vigilante spokesmen carefully sculpted such scriptures for Vicksburg, Mississippi; Rockford, Illinois; Shelby County, Texas; San Francisco, California; Noble County, Indiana; and Benton County, Missouri, as well as for the French parishes of Louisiana. Never has a land lived through such steady cycles of social Eden, Death, and Resurrection as did nineteenth-century United States, where a kindly diety, on a community by community basis, sent his vigilante sons into the world to save it, benevolently improving his earlier system so that it all happened at little cost and substantial benefit to most of these disinterested saviors. Surely it was «God's country»².

It's hardly surprising that those men vigilante groups chose to tell their stories should accentuate the positive, eliminate the negative and appropriate the literary formula they knew best. Only slightly more puzzling is why American historians of vigilantism have generally repeated such inspirational rhetoric as sober reality. After all, historians depend on their sources, the expelled «rabble» seldom wrote much (especially if expelled upwards), and the story has emotive power, if feeble factual and intellectual convincingsness. What Robert Senkewicz observed wittily about historians of San Francisco's vigilantes is even truer for many of those who have written about other such groups of citizens-saviors: most historians «seemed intent on standing Santayana's celebrated axiom on its head: the more they studied the past the more they tended to repeat it»³.

No Definition

There is much definitional elusiveness about vigilantism, Such was the transcendent clarity of vigilante truth that few historians were so churlish as to doubt what they repeated. What vigilante spokesman told them was that these groups were not mobs, were in fact the opposite of mobs, were indeed often formed to prevent mobs. Vigilantism could have nothing to do with rioting, since rioters were rabble or at least not the opposite of rabble or the eternal enemy of rabble as were vigilantes. Of course, both scorned law and ordinary procedure, both chastized precisely as they pleased (or could) those they labelled socially evil, both insisted that their determination to injure or destroy life or property, superficial indications to the contrary, sustained rather than injured society. Both argued that, given the special circumstances in

² Barde, 358. The parallels between vigilante chronicles and *The Book of Mormon*, are deep.

³ Robert M. Sencewicz, *Vigilantes in Gold Rush San Francisco* (Stanford, 1985), 203. James Hall was the first historian to present the «rogues» versus «honest men» theory of frontier lynching as social redemption in the 1830s. Others who have more recently repeated this basic doctrine are James G. Leyburn, *Frontier Folkways* (New York, 1935); Wayne Gard, *Frontier Justice* (Norman, 1949); W. Eugene Hollen *Frontier Violence* (New York, 1974); Philip Jordan, *Frontier Law and Order* (Lincoln, 1970).

which they acted, their destructiveness was an essential contribution to the greater good, indeed the *sine qua non* of real justice. Both implied that the immediate action they had in mind was the best or only solution to what socially grieved them. Both claimed that whatever pride or fun they felt in temporary possession of complete power to destroy as they judged right had nothing to do with cruelty, and everything to do with the redress of viciousness. Yet historians have generally sung the tune taught them by vigilante chroniclers:

They were different, this I know,
'Cause they clearly told me so⁴.

But how different? The best historian of American vigilance movements, Richard Maxwell Brown, begins his study with the remark that vigilantes are «organized, extralegal movements, the members of which take the law into their own hands». His more formal definition entails «regular organization» and «existence for a definite (often short) period of time». This second provision is wholly unhelpful, since every riot exists in time, and none of the movements Brown includes began with any notion of dissolving at a chronological moment other than «when the work was done». Since the work of most groups labelled rioters was more sharply defined than the endless task of communal purification, the temporal clause of Brown's definition is no help at all. «Regular organization» is more closely tied to what historians have in mind when they insist that the vigilantes were different in kind from mobs. Some vigilantes had secret constitutions, statements of principle, officers, and membership lists, especially after the most honored of these groups, the San Francisco vigilantes of 1856, popularized such trappings of democratic dignity. Yet no evidence exists of such writs of respectability for well over three-fourths of the 113 groups that Brown includes from the ante-bellum years. For example, in Vicksburg, Mississippi, a drunken July 4 picnic led to a brawl, the whipping and tarring and feathering of one man, and the decision by someone to give respectability to the act by a moral crusade against a few gamblers the next day. When the intended victims resisted, killing one, the infuriated mob festively hanged five and beat another quartet nearly to death, launching them naked and oarless in a small boat on the Mississippi, from which journey only one survived. The bodies of the hanged men were left up as trophies for a couple of days. Brown, like other vigilante historians, includes this «constructive» incident in his chronicles, though in terms of «definite organization» it trails most «riots» in the era as much as it exceeds them in deadly sadism. The only hint of formal organization was an «Anti-Gambling Society» set up after the event, but predated by the mob's chroniclers to sanctify the killings⁵.

⁴ Vigilante spokesmen, insisting that they weren't mobs, often stressed their «fairness» and «respectability», but riots often shared this emphasis on «property and standing», and propriety and justice of action, with about equal accuracy.

⁵ Richard Maxwell Brown, *Strain of Violence: Historical Studies of American Violence and Vigilantism* (New York, 1975), 95-87. The major chapter on vigilantism here largely repeats, with somewhat modulated moralism, Brown's important «The American Vigilante Tradition» in

Class-moral distinctions provide the intellectual if not definitional heart of the sharp line Brown and other vigilante historians draw between their subjects and rioters: action by more respectable citizens against what Brown terms «the lower orders» in tasteful adaptation of what vigilante spokesmen called the «scum», «muck», «mire», «dregs», «rabble», «canaille». There is some irony that, in American history, the only area where it is respectable to pass such vicious verbal judgements on the poor is vigilantism. While certain strands of European interpretation of riots – usually tied with same imprecision to Le Bon – have used such demeaning labels for rioters, in the United States they have been reserved for riot's victims. Brown is far from personally hierarchically vicious, but his interpretation of vigilantism centers on a class theory, loosely borrowed from the vigilantes themselves, that is both nasty and untenable. Where vigilantism erupted, Brown assures us, there were three classes: the highly respectable upperclass which provided riotous leadership, the middling sort who made up the vigilante rank and file, and «the lower orders» who were «viewed with contempt and loathing» by the other two groups because they were dirty, lazy, immoral and unfamiliar. This bottom class were not criminals, but they «often tended to lawlessness and identified more with the lawless element than with the law-abiding community», and in frontier areas often wanted «to burst their subordinate bounds and take over new communities» from their decent betters. To dispel this «real threat», upper and middling men resorted to vigilantism, Brown concludes⁶.

American communities, like all others, had their pecking orders, based primarily, though never wholly, on wealth, but whatever classes there were tended to be less clearcut, more fluid, less anchored to moral worth, and more richly criss-crossed with ethnic, religious, political, associational and occupational groupings – and rivalries – than Brown's schema allows. His picture of the poor as despising family, religion, work, and respectability, while in line with a few vigilante comments, accords with little other evidence from the era. In part, the appeal of the vigilante tradition, to its members and its historians, was that it allowed a comforting gross connection between class and moral position that democratic society and scholarship eschewed in more sober moments or on less picturesque subjects⁷.

Hugh Davis Graham and Ted Robert Gurr, eds. *Violence in America* (New York, 1969) 154-217. Brown adds later on a category of «instant vigilantism», 103, that suggests some sense of the dilemmas of his definition, but does nothing to solve them. The Vicksburg killings offer a good example of how a mob's argument rather than actions gained them vigilante sanctification.

⁶ Brown, *Strain of Violence*, 104-105. Gustave Le Bon's study *The Crowd* (1895) uses some of these pejoratives against the mob, but also rather even-handedly emphasizes the crowd's positive heroism, generosity, and contributions.

⁷ Brown's concept of frontier class is derived loosely from Ray Allen Billington's *America's Frontier Heritage* (New York, 1966). Perhaps the closest parallel to Brown's picture of class (divested of his bourgeois betters) outside of vigilante-related history is some of the folk glorification of the South, especially Grady McWhiney's recent *Cracker Culture* (Tuscaloosa, 1988) that argues the «Celtic origins» of Southern culture tied to herding, lack of ambition, scorn for education, Sabbath-breaking, violence, hard-drinking, and sexual promiscuity, all treated as the favorable traits of a vital folk culture. Bertram Wyatt-Brown's *Southern Honor: Ethics and Behavior in*

A second common implicit distinction between the vigilante and the rioter is also one vigilante chroniclers stressed: people in their groups acted rationally, fairly, purposefully and constructively. Brown argues the vigilante action was destructive only in a few cases, almost always where counter-organizations formed to fight back. If the initial group had its way and sway unopposed, Brown credits them with purifying or saving their communities, a conclusion supported only by the vigilantes' own testimony. Vigilante victims in fact were more dubiously criminals than were the blood offerings of incidents labelled «riots» when aimed at alleged crooks. The very publicity of vigilante organization contributed to this: once formed, vigilantes had to punish somebody or other, or their fearless heroism became social joke. To read their description of their victims' deeds, if one pushes through the smog of rhetoric, is to conclude that the great majority were guilty of little but the bad luck to fall under the disfavor of self-proclaimed heralds of justice. The «trials» whose «fairness» vigilantes extolled, offered no chance (with a handful of exceptions) for the accused to argue innocence but only occasions for these men who proclaimed themselves «judges, law, and executioners» to prate about their perfect objectivity as well⁸.

The most distinctive trait of ante-bellum vigilante groups compared to «mobs» was this tendency to prate. Most riots had their verbal advocates and defenders: handbills or editorials urged or praised «the people's action» at the terrible pass or in the unsupportable circumstances of the moment. But vigilantes often provided lengthier glorifications of their mob actions, went to more trouble in decorating their deeds with rich rhetorical plumage. Vigilantes (or Regulators or Lynch Clubs or Committees of Safety) were rioters

the Old South (Oxford, 1982) treats violence, always in the service of family and community. In much the same way, although the area's social violence in fact revolved around slavery, the significance of which Brown denies. «Communal values», often used as sanctifying explanation of riot, are always present, since riot cannot exist without the support of some in the community and the tolerance of more, but lacks much meaning unless more closely explored as to who supports what, in what circumstances, and with what limitations. In many ways, the term «communal values» poses the same limitations as phrases like «rational», «purposive», and «discriminatory» in more politically «progressive» works in Anglo-American riot study. The terms are always true, they are valuable if one deems the alternative «senseless» or «purely pathologic», but they are the «universals» of any riot that are the beginning, and only deceptively the conclusion, of the study of the meaning and worth of an event.

⁸ Two insurrection scare mobs in North Carolina illustrate the psychological imperatives, stronger in vigilantism than riot, to prove the truth of one's claims by the evidence of destruction. Before Christmas, 1830, there were extensive rumors that blacks were to celebrate the holidays with a slave insurrection. People prepared, and the governor issued arms to several communities, but, because no one beat out confessions, nothing happened - except the slaves spent the holidays «in incessant giggling up their sleeves at our fears» and whites made jokes about those who had cried wolf as beings «who have no pretensions to be called men except they shave and wear breeches». A.M. Kirkland to Catherine Ruffin, 1-10-1831 and Thomas to Annie Ruffin, 12-30-1830, Ruffin-Roulhac-Hamilton Papers, Southern Historical Collection, University of North Carolina. When panic hit again in the fall of 1831, the rumors were even sillier, but the beatings and confessions were real. At least thirty slaves were killed, riotously and legally, in this scare, many of their heads stuck on poles. In the face of such evidence, all mockery died, though anyone of intelligence daring to look beyond such capital proofs must have felt private doubt and disgust. In vigilantism, a few killings meant never having to say you were sorry.

who felt special obligation to wield the pen as well as the whip, the hemp, the gun against their designated enemies. Such self-consciousness helped create the small body of action and literature this essay explores, no undiscovered country surely, but one with some contours and trails worth mapping more closely.

This exploration of vigilante terrain will trace the contours of three major movements, then map the abstract socio-political latitudes of vigilante theory, and finally sketch in a few broad suggestions about the intellectual geography of ante-bellum vigilantism if this somewhat new charting of the territory has validity.

Three Examples

A better understanding of ante-bellum vigilantism requires looking more closely than has been done at particular instances that give clues to the circumstances surrounding its inception, suggestive of its appeal, its nature, its results and its meaning for participants, victims and the larger community which watched, tolerantly or terrifiedly. There are always unique aspects to each event in categories of activity to which humans give generic labels, and hence these three examples are «typical» only in the sense that they clearly fit what historians have always labelled vigilantism. The names that the groups took – *Lynchers* in northern Illinois, *Regulators* in southern Illinois, and *Committees of Vigilance* in rural Louisiana – reflect the period's developing terminology, but they all represent the organized, long-running, and self-sanctified extralegality associated with vigilantism. Though none have been studied deeply, all have sources reasonably rich, as well as terribly limited in terms of what one would like and really need to know.

