Guilty as Charged?

Exploring Outlaws at Carbon County Museum

Overview
After touring the museum, students will be given specific information about four (4) outlaws tied to Carbon County, Wyoming. After this introduction, they will work in groups to think critically about the guilt or innocence of a specific outlaw’s case. Students will evaluate case information and develop arguments to support their conclusions.

Age Group
4th – 6th Grade

Duration
30 – 60 minutes (in addition to the tour)

Subjects
Language Arts
Social Studies

Standards of Learning Met
Language Arts
- RI.4.1: Determines the main idea and key details of a text, and refers to specific information from the text to summarize and explain events, procedures, and concepts, and explain literal and inferential interpretations.
- RI.4.2: Compares and contrasts two different accounts of the same event or topic, and integrates information from two texts on the same topic to write or speak about the topic knowledgeably.
- RI.4.3: Interprets information presented visually, orally*, or quantitatively and uses informational text features to support comprehension
- W.4.3: Uses reasons and information supported by facts and details to introduce and support a point of view on a topic or text
- W.4.4: Provides an organizational structure to convey ideas and information clearly, including transitional words and phrases and a conclusion related to the opinion presented
- SL.4.1: Paraphrases information read aloud or presented in diverse media and formats.
- SL.4.2: Identifies reasons and evidence a speaker provides to support particular points.
- SL.4.3: Reports on a topic or text, or retells an event in an organized manner
- SL.4.5: Differentiates between contexts which call for formal or informal discourse.
- RL.8.1: Analyzes text for a central idea, its development over the course of the text and relationship to supporting details, cites textual evidence to support literal and inferential
interpretations, and provides objective summaries; analyzes how a text makes connections among and distinctions between individuals, ideas, and events

- SL.8.1: Analyzes the purpose of information presented in different media and formats, evaluates motives behind the presentation, and critiques the reasoning and relevance of the speaker’s argument and claims.
- SL.8.2: Adequately researches a topic and refers to findings when presenting claims, uses appropriate presentation skills (eye contact, adequate volume, clear pronunciation) and multimedia and visual displays, and adapts speech to a variety of contexts and tasks.

Social Studies

- SS5.1.4: Understand the purpose of the legal system
- SS5.2.3: Identify and describe characteristics and contributions of local and state cultural groups in Wyoming
- SS5.2.4: Identify and describe the tensions between cultural groups, social classes and/or individuals in Wyoming and the United States
- SS5.3.1: Give examples of needs, wants, goods, services, scarcity, and choice
- SS5.3.3: Identify and describe how science and technology have affected production and distribution locally, nationally, and globally (e.g., trains and natural resources)
- SS5.4.1: Describe how small changes can lead to big changes (cause and effect) (e.g., discovery of electricity)
- SS5.4.5: Identify differences between primary and secondary sources. Find primary and secondary sources about an historical event. Summarize central ideas in primary and secondary resources
- SS5.6.2: Identify validity of information (e.g., accuracy, relevancy, fact, or fiction)
- SS5.6.4: Identify the difference between primary and secondary sources
- SS8.1.6: Understand the basic structures of various political systems (e.g., tribal, local, national, and world)
- SS8.2.4: Explain the cultural contributions of and tensions between groups in Wyoming, the United States, and the World
- SS8.3.3: Describe the impact of technological advancements on production, distribution, and consumption. (e.g., businesses and/or corporations in the United States and the world)
- SS8.3.5: Describe how values and beliefs influence individual, family, and business decisions (microeconomics)
- SS8.4.5: Identify relevant primary and secondary sources for research. Compare and contrast treatment of the same topic in several primary and secondary sources
- SS8.5.3: Explain how communities’ current and past demographics, migrations, and settlement patterns influence place (e.g., culture, needs, and political and economic systems) and use this analysis to predict future settlement patterns
- SS8.6.1: Use and evaluate multiple sources of information in diverse formats and media in order to address a question or solve a problem
- SS8.6.2: Distinguish among fact, opinion, and reasoned judgment in a text
- SS8.6.4: Use accurate, sufficient, and relevant information from primary and secondary sources to support writing
Objectives
Students will be able to…
- Understand and articulate arguments about historic cases
- Analyze case information

Materials
Included
- Case Information
- Assigned Argument Worksheet

Activity Procedures
This activity is designed to follow the museum tour at Carbon County Museum. The tour lasts between 45 minutes to an hour. If students have a working understanding of Carbon County history, this activity can be done simultaneously or in place of the tour.

