
Max and Fred Wendt and the Horse Thief

Apprehend an Alleged Horse-Thief

Carl Friedrich Daniel Maxmillian "Max" Wendt

1830–1920

BIRTH 27 OCT 1830 • Giebichenstein, Halle, Saxony-Anhalt, Germany

DEATH 23 FEB 1920 • Kansas City, Wyandotte, Kansas

Siegfried Friedrich Theodore "Fred" Wendt Sr

1866–1953

BIRTH 31 OCT 1866 • St Louis, Missouri, USA

DEATH 15 JAN 1953 • Kansas City, Jackson, Missouri



Introduction

Horse thievery was a big problem in the early days of Kansas settlement, about 1850-1890. To steal a horse was to steal the primary means to make a living for a person/family - farming and transportation. Many of the earliest accounts of horse thievery in eastern Kansas were associated with Missouri "ruffians" crossing into Kansas territory to plunder horse supplies, then selling stolen livestock at black market stations in Missouri. Later, organised bands of horse thieves inn Kansas and Missouri, with profit only as a motive, roamed the plains of eastern Kansas and western Missouri.

In the absence of law enforcement, settlers formed **vigilante committees** to hunt down horse thieves, recapture their horses, and mete out extrajudicial justice. Many times justice meant a hanging or lynching of thieves. And, as more newspaper accounts about lynchings became prevalent, it's evident that horse thievery and lynchings were a common occurrence.

The Anti-Horse Thief Association.

The national convention of the Anti-Horse Thief association met at Palmyra, Mo., on the 20th inst. They represented over 200 lodges. The following officers were elected for the ensuing year: J. J. Suter, Palmyra, Mo., national worthy president; A. L. Sparks, of Bushnell, Ill., national vice president; I. R. Vaile, Bonaparte, Ia., national secretary; W. Summers, Monticello, Mo., national treasurer; D. W. Rose, Sonora, Ill., national marshal; L. Waterbury, Avoca, Ia., national guard. The order is in a flourishing condition. No horse thief who has stolen a horse from a member of the association has ever escaped.

1882

A horse thief named George Ellis was lynched in Marion township, Miami county, near the Quaker Church, on the night of February 17th. He confessed to having been five years in the horse appropriating business in Kansas and Missouri.

1873

be removed from within the city limits.
A horse-thief, named Oliver P. Froket, was hanged by the vigilantes at Nevada, Vernon county, Mo., on the night of the 18th.
General Sheridan received a dispatch from

1874

John Richmond, the horse thief and desperado, who recently shot and killed Deputy United States Marshal Clift at Chetopa, Kansas, while the latter was trying to effect his capture, was taken from the train at that place and lynched on the night of the 5th. Richmond was in charge of the Sheriff of Labette County, who was taking him to Fort Scott for safe keeping.

1878

He Confessed.

The horse thief brought over from Grenola last week goes by the name of Dennis T. Smith. His mother is a resident of this place. Mr. Smith has suffered an experience not unknown to many diligent and industrious horse thieves, but with more gratifying results than usually follow such wayward actions. He was taken from the officers by a mob, conducted to a railroad bridge and strung up. After hanging a minute he was taken down, given a short rest and elevated again. After the second rest he became very mellow, and when given to understand that the next raise would be the last one, confessed, gave his pals away and swore that he would never do so any more. He was then taken back and turned over to the constable, who brought him here. He is very nervous and apprehensive, and seems to feel that he has been just as close to the other world as he cares to get at present.

A Horse Thief Lynched.

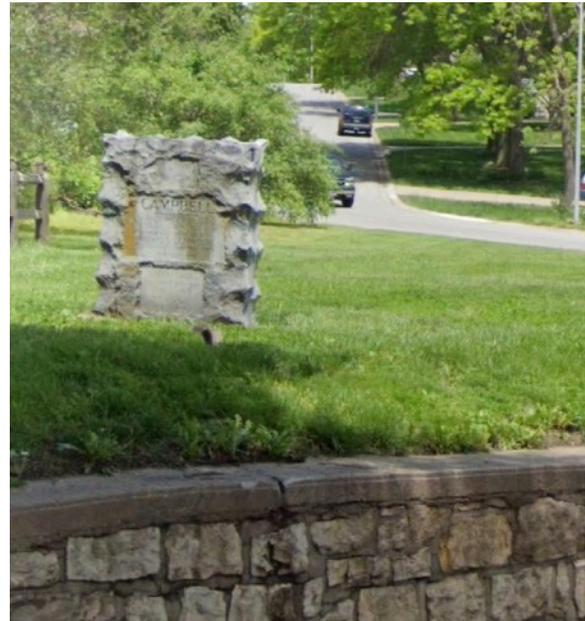
GUTHRIE, Ok., Sept. 21.—News has just reached here of the lynching of a horse thief near Lincoln. A settler named Perry Cook had been suspected for some time of being connected with a gang of horse thieves, and when a committee of farmers found several stolen animals secreted in a dug-out on his place they promptly took him out and strung him to a tree, with the rope from one of the horses.