Several lynch groups flourished in northern Illinois around 1840, the best known of which – and the only one known to perpetrate violence – was centered in Ogle County near Rockford. It seems simpler than the other two events because it was short-lived, no more than three months of activity, and its violence limited to two beatings, one exile, two executions and the sacking of a newspaper. Brown uses it as his model of constructive vigilantism, stressing the respectability of the lynchers – presuming that such can be equated with land and profession – and failing to note, if one uses the same criteria, the at least equal respectability of their victims. In this case, as is common, the richest available source is the pro-vigilante account written anonymously, apparently by a participant, and published in *The History of Ogle County, Illinois* almost half a century after the fact. The history presents the standard argument that a band of desperadoes «held almost undisputed and unobstructed dominion throughout the whole region», which was in fact the control center for a network of criminals extending from Texas to Wisconsin and from Pittsburgh to way up the Missouri River. Bound to each other by «secret oaths», such was the loyalty of these bandits that crooks from Pittsburgh, Texas, and Montana did not mind having the «Log Tavern» in Lee County as

their headquarters for counterfeit exchange. The *History* listed proofs of this criminal syndicate – horse theft was so frequent farmers sometimes slept in their barns – as well as naming the area’s major local criminals: educated and seemingly kindly early settler, John Driscoll, in his late 60s, and his three sons; John Brodie, the first settler of Dement Township, who had «a very repulsive, piratical look», and his three «dare-devil» sons; popular Samuel Aiken, also with three sons, whose financial setbacks led him to crime – or to shelter criminals in his barn; handsome, well-spoken William K. Bridge; and shrewd, able, and lazy counterfeiter Norton B. Royce. In neighboring Rockford highly respected and well-off Charles Oliver – only «almost elected» justice of the peace, despite the bandits control of elections – led the crooks, as in Lee County did justice of the peace Adolphus Bliss, owner of the «Log Tavern», Constable Corydon Dewey; and Charles West. This «law-defying, terror-inspiring and crime stained combination» between 1836 and 1845 ruled, causing citizens to live «with a terror that brooded over them»⁹.

Little wonder that in April, 1841, «patience ceased to be a virtue», and fifteen brave men resolved to destroy the criminal cabal by visiting everyone «suspected», ordering them to leave and whipping them until they went if they didn’t immediately comply. The first victims selected were not on the *History’s* criminal list. Possibly the lynchers followed a common practice of establishing their moral and their threatening credentials by attacking lesser fry first. Certainly their initial action produced constructive results. They gave John Hurl, believed to have helped steal a neighbor’s horse, thirty-six lashes «each drawing blood», which blood atonement had a marvelously transformative effect on his character. While «before this castigation, his life had not been one of irreproachable honesty», after his whipping be announced «Now, as your rage is satisfied, and to prove I am an honest man, I will join

⁹, *The History of Ogle County, Illinois* (Chicago, 1890), 351-56. Judging from the role he’s given, I’d guess lyncher Phineas Chaney wrote or narrated this earliest local history. His brother Ralph provided the data for a second early local account, Charles A. Church’s *Past and Present of the City of Rockford and Winnebago County, Illinois* (Chicago, 1905). The two accounts are very similar, factually differing only on whether William Bridge or David Driscoll was the second killer, and whether the lynchers freed Pierce Driscoll when they executed William and John Driscoll. The «history» of this riot suggests some of the problems in the study of vigilantism. The first non-participant treatment of it was a Master’s thesis done at the University of Illinois in 1927 by Alice L. Brumbaugh, «The Regulator Movement in Illinois». A brief twenty-two pages were devoted to this episode, but Brumbaugh contributed valuable material: background on the lynchers, clearer chronology, and the *Rockford Star* data. However, her total acceptance of the criminals/honest men plot caused her to eliminate much of the most telling detail in the original. When R.M. Brown made it his model movement, «the Driscoll gang» and «the Brodie gang» became «virtual fiefs», while at least three other gangs dominated, waxed and roamed. The two whippings and one execution of two men became a «campaign» that included hangings where «the social and economic elite» «destroyed the outlaw gangs» composed of «desperadoes». Brown’s account bears almost as loose a tie to the basic source as it does to reality. *Strain of Violence*, 118-20. He perhaps drew some of his data-conclusions from an article by Robert Huhn Jones, «Three Days of Violence: The Regulators of the Rock River Valley», *Journal of Illinois Historical Society*, 59 (1966): 131-42, who in turn based his version on several souped up local newspaper features of the early 1930s.

your company». And join he did, exciting proof of how vigilantes in fact did change rogues to honest men in one easy step.

Nothing went quite so well for the lynchers after Hurl joined. Their next victim, whose sin was not mentioned, was a Baptist preacher named Daggett, who was sentenced to 500 lashes but reprieved, reportedly because of the pleas of his pretty daughter, when he promised to leave. Leader Phineas Chaney led the mob away, but some felt deprived of doing justice and returned to give Daggett ninety-six lashes, which, we are told, caused him to confess to something or other and leave immediately. By this time, the lynchers had grown by local and out-of-county recruits, so that 200 went to warnout the men they had organized to lynch burly John Driscoll and his sons, William, David and Taylor. John Driscoll returned a clear no to their request in a note the chronicler claims was full of «direful threats» against «the life of everyone who dared to oppose their murderous, thieving operations». This note probably, roughly translated back into Driscoll's language, said that if they tried to whip or drive him out, they'd have to do it over his and their dead bodies. When the 200 went to Driscoll's, they founds twenty well armed defenders and drew back. The elder Driscoll rode off, the *History* says, to get his gang, though he actually returned with Sherif Walrodd, Squire Mayo, and Probate Judge Lovell of nearby De Kalb County. The official story was that John Campbell, «a devout Scotchman and Presbyterian», explained William Driscoll's crimes - not only had he robbed a store with someone, but he'd robbed Campbell «making himself the meanest thief, on the face of God's earth» - so effectively that the Driscolls stood «by livid with rage and gnashed their teeth» at the narrative of their «dark deeds» and the law officers from De Kalb offered to aid the Lynchers whenever they wanted. The end of this meeting suggests that probably the De Kalbians were true to their legal roles: both sides went home peaceably¹⁰.

A few days later on Sunday at sundown, John Campbell was shot to death in his yard, and the *History* claims that leader Phineas Chaney escaped similar assassination only because a dog treed the two killers onto a coop from which they escaped at dawn. Suspicion understandably fell on John Driscoll who was arrested with his oldest son William. Two lynchers, one of them Chaney, announced that they had obtained a confession, not about Campbell but about an incident that had happened - if at all - at least twenty years earlier in Ohio, where John Driscoll had stolen horses and once burnt a neighbor's barn, stealing a horse for his son. The horse was traced, and the son was jailed for three years for theft. Probably this was an old neighborhood story, based on rumor or fact, that the lynchers thought would make the Driscolls, well-established and respected though they now were, more compliant victims. For the murder, no evidence was suggested except motive; the Campbell speech was probably added to the narrative to give that. The lynchers took the two Driscolls from jail, with a local sheriff and judge telling them they shouldn't, but doing nothing to stop them.

¹⁰ *Ogle County*, 357-59; *Church, Rockford*, 40-42.

500 men reportedly came to Washington Grove, including one real judge, to act as «Judge Lynch». The verdict came quickly and unanimously, no one being willing to say «Not Guilty» after the loud chorus of «Guilty» rang out. Still there was some uneasiness about the ordained executions. A minister urged that the victims should be given time to pray, and the lynchers recollected they'd passed sentence without having a trial. The following hour or two was time well spent. One vigilante happily overheard William, who apparently prayed loudly, ask God to forgive his six murders. And now that sentencing was over, a trial as «an additional formality» filled the time till execution pleasantly. Lyncher Ralph Chaney praised Jason Marsh's defense as doing «himself great credit» as well as «doing full justice to the prisoners», while casting no doubt on the perfect case of Charles Latimer for the prosecution: those to be killed must have known about the murder anyway and, if the murderers couldn't be caught, those people caught should be killed. This post-sentencing trial of now alleged accomplices allowed the vigilantes, William Cullen Bryant, and historian Richard Maxwell Brown to praise the group's judicial decorum and fairness. 112 executioners shot in unison at each of the two victims. Forty-five year old William, the *History* says, showed himself really a coward, «awed into the most terrible fear» by his 500 murderers, but the iron-gray-haired old man, all six-feet, two-hundred pounds of him, died coolly defiant. The lynchers dug a hole into which they dumped the bodies, thus concluding what they recalled as «an occasion of great solemnity».

The two men the lynchers thought might be the real killers, William K. Bridge and Taylor Driscoll, escaped them but later turned themselves over to authorities. Bridge with an alibi was let go but Taylor Driscoll stood trial and was acquitted because the only testimony against him, that of Campbell's widow, was based, it turned out, only on what people had told her. The official *History* claims at one point eighty «friends and comrades» of the crooks started out for White Rock to murder everyone there, though happily changed their minds in mid-road, and that for a year after the executions citizens were on constant guard to prevent the gang's indiscriminate killing of men, women, and children. Again, nothing happened¹¹.

One thing did happen that the *History* overlooked: these lynchers' final act. On July 1 the *Rockford Star* reported the lynchings along with some sharply negative comments. If such bands were allowed to kill people as they chose, «no man's life or property is safe» and any conniving neighbor would have at hand «an easy ready way to be revenged by misrepresentation and

¹¹ *Ogle County*, 360-67; Church, *Rockford*, 42-43; Brumbaugh, «Regulators in Illinois», 24-26; letter of Judge Thomas Ford, 9-27-41 in *Niles' Register*, 61 (9-27-1841): 119; William Cullen Bryant, letters of June 21 and July 2, 1841 in *Letters of a Traveller; or, Notes of Things Seen in Europe and America* (New York, 1855), 55-68. Bryant's account closely follows that of Judge Ford, down to the false claim that the victims had been often tried but always acquitted. He adds one possible event mentioned in no other source: that the lynchers burnt William Bridge's house and drove out him and his family. As a leading Jacksonian editor, Bryant got his story, I presume, from Ford or other Democratic leaders in the area.

false accusation». He also published a letter from «Vox Populi» calling the lynchers «banditti». The editor was fair, letting a vigilante, probably lawyer Latimer, present his case in another letter, but that was not enough to compensate for his crimes. Some of the lynchers celebrated the nation's charter of liberty by ripping up his press and office on July 4¹².

Judge Thomas Ford had some varied connection with this incident. He had tried Norton B. Royce for counterfeiting in early 1841, and either was or felt threatened by Royce's friends. During an interruption of the trial, he made an odd statement to the defendant: if «desperadoes» ever injured his family, he'd call his neighbors together and follow the crooks until he found them «where the first tree shall be their gallows», and he'd keep following them until «they are exterminated». The *History* claimed that such language from the bench «assured the honest people in their earnest purpose of extermination». «Exterminate» is a catchy and scary word, often used by vigilantes in these years, most famously by Missouri Governor Lucius Boggs as he «authorized» the mobbing of Mormons in 1839. One wonders how much the language of nineteenth century melodrama influenced these actions, the descriptions of which parallel in theme and structure the era's favorite stage plays with much precision¹³.

Possibly Ford was not directly involved with the lynchers; he was the judge who suggested they leave the Driscolls in jail, not the one present at Washington Grove. He did try the case of the 112 men indicted for killing the Driscolls, an indictment, a local historian reports, drawn up so it could be quashed on the off-chance the lynchers were convicted. Probably the dependable Judge Ford arranged this trial to preclude any possible later action; certainly he permitted some of those being tried to serve on the jury, including the foreman, and told them that he didn't see how 112 men could kill two. Ford's next service to the lynchers was literary. Though they waited a half century for a fullscale historical apologia, Ford wrote for them the letter to the world most such groups provided shortly after they acted. The «Dirksalls» - I'm not sure when or why the name change - were a band of crooks who couldn't be legally convicted because they always gave alibis for each other, an interesting conclusion since the Driscolls had never been accused, indicted or tried for anything in the area until the lynchers acted against them. Ford reported that Campbell was killed, presumably for speaking against the Dirksalls, and citizens acted and were acquitted. «Mob law they repudiated» Ford announced; «they therefore resorted to a counter-organization, ordained new rules of evidence, and a new mode of proceeding». Ford's defense of the «counter-organization» with its interesting «new mode» of repudiating mobs concluded with what became the ritualistic ending to these press releases: people at a distance might be «disposed to cavil, perhaps to condemn», but

¹² *Rockford Star*, 7-1-1841; Brumbaugh, «Regulators in Illinois», 23.

¹³ *Ogle County*, 369; Church, *Rockford*, 43-45. In this latter account, Ralph Chaney said that Ford organized the Lynchers and his «advice was followed to the letter», 41.

such judgements «would be much invigorated could they have dwelt for a short time herein». Like the *History*, Ford made no mention of the *Rockford Star* whose editor's mind had so failed of invigoration toward vigilantism¹⁴.

Ford's opinions on this case drew attention to him and allowed him to become the dark-horse Democratic nominee and electee as Governor, but his literary labors were not over. Upon retirement he wrote a competent and interesting *History of Illinois* laced with his observations and experiences. His account of the mob in Ogle County changed little from the press release of years earlier. He did however offer a new light on the affair in a prefatory comment: lots of New Englanders in the area became «mobocrats», he said, to protect their lands as squatters against those with older legal claim to it. This clue helps make sense of a lot of things: an 1848 description of Illinois that talked about many «claims clubs» in northern Illinois in about 1840, the most important of which in Ogle County became involved with horse thieves, too; the various pro-vigilance local histories argument that the bandits were «among the first settlers and thus had the choice of locations»; historian Alice Brumbaugh's ability to find but 13 of the 112 accused lynchers in a local survey of early settlers. The melodrama of the criminal conspiracy theory was camouflage, or at any rate a minor aspect of, a much more common and believable frontier conflict. To make the crime story convincing its chronicler added some people actually convicted of crime to the Driscoll «ring» and extended the time period to 1845 four years after the lynchers saved the community. In 1845 there were some legal convictions for counterfeiting over in Lee County, and the *History* added the crooks to the local list, though there is no mention of any real tie to the Driscoll lynching. There really was some criminal activity over in that «Log Tavern» that came to the aid of the vigilante chronicler.