1. After museum tour, gather students together and debrief. Discuss how students felt about the outlaws included in the tour (primarily ‘Big Nose’ George)
2. Introduce the stories of three (3) other outlaws: Butch Cassidy, Cattle Kate, and Tom Horn
3. Divide students into small groups of 2-3. Provide each student with a Guilty as Charged? Worksheet. Allow several minutes for them to read through and connect the supplemental information with the tour.
4. Explain to the students that they have been assigned an argument to build support for whether their outlaw is guilty or innocent.
5. Once students develop their argument, gather students together and have each group present their argument. Allow groups to have mini-debates to support their assigned side. Lead discussion as needed.
Tom Horn is GUILTY!

As a group, you must develop an argument for why Tom Horn is guilty of the murder of 14-year-old Willie Nickell.

*Your Argument: We believe Tom Horn is guilty because...*

*Case Information*

Tom Horn was a former Pinkerton Detective (private security, investigator for hire) and was involved in the arrest of several train robbers.

He was hired by the Wyoming Stock Growers Association and was believed to have killed at least 6 men in this role. Many believe that instead of investigating crimes, he served as a “gun-for-hire”.

On July 18, 1901, Horn was working near Iron Mountain (Wyoming) when Willie Nickell, the 14-year-old son of a shepherding rancher, was murdered. Witness statements place Horn in the general area at the time of the shooting, but no one saw him actually shoot the boy.

Horn later discussed Nickell’s death with U.S. Marshall, Joe Lefors. Although Horn was very drunk, Lefors claims he confessed to the murder. Some believe Lefors either made up his claim, or led Horn through the discussion while he was too drunk to know better. Regardless, Lefors testified against Horn in court.

Other witnesses say they heard three gunshots, meaning there may have been another shooter. There are also claims that a neighboring family had threatened the Nichell’s family, but these claims were never investigated.

Tom Horn was convicted and executed for the murder in 1903.
We believe Tom Horn is guilty because...
Tom Horn is INNOCENT!

As a group, you must develop an argument for why Tom Horn is innocent of the murder of 14-year-old Willie Nickell.

Your Argument: We believe Tom Horn is innocent because...

Case Information

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Tom Horn was convicted and executed for the murder in 1903.
We believe Tom Horn is innocent because...
Cattle Kate is GUILTY!

As a group, you must develop an argument for why Cattle Kate is guilty of rustling (stealing) cattle.

*Your Argument:* We believe Cattle Kate is guilty because...

*Case Information*

Cattle Kate is the nickname for Ella Watson. Watson and her partner, Jim Averell, homesteaded a ranch in northern Carbon County in 1888. Using her savings, she bought cattle from passing immigrants. She probably also branded maverick (or wild, unbranded) cattle.

Although people were once allowed to claim maverick cattle as their own, in 1880, the Wyoming Stock Growers Association helped pass a state law that required all maverick cattle belong to the Association. This meant that anyone branding these cattle were stealing them from the association.

In addition to branding maverick cattle, Ella also controlled the water that passed through her land, and when she started to irrigate with it, the water used by many surrounding ranchers started to dry up, making them incredibly angry.

On July 20, 1889, a group of ranchers arrived at Ella’s homestead, accused her of rustling cattle, and forced she and Jim Averell into a buggy. They drove them to a nearby tree and lynched both of them.

Lawmen later arrested 6 men supposedly involved in the lynching, but because witnesses disappeared, none of them were ever brought to trial.

Because Ella was the 1st woman lynched in Wyoming, many people were very angry. Ranchers started using newspapers to print stories about how Ella and Jim were stealing cattle, calling her Cattle Kate.
We believe Cattle Kate is guilty because...
Cattle Kate is Innocent!

As a group, you must develop an argument for why Cattle Kate is innocent of rustling (stealing) cattle.

Your Argument: We believe Cattle Kate is innocent because...

Case Information

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In addition to branding maverick cattle, Ella also controlled the water that passed through her land, and when she started to irrigate with it, the water used by many surrounding ranchers started to dry up. This made the other ranchers very angry.

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