1883

1894

Shawnee, Johnson County, KS

According to my cousin, Greg Rieke, a life-long Johnson County resident, his grandmother lived close by the famous Campbell, aka “Horse-Thief”, Cemetery, in Shawnee (Johnson County), KS at 55th St and Queal Dr.



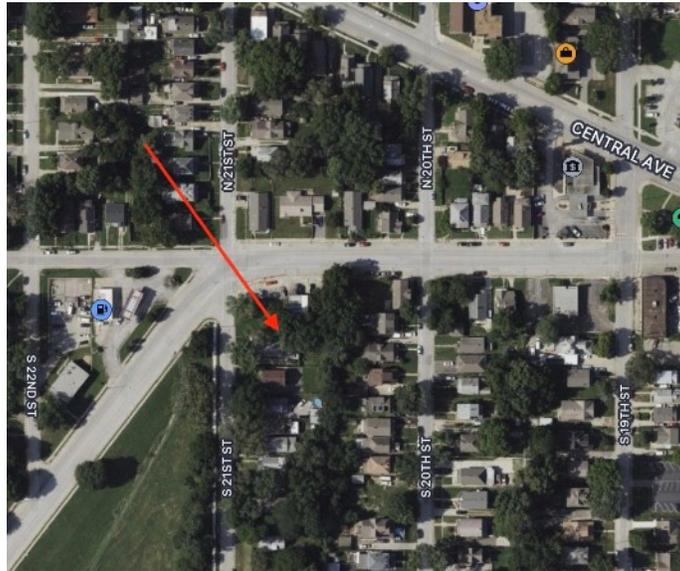
About this cemetery:

*“Originally five acres, it was established as a pioneer and Indian cemetery, and is the second oldest cemetery in Shawnee (next to the Shawnee Indian Cemetery). The only stone left in the lot is the Campbells which was erected in 1940. Some of the people buried there are Thomas Earnshaw, William Earnshaw, John Davis, Black Baker, as well as **at least four accused horse thieves hung for the crime.**”*

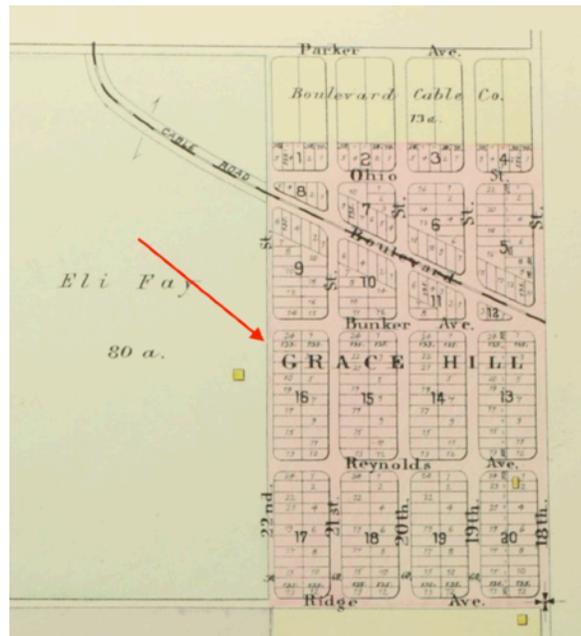
My cousin, Greg, recalled how his grandmother, Alma Wendt-Rieke cared for the cemetery: *“For many decades into her old age she faithfully tended what remained of Shawnee's shadow side, raking and burning leaves and cleaning up brush, to preserve the graves of those buried there. Many were said to be Indians, but also horse thieves. God only knows how they came to be hung. The hanging tree was long gone, but was said (by Grandma) to be massive and hung way out over 55th street. In the 50s many tombstones were still visible and even had names of the deceased. There were many sunken graves which gave it an especially weird feeling. The main grave, still there today, is that of Campbell, the founder of Campbelltown, now Merriam, KS. We kids always thought it was haunted.”*

Wyandotte County, KS and the Max Wendt Family

The Carl Friedrich Daniel Maxmillian “Max” Wendt Sr family moved from St. Louis, MO to Kansas City, KS (Wyandotte County) about 1887. They lived near the current 21st St and Riverview Rd area, north of the Kansas River. Later, they moved to the Speaker Rd and 42nd St area in Turner, KS, where they truck-farmed.