This helps suggest the probably story. Squatters and some better off allies wanted to drive off some old settlers who owned the best land. But the Driscoll obstinacy and the Campbell killing forced the lynchers either to admit that the law rather than they ruled or to take action – that is, lives – which was dangerously extreme for the area. Act they did, and reaction occurred. Maddened, they attacked the *Star*, a deed none of their defenders found defensible. Chastened, they agreed to a safe trial, and the movement ended with the lynchers having achieved none of their goals, without having even attacked the man with «piratical looks» or the one with «dare-devil» sons. They also had lost nothing. The community preferred having the world think that the only guilty people in it were dead, as Ford's letter announced, although local chroniclers, to involve some actual criminals in their tale, later claimed that the Driscoll killings were «only the beginning of the work of extermination» and that people in the area «lived for years under a literal reign of terror» until the legal actions of 1845¹⁵.

¹⁴ Ford letter in *Niles' Register*, 61 (9-27-1841): 119.

¹⁵ Thomas Ford, *A History of Illinois from its Commencement as a State in 1817 to 1847* (Chicago, 1945-46), I: 245-48; Richard Gerhard, *Illinois as It Is*, (Springfield, 1849), 94-85; *Ogle*

Mobs dogged Ford's career. If they helped him become governor, they also immensely complicated that job for him. He is perhaps best known as the governor who put Joseph and Hyrum Smith in jail in Carthage and rode off to Nauvoo while local militia men murdered the founding brothers of Mormonism. If Ford was not in cahoots with this mob, he had a fatal propensity to take vigilante words at face value. In his later history, where he always talked with modest good sense about himself and others, he claimed elected officials were essentially powerless against popular mobs, and it's impossible to know if he concluded this because he never really tried, or that he never really tried because he had concluded this. No sooner was his Mormon problem – along with the Illinois Mormons – gone, than another mob, even more deadly and long-lasting, occupied his central attention. This «Regulator» movement, in three counties, on the southern tip of Illinois, Ford's third mob problem, is my second¹⁶.

It is a very complicated case, full of varied violence over a long period of time, quickly breeding an opposition group dubbed Flatheads, but with no official chronicler to provide names and details and rich suggestiveness if one reads between the lines and lies. There were some press releases, mostly coming from Paducah, Kentucky, which also exported Regulator support. One valuable source, one that makes this sketch possible, is a collection of documentary evidence, both contemporary and reminiscence, compiled and typed by James Rose¹⁷.

There was no clear Regulator activity until 1846, but both accounts and memories of the event begin with two crimes that preceded it, ones that may have led people to worry about crime and that Regulators used to sketch in the awfulness which forced them to act. Four children of a free black man in the area were kidnapped and sold as slaves in Arkansas. Sheriff (or Deputy) Rhodes of Pope County and the children's father, Elijah, went in search of them and, about a year later in 1843, returned with the children and the bill of sale for them, signed by local merchant William Vaughn, long suspected of shady practices. Vaughn claimed he'd been duped, turned state's evidence, and was let off – only to die two weeks later, rumor had it poisoned by relatives or friends of those he betrayed. Five men were convicted of the «slave-

County, 351; Church, *Rockford*, 44-45; C. Hal Nelson, *Sinnissippi Saga: A History of Rockford and Winnebago County, Illinois* (Rockford, 1968), 277 and details on the *Star*, 160-61; WPA, *Rockford, Illinois* (Rockford, 1941), 25-28.

¹⁶ Ford, *Illinois*, II: 10-12, 434-39.

¹⁷ Three representative accounts emphasizing the black kidnapping and the Sides' robbery are the Mrs C.P. Boazman narrative in the James A. Rose Papers Relating to the Regulator-Flathead Trouble in Southern Illinois, Illinois Historical Society; Oliver J. Page, *History of Massac County, Illinois, With Life Sketches and Portraits* (Illinois, 1900) 158-67; Brumbaugh, «Regulators in Illinois», 31-34. Page's book well illustrates source difficulties in the field: fairly honest, it has a wealth of detail found nowhere else – for example, he says Mrs Sides lost an eye and Sides gained a scar from the assault-robbery – but at least some of it is jumbled and inaccurate, as one would expect in a volume reflecting communal memory. Page also shows some will to forgetfulness: «We do not seek to revive an almost forgotten event that it is better to cover with the cloak of charity and consign to oblivion's doom», 78.

kidnapping», four or whom were given long jail sentences. About a year later an elderly couple named Sides was robbed of \$2000 and physically abused. Possibly at this time a group formed to aid legal officials, who may have beaten out confessions when evidence – a knife and button – created suspects. The testimony for this came much later from Green Raum, probably a Regulator and certainly a sympathizer. He claimed John Raum and Dr. William Sim (who assured area residents that only his medical skill saved the Sides' lives) and two others founded a group simply to aid authorities and to make sure bail was not given in serious cases. Whatever, nine arrests were made in the Sides case, six resulting in conviction¹⁸.

Thus far the crimes were clear, but no clearer than the area's effective law enforcement: sheriffs ready to travel far and spend a year's time to redress crimes against the least protected of citizens; sensible detective work; and courts and juries willing and able to convict. Yet the sharp memory of these events gave ballast to the melodramatic crime story that Regulators developed when they began to operate as an extralegal group in 1846. As anyone conversant with vigilante scriptures could guess, from the eighteenth century on this area had always been the center of counterfeiting and horse-theft, and, as law and order spread elsewhere, all these crooks came to settle in the area, especially Massac County. A majority of the people supported the crooks – a full third of the population, the statistically inclined vigilante noted-all of whom «engaged in the most vile practices that can be invented by an evil and vicious heart». Justice «always failed» because these crooks «were able to prove anything they pleased». A plot was discovered, an event often accompanying vigilante formation, to burn the town of Golconda «to the ground». The only hope of safety and salvation became a war between the «honest men» and «rogues»¹⁹.

The first report of the area's Regulators was a letter from Paducah, Kentucky, dated July 23, 1846 printed in the *New Orleans Picayune*, republished in Illinois and printed as a news story in the *New York Herald*. The *Herald* reported the discovery in Southern Illinois of the largest band of outlaws «since the days of Murrell and his gang» – the fabrication justifying wide-scale vigilante murder in Mississippi a decade earlier. The specific event that led to this discovery was, of course, pallid by comparison: A Kentuckian Davis disappeared

¹⁸ General Green B. Raum account, with some supporting comments from that of Mrs Boatman, Rose Papers; George W. Smith, *History of Southern Illinois: A Narrative Account of its History and Progress, Its People, and Its Principle Interests* (Chicago, 1912), 224-7. Flathend supporter Richard S. Nelson wrote, when accused of once being a Regulator, that he'd only belonged to an early group pledged to aid the authorities. Letter in the *Sangamo Journal*, 1-7-1847.

¹⁹ Brumbaugh, «Regulators in Illinois», 24-30; Gerhard, *Illinois*, 124; three Regulator letters, two public and one private: from Paducah, Kentucky, 8-21-1846, published in the *Louisville Journal*, and from Jonesboro, Illinois, both printed in the *Sangamo Journal*, 9-17 and 11-19-1846; James Middleton to Governor Augustus French, 3-27-1847, French Papers, Illinois Historical Society. Page gives the fullest story of the plot to burn Golconda: a confederate told the wrong person the plan, and when this criminal came (alone) to light the town, he was tar-and-feathered, *Massac County*, 158.

and a Mr. Pennington showed up sometime later with a deed for his land. Another man threatened «with whipping to death if he doesn't tell», told the Regulators what they were sure of: Pennington had got Davis drunk, got him to sign the deed, and then probably killed him. No body was ever mentioned, and Pennington never appeared again, a bit odd since we're told he ran a huge counterfeiting outfit when he wasn't cheating and killing Davis. The Paducah letter added he'd gone to hide at Young Linn's place in Illinois. The same informant provided a list of eighty crooks, all of whom the canny Regulators already suspected. The *Herald* hoped these regulating heroes would «not cease their labors till the den is thoroughly broken up»²⁰.

This account at least gets the Regulators to Young Linn's place where their first certain action occurred. They took Young Linn, local magistrate William Turner and one Leigh to an island where Linn, beaten to «a pulp», admitted being a head counterfeiter and Turner, «corded» until his tongue hung «out quite far», admitted the guilt of a great many, including his two sons. While always complaining of courts' leniency, vigilantes were often non-punitive toward those who confessed their crimes and named the names they wanted. These master criminals were «permitted to slope», and the Regulators began in earnest their career of whipping, warning out, tar and feathering and taking over land left behind. They were rough Regulators, as their treatment of Linn and Turner suggests, the most brutal of Northern groups, perhaps influenced by the more Southern folkways of their large Kentucky contingent. There was constraint in killing, but they made clear their commitment to win through terror by adding to their list anyone who opposed their measures. They even beat and humiliated a few strangers passing through, for no reason the victims could think of. Sources suggest few names and numbers, but the latter were substantial; a vigilante letter claiming 140 exiles is credible, and this was before they began driving out officials. The judge who first brought a temporary halt to Regulator activity said he found hard to believe «that men in this day and age would have run to such excess»²¹.

The policy of terror in this case led not to success but to a rival organization, Flatheads, who were helped by enlistment of a frontier heroine. In 1846 Regulators went to the home of elderly William Mathis, bound him for whipping and then faced Mrs. Mathis, who fought effectively. She panned two Regulators, and when they put a warning gun to her, she continued to fight, pushing it down so she was shot in the thigh. Felled by her wound, Regulators

²⁰ Letter from Paducah, Kentucky, 7-23-1846 to *New Orleans Picayune*, printed in the *Sangamo Journal*, 8-21-1846, and printed, with minor change, as a new story in the *New York Herald*, 8-16-1846.

²¹ This lynching Regulators described in a letter from Paducah, 8-21-1846, which also announced that their organization was for «the purpose of exterminating» the crooks, even thought the first ones were let go, *Sangamo Journal*, 9-17-1846 and *Belleville (Ill.) Advocate*, 9-17-1846. The number of 140 driven out is in the Jonesboro letter of 10-8-1846. Judge W.A. Denning in letters to Augustus French described both the humiliations to strangers passing through and his shock at what the trial testimony revealed, 3-16 and 6-2-1847, French Papers. These also include in the 1847 folder an undated letter from Darius Phillips protesting his exile.

used pan for a pan justice and beat the old woman senseless with her own weapon. Mathis was never seen again, but his wife recovered and proved her tongue as effective as her cookware against Regulators. Regulators feebly insisted she shot herself, but her story became the key public example of their viciousness, and her telling it in court led to the first Regulator arrests²².

Before that, her tale helped to cement anti-Regulator feeling so that in the August elections candidates pledged to fighting Regulation swept to victory. On the Mathis testimony, Judge Walter B. Skates spurred a grand jury to act, warrants were issued and newly elected sheriff I.W. Read use a citizen posse to arrest ten Regulators. The vigilantes, again aided by Kentuckians, rescued them from jail and drove the judge and sheriff out of the county. Only at this point did Governor Ford send an emissary to the area, one who claimed he gained Regulator agreement to disband. In celebration he attended a large Regulator banquet for him and went back to Springfield while his hosts returned to Regulating, now in more murderous fashion. Some men – maybe four – for the crime of aiding the Sheriff in his arrests were «sent south to Arkansas» that is drowned with their bodies left to drift downstream. Ford dispatched a second investigator, Dr. William Gibbs, who encouraged some local leaders to join with him in investigating the charges, to which the Regulators responded by ordering Gibbs and his supporters out. Gibbs tried unsuccessfully to call out the militia, and was forced with others to leave. When Gibbs reported to Ford that he could find no evidence «of notorious crooks» and he believed the Regulators had none, Augustus French, head of the Illinois militia and soon-to-be governor, replied that Govr. Ford believed Gibbs' conclusions «founded in error». Ford clung to his conviction, even years later, that the Regulators acted against «brutal crooks» most of them «horsethieves», though this charge, strangely enough, was seldom mentioned by anyone²³.

All evidence favors Gibbs' position: aside from endless evocation of the Sides case, Regulators never mentioned specific crimes, but only their lists, steadily reinforced and lengthened by additional directed confessions beaten out of people. The people they drove off first – the Linns, Turners, Edwards and Delerans – were not lesser sorts, but «well-to-do farmers». Their crime probably was their prosperity that allowed them to buy public lands – rich bottom lands – which squatters had been working. Flatheads had no doubt this land controversy lay at the bottom of the Regulating business. This would also

²² Brumbaugh, «Regulators in Illinois», 48-49; Middleton to French, French Papers, 5-21-1847, claimed Mathis shot herself, and added more honestly, «no one is more sorry for that occurrence than those accused of the crime». Patrick B. Nolan, *Vigilantes on the Middle Border: A Study of Self-Appointed Law Enforcement in the States of the Upper Mississippi* (New York, 1987), 173-75, repeats Brumbaugh's position.

²³ Smith, *Southern Illinois*, 225-26, who reported that the previous sheriff, William Finlay was a Regulator; *Niles' Register*, 72 (1-9-47): 246; Brumbaugh, «Regulators in Illinois», 39-41; Gerhard, *Illinois*, 124. The Democratic *Sangamo Journal*, 10-29-1846, reported that the Regulator barbecue, attended by the Governor's envoy, General John T. Davis, marked the end of all violence.

explain the active Kentucky presence in this effort to purify Illinois, since the disputed land lay in both states²⁴.

Certainly squatter action is clear in the last and best described Regulator killing in the area, detailed in a letter of January, 1850 to Governor French. Septer Everett, his neighbor wrote, was «Respected by all who knew him except the party that Slew him who call themselves Regulators». They butchered him brutally «for no other reason than that of purchasing the public Lands which - or the greater part at least - has been settled some twelve or fifteen years without paying any Taxes». Everett's enterprise, not crime, had been cause of his Regulator execution, though that may have been more costly to his opponents than all the «counterfeiters» they were supposedly driving to counterfeit elsewhere. James A. Middleton was probably one of the small farmers effected by this American enterprise, though his letters assured officials that victims practiced «counter-feiting and other vices to vitious to mention». Some anti-Regulators might seem honest, he explained to the governor, but they couldn't be because «would it not be a sin against almighty God that there would be little hope of forgiveness for to cause one part of the honest community to rise and fight another?» Middleton probably believed there was no reason for honest farmers to pay the taxes and the prices that wealthier neighbors could afford on the land they worked. He, like his opponents and other Americans, defined honesty as close handmaid of best policy for him²⁵.

Politics was present, too. The Regulators were Democrats, as were the state authorities in Springfield. Had state officials acted vigorously early on, probably the trouble could have been soothed. Some mob conciliation was always sensible, but officials who attended public banquets sponsored by the mob naively, or intentionally, sanctioned their power. Ford again was not of the mob, but the two incidents suggest he and his party had an influential squatter constituency, much the way the Whigs in New York State were allied with the anti-rent movement, that both heartened the vigilantes and could palsy official response. In 1847, with increasing state and national attention on the Regulators after they expelled judges, sheriffs, and those citizens who incautiously lent their names to Gibbs' peace effort, Ford's successor, Augustus French (a man whose career included earlier mob membership) had to act. Under the spur of a Whig-sponsored law demanding an end to violence and a respect for elections, French sent a judge and militia to the area who acted both vigorously and conciliatingly.

²⁴ *Illinois State Journal*, 11-27-1846. Gibb's report and French's answer for Ford are in Rose Papers, as is a public letter from Richard S. Nelson detailing Regulator abuses, 12-23-1846. Shortly thereafter, original Regulators like Judge Wesley Sloan were telling the Governor «confidentially» the same story, blaming viciousness on others «without character or respectability» who had made the country «wretched. Men have lost confidence in each other, private as well as public business is in measure suspended, and women and children are left desolate». To French, 3-5-1847, French Papers.

²⁵ Green B. Raum and J.E.Y. Hanna narratives, Rose Papers; anonymous to Augustus french, 1-28-1850, and Middleton to French, 3-27-1847, French Papers; *Alton Telegraph*, 2-2-1847 in *Niles' Register*, 72 (3-13-1847), 20.

Local politics and personal ambitions entered, too. The local Democratic newspaper supported the Regulators but not the violence, the kind of empty distinction usually used by communal mob sympathizers. Surely the most interesting case involved Judge Walter Skates. Some of his scathing remarks to a jury about the people taking the law into their own hands if the law was not rigorously enforced, Regulators later claimed as impetus to their movement – the same way the lynchers in Ogle Country used Judge Ford's diatribe. It's not unlikely that Skates knew what remarkable political success grew from Ford's remarks. He also vigorously supervised the first indictments of the Regulators when local sentiment was at its peak over the Mrs. Mathis shooting and beating – so much so that Regulators drove him out of the area. He returned when serious legal action against the Regulators began, now not as judge but as the most virulent of the Regulator defense attorneys – and shortly thereafter as a candidate for governor. How much irrascibility and how much calculation entered into Skates' several roles, all played passionately, is hard to tell²⁶.

When in the spring of 1847 French sent Judge W.A. Denning to impose law, Regulators followed their earlier policy of ordering him and his witness out. This time French sent Denning a small militia group, and Regulator resistance collapsed, many fleeing to Kentucky where exaggerated reports of the size of the militia cooled Kentucky ardor. By late May, 60 had been arrested through this show of force combined with assurances of legal moderation. Most gave bonds to keep the peace, but eighteen were convicted of riot, and two of assault with attempt to commit murder. This legal response, however, did not end the area's troubles, in part because it meant the exile's return. When Regulator George Douglass was acquitted of burning Flathead Henry Towles' barn, the Linns and their allies caught him, got a confession implicating two Regulators, one of whom they severely beat. At this point, both sides armed and a final battle took place in 1849 which killed two Flatheads and one Regulator and left three more men badly wounded. Violence trickled on for awhile, but now under no organized banner. People simply murdered, or tried to murder, from ambush people like Septer Everett, so respected by all who knew him except, of course, they who slew him²⁷.

²⁶ A typical Whig speech was that of Mr. Marshall reported in the *Illinois State Register*. It attacked «this worse than Spanish Inquisition», and concluded that «the very worst of all despotism is the despotism of the mob», in this case «with its excusors in these halls» when «it has been winked at from the executive chair», 1-15-1847. On Skates' activities, see the letters of W.A. Denning, 44-244-1847, John Dougherty, 6-1-1847, and Col. I.S. Mattison, 12-24-1847 to Augustus French, French Papers. Democratic editor John W. Wood, Sr., complained to French about Denning's legal action, saying that the majority in the area kept electing crooks – i.e. Whigs – who «Savor vice of every kind», 10-24-1847. French's certifying a judgeship to A.M.L. McBane over probably elected Flathead John B. Hicks in February 1850 seemingly encouraged the brief final burst of known Regulator action that included the killing of Everett.

²⁷ Several 1847 letters to French, all in his papers, detail the progress and result of the legal action, especially those from Judge W.A. Denning, Feb. 28, April 14 and June 2, and from A.P. Boyakin, who assisted Denning and then acted as a Regulator lawyer in the legal bargains worked out, March 16, April 17 and July 21. In the last of these Boyakin partly told the Governor that little trouble would have occurred had there early been a «proper dissuasion on the part of

The best record of the general quality of this vigilantism was one left by a non-participant, always the great majority, who remembered with balance what had happened. Mrs. C.P. Boatzman did not want to detail the atrocities she had heard about because the stories might have been “exaggerated or untrue” a worry no vigilante group of chronicler shared. But she remembered honestly – in contrast to a Regulator who recalled no violence except one «cording» – the mood of terror the vigilantes essentially relied on to do their extralegal business:

Soon both counties were divided, rather the citizens of each county, those who condemned the new method were known as «flatheads» – a term of reproach not confined to real criminals by no means, but all who disapproved or predicted trouble from the violent methods of the Regulators... «Liberty of speech» was at a discount, a word of sympathy for the hunted or disapproved might stamp him a «flathead».

Refusal to join in a raid might lead to suspicion. Excitement grew to fever heat, and for a time we had a sort of French Revolution, nobody was beheaded, but suspects were plenty and hunted down in a way that had to be stopped. It finally grew into personal quarrels, and men ordered to leave their homes who were only suspected of disapproval of their ways of dealing... If half the stories of cruelty told was true, it proves that the regulators had lawless men among them.

Mrs. Boatzman represents a second group neglected by vigilante historians, «the people», if that term has any relation to the majority; that honorific that vigilantes always bestowed on themselves for no good reason. Victims didn't live to tell their stories or didn't tell them often – one hears no word from the woman and children left destitute by the exile of their husbands, though one militia leader suggested, to no response, that something should be done about «the many destitute women and children». The community in general also wasn't asked or didn't dare to state their opinions, and after the conflicts didn't care to open old wounds and embarrassments. When they testified, it was common to refer not to the American Revolution but the French «reign of terror». An old settler of San Augustine, Texas, who wrote an affectionate history of his town, included impressions of its Regulators as «a reign of terror and dread of impending evil spreading themselves as a night-mare over the land. The farms were left untilled, growing in weeds. Men barred their doors at night... Men were shot from ambush. Prisoners were hung. Men were driven from their homes. The most foolish and extravagant infatuations seemed to have seized all alike». Such was the voice of «the people», the great bulk of citizens (if women can be so called) who watched in general silence. Mrs. Boatzman and Texas Alexander Horton may have remembered imprecisely, but their accounts have an accurate honesty absent from the always self-serving deceptions of others and self that characterized vigilante story-telling. Whatever the melodrama of «reign of terror», it was an accurate description

persons filling high places». On «the Battle» see John S. Wood, Sr., to French 10-20-1847 and Brumbaugh, «Regulators in Illinois», 55-56.

of what vigilantes had to establish if their action was more than a momentary riot²⁸.

The Regulators of southern Illinois, especially in their brutal whippings, may have borrowed from Southern vigilante groups which had several distinctive qualities. In the South, vigilantes were active primarily in protecting slavery, either by punishing «abolitionists», – commonly people wholly lacking such credentials – with an arbitrariness that created in everyone caution in all expressions about slavery, much as the more famous black lynchings made all blacks wary of doing anything that might offend anyone. Southern vigilantes also led many fewer, but much bloodier insurrection scare mobs, reflective of white fears of slaves, but also, comforting, if expensive (since all but a handful of victims were «chattel»), rituals proving white power. In addition, Southern vigilantes acted against «criminals» in closer approximation of what went on in the North. In this third category, the Attakapas vigilantes are the most interesting, in part because they entwine Southern emphases on the national pattern and in part because their spokesman was the most vital of all vigilante chroniclers. Since the argument of Alexandre Barde, and Eugene Dumez who wrote the introduction to the work, is a central aspect of any discussion of vigilante theory, it is well to explore Bard's narrative with guesses about what actually happened as my «third» example.

There is another reason for exploring Barde's account. In some sense, he was the most honest of vigilante spokesmen. While incorporating all the usual gross myth and exaggeration of vigilante scriptures, he did so with rich detail and passionate conviction, in contrast to the baldly calculational narratives of soberer American chroniclers. His faith was strong enough so that he alone gave place in his narrative to what anti-vigilantes actually said. Finally, he gave rich expression to the emotive and psychological aspects of riot because he feared less that these truths would sully the social-moral salvation story he fully endorsed. Most vigilante spokesmen shared the verbal pietism which appears in recent Anglo-American studies of riot, whose authors imply a rioter should not enter history books without his hair combed, his manners improved and his mind directed toward higher rational and progressive social goals, so he can join not a mob but that vague, and more than vaguely respectable «crowd»²⁹.

²⁸ Boatman narrative and that of Regulator leader Parker B. Pillow, Rose Papers. Judge Denning described the suffering of women and families to French, 2-28-1847 as did Wesley Sloan, 3-5-1847, French Papers. Alexander Horton, «A History of St. Augustine, Texas», mss., Texas Historical Society. When Governor Sam Houston finally quelled the Shelby county troubles, he placed Horton in charge of the prisoners on both sides. Lela R. Neill «Episodes in the Early History of Shelby County», (M.A., Stephen F. Austin College, 1950), 145-52.

²⁹ Most influential in this tradition has been George Rudé, whose works are the most significant ones ever written in the field because of his emphasis on the relation of riot to social grievance and to specific data, especially his *The Crowd in History* (New York, 1964), and in his collaboration with the other English historian most connected to this position, Eric Hosbawm, *Captain Swing: A Social History of the Great English Agricultural Uprising of 1839* (London, 1968). Jesse Lemisch first imported these ideas into the United States, where they have remained central, especially in works on the eighteenth century. Ted Robert Gurr, *Why Men Rebel* (Princeton, 1970) represents the broadest sociological encapsulation of these themes.

Barde richly illustrates a simple truism often blurred in vigilante chronicles and riot histories: human emotive and psychological and personal drives are always not opposed to, but integrated with, rational and pragmatic judgements and social goals and grievances in riots, as in all other human activity.

Barde, a native of France, immigrated to Louisiana in 1842 when he was twenty-five. He began his American career as a teacher near St. Martinsville and served as a plantation tutour until 1858, though by that time he had been editing, as well as writing prose and poetry, for local newspapers for a decade. In 1858 he bought a Democratic paper that soon failed, but he wrote regularly for other partisan papers, especially the Opelousas *Louisiana Courier*. His *Histoire* was compiled from stories he'd written earlier for the *Courier* and other papers, which helps to explain its rambling structure and repetitions. Vigilante captain Sarrazin Broussard dubbed him the group's official chronicler because of Barde's «absolute devotion to the principles which made us hasten to arm». «Write us a good history», Broussard told him, and Barde complied in ways that should have pleased his patrons³⁰.

His history is not of one group, but of six or eight in four Louisiana parishes, each with its own officers and statements of purpose, but all working in unison with shared insignia and passwords. Their elder statesman, and the probable mastermind of the group, was longtime Jacksonian leader Alexandre Mouton, former Speaker of the U.S. House of Representatives, U.S. Senator and Louisiana governor. Retired politically since 1846, the elderly Mouton, aided by a son and a brother, captained the Vermillionville group and was chief strategist for the movement, at least after its first months³¹.