PRESENT DAY



1887

On the evening of April 21, 1889 the family of Max Wendt was awakened by the jangling noise of his makeshift horse-thief alarm: basically, a rope strung between a door on his horse stable and his house. Max had a bucket full of cans on the house end of the rope. If a would-be thief opened the stable door, bang went the cans. The next few newspaper snippets take the the story from there:

TIED TO A WHEEL.

A Horsethief Severely Handled by South Siders.

He is Caught in a Barn Under Suspicious Circumstances, Shot at, Chased Down, Drubbed, and Tied to the Hind Wheel of a Wagon.

Frank Smith bruised and sore from the rough treatment at the hands of his late captors, is one of the latest arrivals at the county jail. When first introduced to the officers of the law, last night, he was tied to the hind wheel of a wagon at Twenty-first street and Southern bridge road, with his hands pinioned behind him and a half dozen or more irate citizens surrounding him.

THE KANSAS CITY GAZETTE, APR 22, 1889

Smith was seen at the police station this morning by a GAZETTE reporter. He gave his name as Frank Smith. He had been in the regular army and was last stationed at Fort Elliott, Texas. He was discharged from the army for disability. The paymaster not being at Fort Elliott at the time of his discharge, he said he had to go to Leavenworth to draw his pay due him. He had tramped and worked his way this far. He had obtained transportation, with a car of stock, to this city from some point out in the state from a shipper. When he got to the stock yards, yesterday, he was out of money and knew no one. He fell in with some one who treated him to three drinks of whisky which rather upset him.

From there he wandered over to Twenty-first, and seeing the barn, thought he would go inside and sleep over night. He had just entered the barn, he says, when he encountered the proprietor. Before he had time to explain himself Wendt struck him on the back of the head with a club. He then jumped up and ran when Wendt shot at him, one of the balls cutting the sleeve of his blouse. After he was caught he was considerably beaten about the body and limbs with clubs.

He denies having tried to steal the horse and says he simply wanted a place to sleep over night. Papers found on his person confirm his story about his having been a soldier and his discharge for disability. His papers show also that the sum of \$53 is due him from the government.

Within the last month four horses have been stolen from this portion of the city. As a precautionary measure Mr. Max Wendt, of Twenty-first and Southern bridge road, attached one end of a rope to his stable door and the other end to a bucket filled with empty cans on a table in his kitchen, balanced in such a way as to be easily upset. Just after the family retired last night they were awakened by the falling of the bucket of cans. Mr. Wendt's son Fred, who is a young man of about twenty-two, ran out to the barn. He saw Smith, who was leading the horse away from the barn, drop the halter and attempt to hide in some hot beds in the rear of the barn. The young man followed him and soon had him caught. Smith played drunk and tried to argue the case. He said he had papers to show that he was all right. He started to put his hand in his hip pocket, but was promptly knocked down by young Wendt who feared that he was reaching for a weapon. By this time Mr. Wendt came out and on searching Smith they found an open knife in his hip pocket. They then started to take him to the house when he stopped playing drunk and broke away and ran. Young Wendt fired a few shots at him for the purpose of stopping him, he says, but he had to run him down. The Wendts deny that Smith was maltreated, beyond the first blow, which was administered to him when he reached for his hip pocket. They then tied him to the wagon wheel, as related above, and sent to the police station for the officers to take charge of him. They did so and kept him over night at the Sixth ward station. This morning he was brought to station No. 1 and a warrant sworn out for his arrest before Justice Lewis. He was taken before the justice and his trial set for May 1. In default of a bond he was sent to jail.

Following his arrest, the story of Frank Smith in Kansas City newspapers continued for a few months:

Frank Smith, who is charged with stealing Max Wendt's horse on the 21st of April, to-day waived a preliminary examination before Justice Lewis, and was sent to jail until the next term of the district court.