Barde's account is remarkably detailed, if even longer on rhetoric than fact. He tells of 41 beatings, 90 exilings and 6 killings by the vigilantes between the beginning of February and September 1859 when a mass beating of political-vigilante opponents with give deaths led to the truce that Governor Robert Wickliffe thought he had achieved in the summer: the vigilantes agreed to cease operating and the authorities agreed not to persecute. Barde gives names and descriptions of, and some sense of the charges against, the victims, though crimes are often quite vague. Theft was the commonest plaint, especially cow-theft. The criminal band that dominated the area and its juries stole everything, but mainly pilfered from «a mine as rich as the auriferous sands of California»: Attakapas cows. For seven exiles the charge was stealing cows or buying purloined meat. For example, Dosithe Maux was exiled for killing an ox, his son Aurelian was beaten and driven out for killing a calf, and German

³⁰ Barde, *History*, 188-90. Rogers covers Barde's background and gives some citations to his other writings in her helpful introduction to her translation, iv-ix. Dennis Harper, *The Country Press of Louisiana*, 10-11, 43-44 discusses Barde's and Dumez's editing. Harry R. Griffin, «The Vigilance Committees of the Attapapas County: or Early Louisiana Justice», Mississippi Valley Historical Association, *Proceedings*, 8 (1914-15) 194-59, adds nothing to and doubts nothing in Barde's *Histoire*.

³¹ Barde, *History*, 329-33, 337-41. Mouton's Vermillionville group was formed well over a month after the Côte Gelée vigilantes began to act, Mouton probably waiting to gage initial reaction before deciding to act or to announce his activity.

butcher George Claus was driven out for buying beef from Dosithe Maux. Other thieves stole directly from vigilantes, Barde wrote. The first Committee organized in Côte Gelée in response to the alleged break-in of the stores of vigilantes Dupré Guidry and Valsin Broussard. The thieves, father and son Hervélien and Euclide Primo, carelessly left the stolen goods in their yard, clear proof of the justice of their beating and exile. St. Martinsville storekeeper Thomas Reed went with a slave so the latter could visit his woman friend, but, since she wasn't in, the pair robbed two or three places that night, carelessly dropping goods here and there but putting enough in Reed's store so that a search led to this exile and that of his family. Vigilante Alcée Judice was a theft victim who immediately found the property in a neighbor's yard and in Reed's store. Both crimes read like vigilante set-ups; if not, Reed must be the most casual and least competent thief in the annals of crime. Only one horse thief was mentioned, Valsin Herpin, accused of stealing a farmer's mare, «which was not only Lyons' property but his love». This caused Barde to wax thoughtful, «When a man cannot love a woman, he loves a beast, particularly since very many women are, in intelligence, and beauty, inferior to the Arab horse». Only one stolen cow was reported as loved and «most beautiful»³².

Most crimes mentioned seem tiny given Barde's insistence on unequalled depravity, just as the actions of the Committee seem mild compared to Barde's fervor. He probably wrote the vigilante songs he included, though he admitted that they had «more merit, indignation, anger» than «real poetry», since one couldn't write eclogues while «sitting on the crater of a volcano». The best of them claimed

Too many lepers defile our land,
Public opinion has condemned them all.
O, Vigilantes, to war, quickly to war
That all bandits be exterminated.

The poem's repeated refrain extolling extermination is even stronger in Barde's prologue to action where he announces the «mad, merciless hunt» about to begin, and pictures the criminals as helpless animals about to be destroyed:

In vain do the beasts flee, like bucks, like deer, like rabbits. They hear already the hot breath of the hounds that chase them. At them, my dogs! At the fugitives! At the deer! At the rabbit! One last effort and the pursued prey will bleed between your white teeth!

Though this was as close as vigilantes came to eating their victims, it suggests how the talk about the enemy as dehumanized beast in fact allowed the beast in the wholly righteous to sink its white teeth in blood. The myth was one that demanded blood atonement and the usurpation of total power by the good to shed it. Total self-righteousness is always justification for the lust for total power which easily becomes blood lust. Barde suggests another sort of lust linked to these all-male, machismo organizations:

³² Barde, *History*, 11-13, 95-96, 203, 57, 76, 125-32, 81, 21.

Women rent their gloves applauding with their beautiful
White hands, and a bursting fanfare welcomed the hunters...
Kill! kill! Shoot! shoot!
Fire for the beautiful black eyes watching you!

Vigilantes were real men, if more laconic in Anglo-American guise, with beautiful women with «bursting fanfare» begging them to shoot. Make my day indeed³³.

This sexual theme laces the ethnic and racial elements in Barde's narrative. The story he tells has strong anti-German and anti-Bohemian – the terms seem used interchangeably – elements. The German butcher Claus, run out for buying four quarters of possibly stolen beef, had other failings Barde stressed more. Though once a neighbor of Barde and vigilante chief Major St. Julien, the two had always scorned Claus: «Germany could never form a treaty with Louisiana represented by the Major, nor with France represented by me». Claus was a «vagabond» who once lived in abundance with «an orange-colored mistress», but his worst failing was that he «jabbered French with that strange, impossible accent peculiar to that race beyond the Rhine». All the vigilante groups joined to attack «the ugly huts» near Ile des Cypres, anxious to destroy «that strange bohemian population encamped near them». The decision to drive out wealthy planter Bernard Romero and his son, of Bohemian ancestry, led to a split in vigilante ranks, though Barde insisted Romero was an «outlaw general» as well as a vigilante opponent³⁴.

Barde devoted most attention to the Vigilante's first victim, August Gudbeer, a twenty-one-year old who lived on a road «always noisy and teeming» with suspicious blacks and whites, who was caught, beaten and exiled, Barde says at one point, for the theft at vigilante Guidry's place. When Barde repeats the account of Gudbeer's punishment with more detail this charge is forgotten. Now this youth «whose florid complexion betrayed his German origin», surrounded by Vigilantes at 2:00 A.M. in the February moonlight, «undressed slowly, as a young girl who fears to show to the indiscrete the charms which her bashfulness keeps hidden and which will be seen only by the spouse she sees in her dreams. A shiver ran at times over his body, and imparted a nervous trembling to his hands, frail and delicate». Naked in the circle of vigilante eyes, Gudbeer asked why he was being punished. No answer come when he looked at Paul Broussard, then at Desiré Bernard, but St. Julien finally replied at length:

You have been arrested because for twenty years our population, so rich

³³ Barde, *History*, 31, 34-35, 37.

³⁴ Barde, *History*, 201-203, 167-76. Numbers suggest less anti-German (though no less anti-black) emphasis than Barde's rhetoric. Of the four identified men whom vigilantes killed, all were French, and of the beating and/or exile victims identifiable in the text, 36 were of French background, 7 English, 5 German, 25 Spanish and 11 black. Another 20 blacks may have been driven out; see the discussion of Coco below. Of the vigilantes, on the other hand, 77 were of French descent, 4 had Anglo-American names, and only one was German.

and so industrious, has been exploited, robbed, set on fire by vagabonds who have a sworn hatred for work... You have been arrested by us because you are a thief, an incendiary, perhaps an assassin... May this punishment resound in the hearts of all the Attakapas rebel. Strike then, my men.

Each of the twenty-two vigilantes gave the naked Gudbeer, stretched on the ground, two strokes with a large paddle instructed to announce a crime with each blow. Mixed with the young man's screams were the charges – arson, theft, insulting someone's wife, perjury, a law suit – but no mention of the Guidry robbery or anything else specific. It is a good example of vigilante justice: a sketch of horrendous social evils so extreme, including flouting of the work ethic in this slave community, that guilt was by acclamation rather than by whatever petty specific crimes were charged. Proof lay in vigilante conviction. At the end of the ordeal, St. Julien told the twenty-one-year old victim, «You have taken part in all the crimes that desolated the country for years». Barde claimed, as vigilantes liked to announce, that Gudbeer was so effected when such charges were voiced he recognized he'd been «worthily condemned». In fact he went to a magistrate and had his tormentors arrested.

The Gudbeer «crime» Bard most stressed was one that runs through his narrative like a twisted thread: a crude racism integrated to sexual fascination. Crimes are mentioned, but interracial sexual dalliance is lingered over. In Gudbeer's pocket, a vigilante found a picture of a daughter of Coco, «a beauty with wooly hair, thick-lips, and saffron complexion». Barde proceeded to detail the mulatto woman's «monumental» hands and feet that «seemed to have been sculpted with an ax, perhaps because God, having spent the whole day creating the white race, had created the negro the following night which was moonless». Despite his racist theology, in Barde's vision the moonlit white boy, trembling like a virgin, and the moonless black girl are joined in a union monstrously attractive, one more intense than even that of farmer Lyons and his intelligent and beautiful Arabian mare, so cruelly stolen from under him³⁵.

The mare's alleged thief, Valsin Herpin and his two brothers were whipped and exiled less because of horses than what Barde called «a cynical vice», that did not hide itself, so as to become a form of decency, but that «abdicated pride of race to plummet to the level of the African». In a scene inserted presumably to show the Herpins were cattle thieves, Barde forgets the point in his picture of a black's fiddling while blacks and whites gyrated and «doubtlessly drank between sets to the holy alliance of Africa and America». The three brothers were rich, handsome, respected, Aladin bashful, Dolsin the «lion of fashion», Valsin with a pretty wife, but the three, two of them uncharged with any crime, were «black, accursed, sinister... In the Herpins there was no redeeming feature. Nothing! Nothing! Nothing!». Their

³⁵ Barde, *History*, 65-69, 230-34.

coat of arms should have been, Barde claimed, a negress dancing lewdly while picking a lock³⁶.

One has to pick few locks to reveal Barde's sexual fantasies and how vigilante power was tied to his need to control and express them. The Bohemians, whom everyone wanted to expel, danced to «African bomboulas, rhythms which excite the sexual spasms of lions and tigers rather than men's». Vigilante spies observed a «Negro ball» where frenzied dirty dancing showed «almost life, almost a reflection of intelligence in those receding foreheads where the brain cannot find enough space». The most interesting of Barde's characters is Coco, described as «a black mormon with two white wives», who ran the area's interracial whorehouse on Prairie Maronne. On their first night of activity, vigilantes went there to hunt for Gudbeer, who was «a lion» in its precincts, doubtless with spasms, though tamed to trembling virgin in vigilante hands. Not finding the young man, the vigilantes still «stayed to investigate in all senses this dog kennel of drolls and hussies». Later Barde gives Coco's Attakapas life story. He arrived a young man, in 1811 dashingly handsome, «not one of those stupid blacks, created for slavery..., the link between man and the race of apes». Barde says Coco was still strikingly handsome at age 75, just as he must have seemed to the two beautiful daughters of white blacksmith Jean Christopher, who gave him on his arrival a drink of water and bore him nineteen children in the next twenty years. He and his many daughters and relatives were handsome and successful enough both to threaten the work ethic and to «cause people to forget the odor of musk the negro exhales», all of them with «a blood rich and warm like that of the tropics», contributing a half-century of «mad orgies» to Prairie Maronne. No wonder the Vigilantes broke their initial moral labors to investigate it «in all senses». Barde early reported that Coco's realm was «now destroyed», but in his later extended account of the black's life and business, he omits mention of what seems the point of the story's inclusion, Coco's expulsion by Vigilantes. Perhaps Vigilante perfect purity was not that self-denying; perhaps some literary fantasies were too deep to exile³⁷.

Other Barde stories illustrate less sexual Southern preoccupations. Initial Vigilante proclamations stressed one crime: illicit trade between slaves and whites, a common enough economic irritant to planters and the most comfortable form of interracial intercourse for planter society to denounce. Three long Barde sections illustrate variations on common Southern themes of traitors to the slave system: two «abolitionists», Northern and Southern, and the monstrous planter, all of them whipped to exile by Vigilantes. Barde's Northern abolitionist is a Yale man, young John W., who came to the area a few years earlier reciting Byron by heart, loving Uncle Tom, writing poetry to Little Eva, and planning to «carry on John Brown's work». He was no secret emissary though, greeting every slave he saw «as he would have saluted the

³⁶ Barde, *History*, 78-84.

³⁷ Barde, *History*, 172, 373, 233, 67, 236-49.

president of the United States», putting «his white hand into the black and calloused paw» while «spouting Greeley and Seward». He also pursued, with revoltingly honorable intentions, slave women «coming from the field all sweaty» with a perfume that Barde claimed would make him «flee from paradise». Having chosen Anita, who'd had twenty lovers, for a spouse, John politely asked her master for her hand, pleasing him with his high opinion of the Christ-like nature of vigilance committees - «separating the good from the bad» - but angering him by a similar enthusiasm for Haiti. At this the planter exploded, «Our prejudices are just prejudices», and warned patriarchally, «Our negroes are our property..., and he who makes an attempt on our property will place his honor or his life at stake». Always judicious, Southern vigilantes followed John for several weeks to be sure he was «a victim fanaticized by the detestable doctrine of the school of abolitionists», and then arraigned him and Anita. She was whipped so there «was engraved on her back an eternal souvenir of the duties of slaves», John was so shaken that he asked God if blacks were really «the sons of Ham, who must be cursed» to which God thundered in reply - positively I presume Barde presumed - and John was whipped after being told, «Your wench Mrs. Stowe will be responsible for the punishment you are going to receive». To this weird tale, vigilance chief Alcée Judice added an even weirder moral: «John was a rascal of the most dangerous kind, and that is the kind of spy the North sends to fight us. We should shoot them down like dogs»³⁸.

This is the only «story», in contrast to observed «event», Barde records, though presented as a true account told not by an idiot but a vigilante hero. Indeed, as an «abolitionist», John W. is little more fictitious than those men Southerners in fact shot down like dogs. Still, Barde's other two stories are more disturbing because they cut closer to the real in terms of occurrence and response. Lufroi Apcher was the Southerner who tried to «destroy» slavery by giving work to two slaves desperately afraid of, or hostile to, their owner, Mrs. Ursin Bernard. Caught and returned home, the two chained slaves, their hands tied, killed themselves by jumping into the bayou: «The two corpses were found still united in death to which they had fraternally rushed. This was an example of one of the black and terrible vengeance which many of our negroes took in our slaves states, They had committed suicide to impoverish their mistress of about three thousand piastres». This grisly tale and its ghastlier interpretation began with Barde's reflection that «our society was more patriarchal than we think», patriarchy being the sentimental lenses that hid human response to the human tragedies of anyone in fact labelled «our property». Vigilantes beat and exiled Apcher as the cause of Mrs. Bernard's anguish through slave suicide. It was he who «has excited» the two black men «to

³⁸ Barde, *History*, 64, 338, 275-84. Vigilante Louis Dominguea, who tells the John W. story, also philosophizes on that favorite vigilante pretense that the world is divided between the perfectly pure and the totally vile, insisting even that greatness and goodness are always wholly joined if all the facts of the case were truly understood.

violence and instilled in them a hatred of work» by paying them «a meager salary»³⁹.

One patriarch Vigilante victim was «rich and respected» Pierre Bergeron, a monster of «feline sweetness» who had a plantation on Bayou Teche. For him «blood had a perfume sweeter than roses», and he would have «voluptuously licked it from the guillotine». Had outsiders known what lay behind the facade of gentleman and happy home, they might well conclude «that each inhabitant of Louisiana owns a butcher shop of human flesh and that negro flesh is sold in the market at so much a pound». Examples are given. Bergeron took one slave naked to a swamp, tied him to a tree, and watched mosquitoes sting him to death, regretting only that he'd not thought to bury him, cover his head with honey and let ants more painfully bite him to death. A second slave he locked in an oven and fed the flames that roasted him alive. Vigilantes couldn't act against Bergeron for these crimes, Barde wrote, because of some suddenly discovered six-month statute of limitations in vigilante law. They punished and drove him out for hog-stealing.

Barde wrote of Bergeron's apparently widely known sadism out of paternal concern, he claimed, for «the infant and minor race» and his love for slavery as «an institution eminently civilizing and moralizing». Barde clearly started the principle that kept Southerners from objecting to such comparatively rare instances of conspicuous brutality: «Should a planter kill a negro by slow torture, his honest neighbors would become indignant but would not dare to prosecute for fear of weakening the institution of slavery». They would also keep their indignation to themselves. Public opinion seconded most Southerners' tolerably decent treatment of slaves, but it was a dead letter – even deader than the law – in attacking those addicted to, or capable of, gross brutality, because absolute ownership entailed absolute disposal rights and to question prerogatives of mastery was to question slavery. The Vigilantes could act against Bergeron in part, because, as Barde explained, his creative cruelties had financially impoverished him; baked slave was a costly banquet. Even so, they charged him only with hog-theft, cautiously recognizing, unlike Borde, that slavery in fact demanded absolute silence about instances of the institution's absolutely stomach-churning potential⁴⁰.

Unlike other vigilant chroniclers, Barde admitted that many victims' only crime was opposition to the extralegal groups. Vigilantes whipped and exiled Emile Landry, we're told, for his public dislike of the groups, and wealthy young Fenelon Cannon was driven out when he tried to set up an antivigilante organization. Barde reported proudly that one Vermillionville victim was driven out for wanting to oppose the vigilantes, though he was too cowardly to speak or act. Most of the final victims at Queue Tortue were accused only of

³⁹ Barde, *History*, 205-206. Barde's racism has some odd aspects. He speaks well of successful free blacks in the area, a group who, he claims, identify with whites and «not with its maternal race whose inferiority it appreciates better than anyone», 346-47.

⁴⁰ Barde, *History*, 286-93.

vigilante opposition, though Vigilantes beat out of them affidavits attaching that to slave insurrection, mass murder, *et al.* Nor did Barde contend, as other spokesmen did, that the judge, district attorney and governor who led the legal fight against the Vigilantes were criminal accomplices. He reported their positions in no fair way, but so that one knows what they argued, sometimes in their own quite convincing words. State and local people were less cowardly or compliant in this case than in most places. In no other case in the South, except the failed Vigilante movement in New Orleans, was opposition so forthright⁴¹.

Of the six victims killed, Barde described only two cases in detail. Aladin Corner was the first to die. Twenty-two-years old, «tall and strong», Corner was accused of the murder by hammer-blow of a poor father of eight, Bell Toups. Corner was legally tried and acquitted, Barde said, because «the jury was only an acquittal machine» and «the Abbeville Court was a Calvary where Christ was regularly crucified every six months». Barde mentioned no evidence against Corner other than that he was away at the time – his father and a former teacher testified twenty-five miles away with them. Twenty-eight Vigilantes followed and caught Corner, their chief allowing them at the cognac «only three times a day» to assure they judged soberly. Soberly they told the world that Corner confessed he'd been hired to kill Toups, and that they felt obliged to heed «God's voice» in scripture: «He who lives by the sword shall die by the sword». Thus at God's behest they shot Corner dead at dawn. The Vigilantes also exiled Corner's father Michel and the elderly teacher, Baron de Juge, who had testified for the young victim⁴².

The second vigilante victim murdered was Bernard Lacourtüre, an intelligent jack-of-all-trades who was at one time a butcher, always a dangerous profession among these cow-conscious vigilantes. Allegedly his chisel was found once at the scene of a robbery, and Barde launched into one of his sexual tirades about Lacourtüre, «always after women but only a few less elegant will succumb». Beaten and exiled in early summer, Lacourtüre returned in late summer. Four vigilantes cornered him in his mother-in-law's house, but sent for help when he resisted. Ten or so came with Major St. Julien who grandiloquently spurred on his troops, «Who said this house was impregnable, when Sebastopol was captured?» Scorning the «vulgar insults» the mother-in-law hurled at them from a window, these heroes shot Lacourtüre dead when he allegedly attacked them, armed only with a hatchet⁴³.

Only one other of the killed was named, sixteen-year-old Geneus Guidry, who, while being pursued by L.F. Treville Bernard, Barde said, committed

⁴¹ Barde, *History*, 207, 265-66, 374, 43-48, 156-58. Barde also reprinted Alcée Judice's rambling weird public reply to Olivier in which he said it was criminal of the district attorney to listen to «bad people», all of them «pretended victims» of vigilante action, quoted Barde as his impartial source on several issues, whined about Olivier's «outrageous epithets», and explained the jury system was impossible because juries were always influenced by lawyers, 159-64.

⁴² Barde, *History*, 221-29.

⁴³ Barde, *History*, 88-94, 417.

suicide by putting a bullet in his head and then stabbing himself «several times» in the throat. This determined suicide occurred during the «furious pursuit, merciless on the part of some» that followed the break up of a planned anti-vigilante meeting at Queue Tortue. In this hunt, the Vigilante hounds killed another Frenchman, and perhaps one or two others, through prolonged beatings where their whips if not their teeth tore deeply into the flesh of the «deer» and «rabbits». An earlier victim unnamed and undescribed in any way, Desiré Bernard shot dead out of a tree, apparently in illustration of his speech about «a net of invisible enemies» everywhere threatening vigilantism so each member had to «crush one or more under our heels like serpents»⁴⁴.

While the various Committees worked hand in glove, Barde's *Histoire* suggests some differences as well. He described most fully the rural groups in Vermillion and Côte Gelée, certainly because he personally was more involved there and perhaps because the more canny town groups in St. Martinsville and Vermillionville were stringent with the information they gave their wholly loyal but loquacious chronicler. His St. Martinsville account is a list of confessions, probably penned with the whip, of six victims, all proclaiming crimes done with people already exiled. The Vermillionville group, under Alexandre Mouton's direct control, showed some of his political savvy. It alone included a German vigilante, and was most careful in its choice of victims, half of them black women, three black prostitutes, a free woman said to sleep with slaves, a veiled mulatto who lived at Olivier Guidry's, and another Coco daughter, Tonton, married to Frenchman Oscar Braux. Braux and vigilante opponents Gratiem and Guidry, with the latter's two sons and a nephew were all expelled but with no beatings. Mouton's band came close to Richard Maxwell Brown's «constructive» idea: powerful men in the community increasing their control by practicing extralegal intimidation in ways least likely to arouse opposition: moderately and against «lesser sorts», that is the most marginal and least protected people around. Yet the white men Mouton had or wanted to drive out remained staunch opponents, tragically for the youngest son killed at Queue Tortue, as possibly was his father⁴⁵.

Barde suggests some of the economic and political realities integrated with vigilante moral salvation. The emphasis on the disappearing cow owed something to what was happening: overgrazing and increasing population by 1850 had led to a sharp decline in herds, once the wealth of the area. Marcellin Thibodeau, whose son was beat and exiled, spoke not «cynical words» but the truth when he said the vigilantes might have had some purpose years ago when herds were too large to keep track of, but not now when «the flocks are so meager that they can be counted at a glance. One missing head is as visible as the sun at full noon». More sophisticated economists than those of

⁴⁴ Barde, *History*, 407-09, 31, 377-78.

⁴⁵ Barde, *History*, 142-49, 342-44, 349-52.

Attakapas have tended to suspect crooks when they notice long-term trends had left them poorer and their neighbor's richer⁴⁶.

Barde also reported the central charge in the area against the Vigilantes: the movement was an attempt to drive off poor people so their land could be taken. Such was the opinion of Gudbeer when he returned to Marksville with his family, and of Fenelon Cannon when he tried to form a counter organization. Mouton's victims, the Guidrys, pushed the same charge. Barde explained that the prairies of Attakapas had both «their aristocracy and their proleteriat», so that Guidry's charge of war on the poor struck «like an alarm bell in the heart of the district». The anti-vigilante press said the same thing. The Franklin *Planter's Banner* claimed that the Vigilante's poured their wrath on «nothing but poor men», partly the easier to take their land, while the Bellevue *Bossier Banner* argued that Vigilantism injured «the defenceless wretch» the rich always tried to exploit. The Vigilantes attacked some well-off people, and the majority in the groups were probably, as Barde insisted, not wealthy but «men of mediocre fortunes». Yet Barde did not deny that vigilantes took land from some they drove out, but only insisted that his heroes always paid «a good price», in addition to giving subsidies because those driven out so brutally abandoned «their families in misery». «If they strike with one hand», he concluded, «they give with the other». One suspects the «good price» was from their point of view, and that they contributed much more generously to themselves than to others, including the de facto «widows and orphans» they created⁴⁷.

For Mouton the pro-slavery politics of the movement were central. Mouton had been the area's Democratic political boss for decades; Barde and Dumez were Democratic editors. The three local pro-vigilante papers were all party organs: the St. Martinsville *Democrat*, for which Vigilantes Edgard Voorheis and Alcée Judice wrote; the Vermillionville *Echo*, edited by Dumez and featuring Vigilante paeans from Mouton's lawyer brother, William; and the Opelousas *Louisiana Courier* for which Barde wrote. The opposition press was old Whig or Know-Nothing, as were the judge who involved the governor in opposition, the popular young district attorney who published attacks on vigilantism, and would-be opposition organizer Fenelo Cannon described as «rich, young, desperate, and an ex Know-Nothing». Barde claimed general opposition grew from bandits furious to find «their revenues suppressed», but also blamed some «conservative men», mostly old Know-Nothings, upset at «the virtuous Americanism» now taking «a census of the native rabble» who had allowed them to rule. Such men «felt the armchairs sway under them which for years had valiantly supported the weight of their bodies»⁴⁸.

⁴⁶ Barde, *History*, 210; Roland Saurez, *Rural Life in Louisiana* (New Orleans, 1920), 245-48.

⁴⁷ Barde, *History*, 265-66, 361-62, 432; *Planter's Banner* in *New Orleans Crescent*, 9-20-1839; *Bellevue Bossier Banner*, 10-28-1859; Barde in *Opelousas Courier*, 10-1-1859, all quoted in Sourez, *Rural Life*, 261-62.

⁴⁸ Barde, *History*, 153-54, 45-46, 265, 38-39. Barde proudly pointed out that one vigilante

The political stakes were less clear in this Vigilante movement than was its partisan nature. In early 1859, the Know-Nothings still held power in New Orleans, but nowhere else in Louisiana. Barde expressed anger at the District Attorney's fealty to that party so long after its crest in 1855. Briefly successful in much of the south, the Know-Nothings clung to power only in the section's largest cities - Baltimore and New Orleans - after the disastrous national convention of 1856 when the party proved unable to do what its success had always depended on: finesse the issue of slavery. The popularity of the party in an area like Attakapas, where very few had American names or Protestant commitments, must have maddened politicians like Mouton and should puzzle American historians who often largely repeated the old Democratic charges of bigotry and xenophobia against it. Such strands existed, but were perhaps less attractive for most of its supporters, especially poor ones, than the magnet of its opposition to established power, which meant proslavery Democracy in the South. The Party's patriotism entailed both an essential appeal to Unionism and an emotive plebianism that quickly made it a force of influence, especially in Southern border cities, but also in rural areas which a substantial poor population like Attakapas. People far too racist to be anti-slavery were happy to be more American than pro-slavery. And as the secession crisis approached, pro-slavery Vigilantes in both New Orleans and Attakapas emulated their Republican enemies in San Francisco in using myths of criminal degeneration to aid their power, in its case in strengthening pure commitments to pro-slavery⁴⁹.