District Court.
In the district court the case of the State vs. Frank Smith, charged with stealing a horse from Max Wendt, was given to the jury at noon. The case of Wm. Wildman, charged with stealing a boat from one Bush was on trial this afternoon.

MAY 3, 1889

JUNE 8, 1889

HORSES STOLEN.

Two Horses Belonging to James McGuire and John Hill Stolen From Twenty-First and Osage Avenue.

At an early hour this morning thieves entered the basement stable, under the Junction store, at Twenty-first street and Osage avenue, and stole two valuable roadsters, one belonging to James McGuire, proprietor of the store, and the other to John Hill, a driver on the Metropolitan street car line. The theft was discovered at 6 o'clock this morning. At 12 o'clock last night the clerk in the Junction store passed by the stable door and saw the horses in their stalls. He went up stairs and slept in the store, but heard no noise during the night. A posse was organized this morning and is scouring the country. The footprints of two men wearing large shoes can be plainly seen in the garden adjoining the stable. Hill's horse is a dark chestnut sorrel, valued at \$150. McGuire's animal is a dark grey horse and is a very fast trotter, worth about \$200. Saddles and bridles were taken with the horses.

This is not the first time an attempt has been made to steal horses in the vicinity of Osage avenue and Twenty-first street. Frank Smith, an ex-soldier in the regular army, was caught April 21, in an attempt to steal a horse belonging to Max. Went, a few doors above the junction store. He had a trial in the district court, resulting in a hung jury, and now languishes in jail awaiting another trial. The people in that neighborhood are enraged, and if the posse catches up with the thieves they may well expect summary vengeance.

JULY 5, 1889

Frank Smith stated in his defence that he was a regular Army soldier stationed at Ft. Elliott, TX. Ft. Elliott was a United States Army post in the Texas Panhandle, operational between 1875 and 1890. Frank further stated that he had been recently discharged on account of disability, that the paymaster at Ft. Elliott was not on post and that he had to make his way to Ft. Leavenworth for his pay; \$53. He had hitched a ride on freight trains to the Kansas City, KS Stockyards and then was looking for a place to sleep - hence, the Wendt barn, just up the hill from the stockyards.

The July 5, 1889 newspaper article, with his trial ending in a **hung jury**, was the last reported about the Frank Smith horse-thief case. I did some research on Frank Smith. Frank Smith was actually Frank E Smith, born in Buffalo, NY, enlistment age 19 (born abt. 1870). He apparently was a deserter from Company H of the 5th Cavalry, stationed at Ft. Elliott, TX.

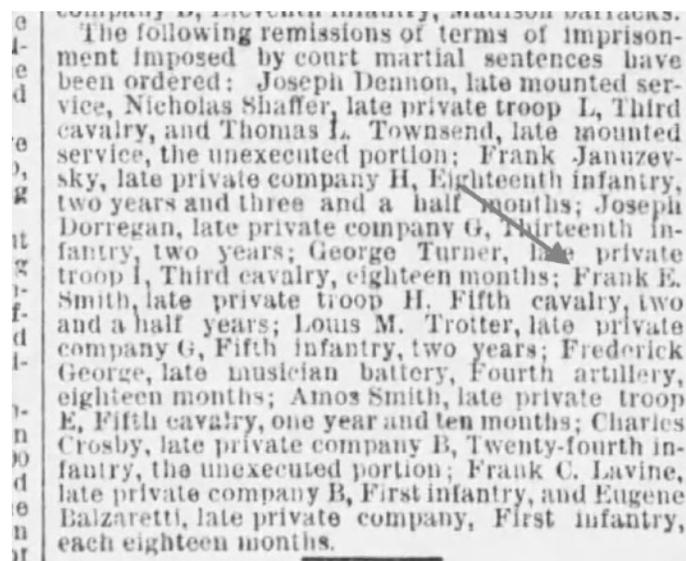
From an 1889 Army Enlistment Register:



Handwritten entry from an 1889 Army Enlistment Register for Frank E. Smith. The text is written in cursive and includes the following information: Name: Frank E. Smith; Birthplace: Buffalo, N.Y.; Home: Van Orsdale, Maulino, N.Y.; Age: 19; Occupation: Laborer; Height: 5' 9"; Weight: 140 lbs; Complexion: Fair; Eyes: Blue; Hair: Brown; Discharge Date: July 20/90; Discharge Place: Ft. Elliott, Tex. A Post.