The public reaction to the brutalities at Queue Tortue where Vigilantes whipped to pulp fifteen to twenty men trying to hold an opposition meeting, killing perhaps four of them, was intense, in part because it was honed on steady, in ineffective, earlier opposition. Judge Armedée Martel denounced the illegal activity immediately and got Governor Robert Wickliffe to brand the Vigilantes outlaws in mid-summer, while trying to entice them to do what he hadn't power to order: stop mobbing. It probably required all of Adolphe Olivier's respected patrician background, his intelligence and attractive youthfulness, and his «leonine audacity» to retain his position and his strong opposition in this turbulent year. Olivier's July public letter was a blisteringly thoughtful attack on the dangers of vigilante «brutal force over moral force» and legal rights. Pointing out the strong record of jury convictions in recent years and the stupidity of driving the depraved to other communities if their «guilt were so patent», he concluded, «I would not abandon the solemn

officer, Desiré Beraud, had briefly been a Know-Nothing, but Beraud soon resigned over the Romero expulsion, 124-178.

⁴⁹ This interpretation owes much to the rich material in a Master's thesis on Mobile, Alabama socio-politics in the 1850s by John Kelly, and to the puzzling reality of the strong appeal of Know-Nothingism in the South, especially in the cities, and the virulence of Democratic response to that attraction. Kelly presents much data suggesting how perceptive Democratic politicians feared the divisions between whites that American stressed, as potentially creating class and ethnic cleavages that might undermine unified pro-slavery racism. «Immigrant Workers in a Cotton Port: Mobile, Alabama, 1850-1860» (M.A. Thesis, University of Maryland, 1988).

obligation of my oath or haggle with my conscience to gain the favor of a man or the public»⁵⁰.

Such vigor in bearding Vigilante power doubtless encouraged many Louisianans to speak out after Queue Tortue. For once in the South, fatuous tales of slave insurrection plots, criminal clans, and plans for mass murder and plunder were mocked, including the whipped up affidavits Vigilantes made victims sign. Abetted by Governor Wickcliffe's harsh condemnation of what happened at Queue Tortue, a New Orleans paper pointed out how moral sham had been used to justify «brutal passions» and «personal vengeance», the *Moniteur des Attakapas* declared Mouton's personal responsibility for «the most mean outrages and inhuman treatment of all opposition», and the *Baton Rouge Advocate* damned the *abominable cruelties* that made the Vigilantes, whatever their better motives, themselves «criminals, cutthroats, and outlaws» who, if they went unpunished, should «make everyone blush for the state's honor». The Franklin *Planter's Banner* steadily denounced «the mob», and printed letters like the one from a citizen who found little to choose from between bandits and Vigilantes: some people steal and others «paddle you like a nigger if you dare express an honest opinion that does not suit their fancy»⁵¹.

Yet the Committees had their share of public defenders who insisted that the vigilantes were all disinterested heroes, the victims all great rascals, and the circumstances such that every act done was necessitated by the public good. Legal action was impossible, partly because the political issue Mouton sought, secession, quickly triumphed. Barde reported that even Adolphe Olivier redeemed himself when South Carolina followed Attakapas example and formed its «majestic Committee of Vigilance» which Olivier immediately joined. And Alexandre Mouton achieved his final high office. As Louisiana's elder Jacksonian statesman and its stellar pro-slavery Vigilante, he was elected chair of the state's secessionist convention⁵².

Several themes

In part because vigilante literature is simply a strand of the defense of mobs in the era, it is worth investigating, not for its intellectual worth, but for its dependably commonplace quality. In it one finds something approaching the least common denominator of American thought in a

⁵⁰ Barde, *History*, 41-49. There's little doubt that Mouton, in resorting to stepped up terrorism at Queue Tortue when faced with broad political opposition, did what vigilante leaders always feared: overplayed his hand of violence beyond communal tolerance.

⁵¹ Barde, *History*, 361-371, 440-46. These last pages contained the whipped-out affidavits, including that of Andre Lajeune, who described plans to cut the hearts out of Mouton and one Richard Hightower and eat them «after cooking them». *Planter's Banner Moniteur des Attakapas* (Oct., 1989), a New Orleans paper, and *Baton Rouge Advocate*, all quoted in Barde, 419-25; *Planter's Banner* in the *New Orleans Crescent*, 9-20-1859, quoted in Suarez, *Rural Life*, 261.

⁵² Barde, *History*, 421-22, 425, 50; ... , *Biographical and Historical Memoirs of Louisiana*, II: 425-29.

form that helps explain its appeal, its uses and its considerable potential for destructiveness.

Richard Maxwell Brown argues that there was a vigilante philosophy that emphasized the principles of «self-preservation, the right of revolution, and popular sovereignty». Certainly such themes are to be found in vigilante works, but no more often than stress on law and order, protection of social stability and war on crime. While Brown's «political theory» or grab-bag of cliché, aspect of vigilante argument was small, it's worth brief review⁵³.

The «right to revolution» was obviously a handy as well as venerable American position for people who opposed the existing legal order, but it was rarely invoked. References to the «revolution» being wrought by vigilantes were common, and Thomas Ford called the mobs he failed to repress «revolutionary tribunals». Yet «revolution» here was largely a synonym for big change rather than any suggestion of structural or institutional transformation. The only direct appeal to «the right of revolution» came in the Barde-Dumez Attakapas account, in part, one presumes because by them the French Revolution was remembered more positively than by most Americans. Dumez talked of the people's destroying any government they found oppressive as a «right more or less proclaimed in all modern political constitutions», and Barde insisted that to damn the vigilantes one would have to condemn both the American and French Revolutions, as well as insist «if Nero ruled, we should submit». He also proclaimed that St. Julien led «a revolution, legal like all revolutions, but... a thousand times more wholesome». This wholesomeness explained how the principle changed, in its local application, to «le droit d'insurrection» with the action taken involving a «movement insurrectionnel». Barde makes clear the reasons for such diminution: «They were insurgents, not rebels; they wanted to reform not destroy». When San Francisco vigilante William Coleman talked about «a complete revolution» he made clear this involved restoration of an earlier purity. American vigilantes always claimed that they came less to change the world than to return it to the ways God and earlier Americans had ordained for it⁵⁴.

Both democracy and self-preservation were more dependably a part of vigilante political talk, though the first principle posed them problems as well. All riotous and vigilance groups argued that they were «the people», the clear «representatives of the popular will» and of «popular sovereignty». Their victims, their opponents, the legal officials they opposed, the sceptical or non-participating community were something else. «The will of the mass is the law of the land», wrote an Indiana vigilante, «whether it be by legislative

⁵³ Brown, *Strain of Violence*, 115.

⁵⁴ Ford, *Illinois*, II: 10-11; Barde, *History*, 2, 26-27, 62, 69; *Historie*, i, iii; Coleman, quoted in William A.B. Scherer, «*The Lion of the Vigilantes*»: William T. Coleman and the Life of Old San Francisco (Indianapolis, 1939), 219. Almost all vigilantes talked about the «revolution» they caused, from the discussion of the Vicksburg hangings to farmer James Middleton in southern Illinois to San Francisco editors: *Vicksburg Register*, 7-9-1835; Middleton Augustus French, 3-27-1847, French Papers; *California Courant*, 6-10-1851.

enactment, or by the spontaneous outburst of indignation against combined forces that are plotting the ruin of the country». A local group in the same area claimed that the people «were the real sovereigns» who, if laws didn't work, had «the right» to destroy «the vampires». William Coleman insisted through two Vigilance Committees in San Francisco that his groups were anti-mobs because they were the people:

The people are the power; it is theirs by birthright and when they delegate it, it is expressed and implied that upon wrong-doing, the servants shall be pushed aside, formally or informally, and their places promptly and better filled by other and better agencies.

Somehow American democracy «expressed and implied» that vigilantes had the right to destroy any officials they deemed corrupt, or too protective of the corrupt, because they were, by the divine fiat of definition, no «distempered mob», but, as Coleman wrote the California governor, «San Francisco herself»⁵⁵.

There was democracy in all this talk, but it was not American democracy. Their concept of democracy was in fact a variant of Rousseau's totalitarian general will, deeply scornful as that was of American procedural majoritarianism. Vigilantes all lived and acted in communities profoundly majoritarian, and defied officials that the plurality chose. Their fundamental hatred for democracy in its usual sense is clearest in their primary scorn of the jury, where groups of ordinary men directly made life-and-death decisions. Less sophisticated people had no sense of what they said: they were «the people» and anyone who opposed them, elected or not, were crooks. More sophisticated people in San Francisco and Louisiana elaborated a bit. In San Francisco they lied, inventing a false-bottomed election box by which they proclaimed all elected officials had not been elected. In fact, San Francisco had had annual elections, free and fair enough so that almost every year saw major shifts in party power. The Vigilantes achieved their ideal of democracy: fewer elections and those dominated by people they favored with minimal opposition for a decade⁵⁶.

Barde perhaps had more sympathy with Rousseau, more honesty or just the intellectual's enjoyment of dangerous ideas. He alone took his concepts seriously enough to move toward where they led. His vigilantes, like all others, were «the people», ordained with the right to be «the sovereign judges» of all issues with their power proof enough of their virtue, since «success comes only to causes that have the sympathy of the masses». Yet the dominion of devilry which caused vigilantes to act also had its mass, even majority, support, Barde argued. Criminals ruled by crime but also «sometimes and in

⁵⁵ M.H. Mott, *History of the Regulators of Northern Indiana* (Indianapolis, 1859), 10 and quoting Wright's Corner resolves, 16; Coleman, quoted in Scherer, *Coleman*, 192, 175-76.

⁵⁶ Sancewicz handles the political corruption and ballot-box stuffing charges sensibly, and concludes with General Sherman that they were «humbug» or at least gross exaggerations, *San Francisco Vigilantes*, 103-10.

certain localities by the influence of their votes». Vermillion Parish had precisely 100 honest families, but many more bandits or rabble who thus had «a free hand in all elections». This was «a lesson dedicated to those who have understood as beyond all limitations popular sovereignty», Barde lectured. Anti-Vigilante Judge Amadée Martel held office «by the magic wand» of the people's mere votes, but that give him no right to oppose the extralegal «popular will». The Committees in fact proved «the limitations of the seducing dogma of popular sovereignty», and replaced it with armed associations representing the true general will who «reign and govern and everyone finds the yoke light». The great victory at Queue Tortue, Barde predicted, would «assure forever the dictatorship of the Associations»⁵⁷.

No other vigilante defender spoke dictatorship, but their theories in fact proclaimed it pro tem. Some of the comparative wholesomeness of «mobs» was that they more clearly and briefly represented popular feeling without such dangerous argument. Had a mob grabbed James Casey just after the editor he shot died, and strung him up without the mock trial and sanctimony the Vigilantes supplied, San Francisco would have better and more safely spoken than it did through even this uniquely large, disciplined and popular group. For all mobs, it's often not the action but the argument they produce that cuts procedural democracy most deeply. When some of the mob in St. Louis were arrested for burning to death a black murderer, thoughtless democratic theory proved their defense. «Vox populi, vox dei», ruled Judge Lawless – the charm of history is that one often gets to use symbols too crude for fiction – in dismissing all charges. And if some found that this sadistically racist execution did not reflect divine or democratic justice at its best, they also found it wisest not to worry about it locally. Elijah Lovejoy demurred, and another manifestation of the St. Louis popular will drove him to Illinois toward other «people» and other trials⁵⁸.

In Alton, Illinois, some of the mob of people invoked «self-preservation», with perhaps better reason but with no more insistence than did all vigilance groups. Barde proclaimed his Committee's roots in «the great and supreme law of public safety», while a supportive editor argued that «the first and best among us» had been led to act by «the first law of nature, self defense». Thomas Shackelford of the 1835 Livingston Committee of safety trotted out

⁵⁷ Barde, *History*, 166, 36, 30, 422, 191, 41-43, 29, 107. Barde used «dictatorship» in other places and always with positive enthusiasm, 10, 47.

⁵⁸ The Lawless opinion, with Lovejoy's and other hostile reactions to it, are in the *St. Louis Observer*, 7-21-1836, on which night the paper was sacked. The anonymous *St. Louis Diary*, 7-11-1836 has a good description of this mobbing, Historical Society of Pennsylvania. Lawless was a Catholic (a faith Lovejoy liked about as much as he did slavery) from Ireland who had served in both the British navy and the French army before coming to the United States in 1824, where his legal career flourished as a protege of Jacksonian leader Thomas Hart Benton. Dolan *The St. Louis Irish* (St. Louis, 1936), 20-21. Lawless refused, on financial grounds, appointment to the Missouri Supreme Court, from Governor Thomas Reynolds. Thomas Hart Benton, 5-11-1841 and Luke E. Lawless, 6-8-1841 to Reynolds, Reynolds Papers, Historical Society of Missouri.

Latin - «salus populi, suprema lex», in arguing that self-defense was not «only the first law of nature» but one «derived from our Creator as essential to the preservation of our lives itself». M.H. Mott of northern Indiana added the Declaration of Independence to «the God of the Universe» as sources sanctifying self-defense⁵⁹.

The appeal of the right of self-defense to vigilantes (as to American political theorists from Thomas Jefferson to Sidney Hook) was that it possessed none of the problematic qualities of announcing revolution, denouncing Constitution, or defining the people outside of procedural democracy. The principle was unobjectionable so long as no one quibbled about the absolute destruction sure to follow its non-use. On this crucial point, vigilantes were no sillier than their intellectual betters⁶⁰.

The heart of the political argument of vigilantism was that drastic immediate action was not needed for revolution, but to cement social stability, protect property and insure true law and order. When Vigilantes acted in San Francisco in 1851, there was «no security» and «the distinctions between *meum* and *tuum*» were almost gone. In northern Indiana, vigilantes had to act not only for the «protection of property» but for social stability before all their children became crooks and prostitutes «in a vortex of ruin». To emphasize the total lack of «safety for life and property» without vigilante action, metaphors of natural catastrophe were regularly used: the smoldering volcano, the fearful precipice, the moral tornado, the dashing waves of the whirlpool, the prostrating physical disease: «The gangrene gnawing the limbs and threatening the body politic was too malignant to permit delay». «Desperate diseases required desperate remedies», wrote an Alabama paper, and only fools would require a court order to quiet a volcano or amputate gangrene, especially if it gnawed⁶¹.

Vigilante commitment to «effective justice» was as great as it was to property and stability. Spokesman always talked a lot about their fair trials and even invented, they said, new safeguards for the accused, such as «admitting

⁵⁹ Barde, *History*, 431, and quoting (probably himself), *Gazette des Opelousas*, 421. Thomas Shackleford, *Proceedings of the Citizens of Madison County, Mississippi...* (Jackson, 1836), ii-iii; Clinton Committee of Safety of Mississippi Governor Hiram Runnels, 7-11-1835, Mississippi Department of Archives and History; Mott, *Northern Indiana*, 9. This «first law of nature» also required, claimed the *California Courier*, that, if anyone were clearly guilty of *any* crime, they be «instantly shot, hung, or burned alive», 6-10-1851.

⁶⁰ «Self-defense» theory allowed Jefferson to pretend his theory of limited constitutional power was untouched by the Louisiana purchase, while Sidney Hook invoked self-defense in the McCarthy era as the principle requiring Communists to be kept out of classrooms, in one of the most flattering, if grossly dubious, tributes to the power of the professoriat. The Jackson *Mississippian*, August 7, 1835, reprinted Jefferson's self-defense rationale in support of its insurrection panic hangings.

⁶¹ San Francisco, *Alta Californian*, 12-1-1851; Mott, *Northern Indiana*, 16, 10; Shackleford *Proceedings*, iv; George Oakesmith, *Diary*, 6-15-1851 and 7-11-1851, quoting the San Francisco *Whig Evening Picayune*, which offered the precipice, tornado and flood images, all in one disastrous paragraph, Duke University Manuscripts; letter of General Matthew Lyon, San Francisco, 1851, quoted in Charles E. Woodward, *The Life of General Matthew Lyon* (New York, 1959), 188-89; *Huntsville Democrat in Vicksburg Register*, 8-6-1835.

no evidence that was not convincing to *all*. Yet the true pride of vigilante justice was that all such protections never interfered with a verdict of guilty. When the first Vigilante trial in San Francisco in early 1851 ended in a surprise acquittal of someone soon proved a wholly innocent victim of mistaken identity, Vigilante William Coleman was furious, and made sure that in all future trials by his group «total fairness» and «guilty» were announced in the same breath. When the victim of the alleged murderer hanged in Noble County, Indiana, turned up live and well, the official chronicler neglected to mention this small fact, while a later local historian argued that there was nothing wrong with that since he'd fudged a lie by saying the man was only guilty of being «charged» with murder. In vigilante eyes, to be charged, even to be suspected, was to be guilty⁶².

Such attitudes toward rights of the accused were only the most obvious form of vigilante scorn for all «rights», «procedures», or legal protections for the unpopular. Sam Brannan spoke without the sanctimony of most vigilantes and rioters, but spoke for them, too. He didn't want «any farce in this business» but serious action: «It is ourselves who must be mayor, judges, law and executioner». When action was first taken in 1851, he yelled out at the hanging, «Let every lover of order and liberty take hold». The only liberty Brannan and his fellow vigilantes wanted was the right of the worthy to grab the rope that killed the enemy. Only vigilante opponents had a good word for civil liberties and legal rights: the *Rockford Star* sacked for suggesting all American deserved a trial before execution; San Francisco editor John Nugent threatened for the heretical notion that only in despotism did the criminal never escape «because what the tyrant suspects, he condemns» whereas freedom entailed doubt; Louisianan Adolphe Olivier assailed for pointing out that confessions lashed out of people were moral and legal jokes. The only minister to oppose the 1856 San Francisco vigilantes was so weak-minded as to suggest religious, educational, and charitable efforts might do more than public executions to improve the city. He was lucky that his moderate opponents only hanged him in effigy; the moral guardians of Vicksburg promised to hang in earnest the minister father of one of their victims who regretted his son's weakness, but claimed to have proof that many of this executioners were as dedicated gamblers as he. All such nay-sayers were «mawkish sentimentalists», vigilantes claimed, whose legal fastidiousness proved they cared more about the criminal than the victim, excluding their victims, of course⁶³.

⁶² *Clinton (Miss.) Gazette*, 7-11-1835; Shackleford, *Proceedings*, iv, 13-15; Mary Floyd Williams, *History of the San Francisco Vigilance Committee of 1851: A Study of Social Control on the California Frontier in the Days of the Gold Rush* (Berkeley, 1921) 174-204; ... , *LaGrande and Noble county History* (Chicago, 1882), II: 73.

⁶³ Brannan, quoted in Scherer, *Colesman*, 98, 112; *Rockford Star*, 7-1-1841; Barde, *History*, 156-58; Clifford M. Drury, *William Anderson Scott: «No Ordinary Man»* (Glendale, CA., 1967), 182-203. Two good studies of California vigilantism emphasize the civil liberties issue, or are reactive to 1950s anti-comunism: John Caughey, *Their Majesties the Mob* (Chicago, 1960) and William Henry Ellison, *A Self-Governing Dominion: California, 1845-1860* (Berkeley, 1950), the latter especially valuable in its handling of two groups of mining camp vigilantes, 192-267.

Again, Barde and Dumez were the only vigilante spokesmen to explore the issue beyond threadbare self-righteousness. Barde had no more doubt about the corruption of any opposition than other chroniclers. People who whined about rights were really dedicated to the banner «“Right to theft”. “Right to pillage”». Rights were good, Dumez more thoughtfully said, «but society must not fight without some armor». Though «individual rights» were the great gift of democracy, the coin had to have its reverse side, especially among «a diverse and excitable people, born yesterday». The individual who was «everything» began to oppress society «and society reacts». Regulators, neglecting the individual’s protection to assert the primacy of society, Dumez concluded, were the best corrective of the excesses of democracy, because they modified individual rights in fact, without abolishing them in principle. If Dumez too starkly posed individual rights at war with the social good and too readily concluded that facts can change without philosophy following, his point is worth pondering, the only vigilante political idea deserving a second thought⁶⁴.

But politics was a thin veneer on vigilante thought, one quick to splinter if one did not accept the absolutist religious myth on which it was glued. Absolute corruption was the excuse and absolute purity was the promise, if the absolutely clear divisions between the forces of good and evil were recognized. It was less crime they fought than troubling ambiguity, less counterfeiters than democratic compromise, less horse thieves than honest doubt, along with the complicated procedures any decent society tries to set up to respect and control the complexity within it. Vigilante rebirth entailed the religious escape from doubt in the here and now. «On February 1, 1859», Barde wrote with precision, «society found itself divided into two camps...; the first camp was of honest men, the other was that of bandits». So clear was the division that, even those who feigned not to see the split, in fact «slapped the face of Jesus». Every vigilante story presented this dichotomy, so extreme that «God himself will intervene if our arms are not valiant enough». In San Francisco «the elements of society» had separated in 1851 so that «vice and virtue are actively antagonistic» with the «friends of law, order, and common safety on one side, and the advocates of forms, the defenders of crime... on the other». In Vicksburg all honest men were «unanimous» in their joy at the banishing of those «whose shameless vice and daring outrages have poisoned the springs of morality», including «the Lucifer of the gang». Even in God’s country before He moved to the United States, the wholly pure had to rise up and throw the rascals out⁶⁵.

Ante-bellum vigilantism was not especially a frontier reality, always coming long enough after the early days so those could become a remembered Eden, the dream of perfect harmony propelling honest men to act against the always mixed blessings of civilization. It was a «western» phenomenon more

⁶⁴ Barde-Dumez, *History*, 362, 17, 2-3.

⁶⁵ Barde, *History*, 9, 36, 378; *Alta Californian*, 12-1-1851; *Vicksburg Register*, 7-9-1835.

in a literary than a geographic sense, a real life dime novel or Tom Mix movie where all were invited to enter on the side of the white hats and told, if they tried to stay out, they wore blackest black. It had deep appeal, this world where ambiguities and compromises and always unsatisfactory tokens of power gave way to crisply simple moral choices and contrasts and the tangible victory of the fist and the gun and the rope. An honest man's gotta do what an honest man's gotta do - and the feeling of doing that, when the action is real, the danger mostly to the other fellow, and the moral stakes high is democratic bliss, in fact Eden restored, with the devil getting his due this time, not Adam.

Of course, it doesn't last; the serpent of reality keeps slithering around. But Americans are used to being reborn often. They take salvation, Billy Graham pointed out, like a Saturday night bath.

A Half-Baked and -Worried Evaluation

The vocabulary of American life is absolutist; people talk about democracy, justice, law, Constitution, freedom, order, right, rights, individualism, community as if they were self-evident and perfect, translucently clear. Yet the grammar of its life, the way such terms become the sentences of American society, is realistic, muddled, majoritarian, some version of the best thing someone can think of and most agree on at the moment. Little wonder that a people fed on such transcendent vocabulary and sentenced to such compromising reality often despise the system they accept and sometimes seek escape. Vigilantism was the local version of the United States' frequent politics of simple-minded self-righteousness, the attempt or the pretense of inaugurating the ideal by hanging the real.

To evaluate vigilantism on the immediate level is easy. It was a rule of lies whose self-righteous perpetrators commonly committed acts much less just and more brutal than any their victims dreamed of. They were men determined to terrorize all honest questioning, all opposition and all community, and who were able to threaten even the most cherished of American political rights, that of indifference to politics.

Broad evaluation is more problematic. While vigilante purification claims were a sorry hoax, there's no evidence that vigilantes did, in the long run, much damage either. They appear just another example of the United States' capacity to swallow lots of violence without choking, almost without noticing, except for a public scream now and then. All of them were brief and, as rule of thumb, the briefer the better. If they tried to extend their reign of purity beyond a month or two, realistic cynicism about their claims and real commitment to the compromising mechanisms of majoritarianism sealed their fate, though sometimes grosser terrorism prolonged a disputed stay. Vigilantes who were lucky or wise did a thing or two they wanted, announced victory, and withdrew to the real world unchanged.

Josiah Royce, Californian and philosopher of the ideal and its troubling ties to good and evil, freedom and loyalty, offered the most interesting

nineteenth-century defense of vigilantism as expressed in San Francisco in 1856. It contrasted sharply with Royce's steely-eyed view of mining camp vigilantism, by far the most realistic and negative evaluation in an era when most, like Teddy Roosevelt, turned vigilantism into their remembered ideal of the mythic reign of the morally pure and strenuous. Yet this same sentimental glaze came to Royce's eyes as he looked at San Francisco. Too seriously religious to believe that these vigilantes were banishing crime and corruption, Royce saw them as countering the basic evil the United States could and had to fight: individuals' neglect of social good in pursuit of their own. Royce's was a pragmatic version of Dumez's philosophic point: San Francisco vigilantism interrupted the slumber of communal and commercial conscience, and awoke it to civil responsibility. Perhaps, but the evidence is at least as good for the opposite conclusion: vigilantism by proclaiming easy and complete victory at Armeggedon over human problems discouraged steady, and always partly losing, battle against them. Royce of all people should have noticed how revivalistic was the civic religion of vigilantism, whose ecstatic claims and excitement may have chilled commitment to the steadier and much more boring daily sacred duties of citizenship⁶⁶.

From the lasting popularity and reputation of vigilantism, one senses a double contribution to American life: positive in encouraging quest for something better than the sordidly compromised possibilities regularly offered, and negative in suggesting escape from freedom and doubt to moral-political absolutes that in the real world easily become absolutely vicious. Vigilantism posed no serious threat to nineteenth-century United States because it was always local and temporary. But was it an important safety valve for an otherwise more dangerous popular yen for some political manifestation of self-righteous certitude? Did it merely exercise some of the demons of democratic life, or help to exorcise them in ways that in the twentieth-century are hard to duplicate or replace with so little harm done? I wish I knew.

⁶⁶ Josiah Royce, on mining camp vigilantism, 273-275, and on San Francisco, 423-465, *California from the Conquest in 1846 to the Second Vigilance Committee in San Francisco, 1856* (Boston, 1886). Royce's essentially religious vision and vocabulary, tied to a «progressive» concern for civic salvation, is what makes his handling of the vigilante scriptures so rich, if richly schizophrenic. For the mining camps he concluded that it was the reaction against vigilantism that fathered civic virtue, though there is little evidence that reaction lasted any longer than action, 375. Brown discusses Roosevelt's zest for vigilantism, as well as that of others of his ilk and period, *Strain of Violence*, 145-79.