Thus, it's likely that Frank E Smith's second trial in District Court never happened as he was reported to military authorities and rearrested by the Army for desertion.

Frank E Smith was sentenced to 2 1/2 years Army prison time for desertion in Aug, 1890.



Printed list of remissions of terms of imprisonment. The text is as follows: The following remissions of terms of imprisonment imposed by court martial sentences have been ordered: Joseph Dennon, late mounted service, Nicholas Shaffer, late private troop L, Third cavalry, and Thomas L. Townsend, late mounted service, the unexecuted portion; Frank Januzewsky, late private company H, Eighteenth infantry, two years and three and a half months; Joseph Dorregan, late private company G, Thirteenth infantry, two years; George Turner, late private troop I, Third cavalry, eighteen months; Frank E. Smith, late private troop H, Fifth cavalry, two and a half years; Louis M. Trotter, late private company G, Fifth infantry, two years; Frederick George, late musician battery, Fourth artillery, eighteen months; Amos Smith, late private troop E, Fifth cavalry, one year and ten months; Charles Crosby, late private company B, Twenty-fourth infantry, the unexecuted portion; Frank C. Lavine, late private company B, First infantry, and Eugene Balzaretti, late private company, First infantry, each eighteen months.

Central Protective Association

It's likely that Max Wendt Sr and son Fred were members of one of the Central Protective Associations (CPA) or "Horse Leagues" of Wyandotte County. CPA's, in Kansas and Missouri, were the vigilante committees referred to earlier. The CPA in Argentine, KS, for example, formed about 1880. It was one of the leading associations with 125 members in 1896. They branded the letter "A" on every horse of their membership. Additionally, they had several blood hounds used to track down thieves. Members of one CPA would, when called upon, would assist neighbouring CPAs in tracking thieves. As time went on and law enforcement improved, CPAs would hand over thieves to authorities rather than doling out summary punishment; i.e. lynching.

In Shawnee, KS, members of the Wendt and Rieke families in 1893 were members of the Johnson County CPA.

1893	
2-6-93 25	Rieker Jos
2-12-93 13	Kimm Jacob
8-6-93 46	Rieke Chas
8-6-93 24	Randall Wm
	Roe Chas
5-6-93 48	Kimm Val
8-12-93 44	
V	
X 9-12-93 157	
7-12-93 59	

1893	
6-93 125	Wulsen Jas
6-93 103	Chas
12-93 126	Wasmont Wm
6-93 115	Wendt W.E
	Kiehl Geo
6-12-93 148	
V	
9-12-93 161	

The Wendt Family

Max Wendt Sr (the author and Greg Rieke's gr. grandfather) went on to become a highly regarded gardener/truck-farmer and respected citizen in Turner, Wyandotte, KS. Max had one more theft to contend with in 1891. On July 13 of that year, his market garden was raided overnight of about 20-30 bushels of tomatoes. Estimated loss was \$100 (about \$3500 in today's dollars).

Max's son, Fred Wendt, carried on the family truck-farm tradition. He and his family farmed for the next 50+ years, supplying Kansas City area grocery stores and local produce markets with the highest quality fruits and vegetables.

References

The Kansas Historical Quarterly

History of Lynchings in Kansas

Genevieve Yost

May 1933 (Vol. 2, No. 2), pages 182 to 219

<https://kshs.org/p/kansas-historical-quarterly-history-of-lynchings-in-kansas/12580>

https://www.kancoll.org/khq/1933/33_2_yost.htm

Horse Thievery in early Johnson County

<https://jocohistory.wordpress.com/>

Campbell Cemetery (aka Indian, Duffner Rd, Fisher Rd, Horse Thief)

<https://jocoksgw.cottonhills.net/cemeteries/campbell.html>

What The History Of 'Noose Road' Tells Us About Kansas, Race And The Lynchings Of Black Men

KMUW FM, Wichita, KS | By David Condos

<https://www.kmuw.org/race/2021-03-02/what-the-history-of-noose-road-tells-us-about-kansas-race-and-the-lynchings-of-black-men>

© John R Baldwin and AllKinConsidered.Blog. Unauthorized use and/or duplication of this material without express and written permission from this site's author and/or owner is strictly prohibited. Excerpts and links may be used, provided that full and clear credit is given to John R Baldwin and AllKinConsidered.Blog with appropriate and specific direction to the original content.