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historic structure report
and
historic resource study

HISTORICAL DATA SECTION

BIGHORN CANYON

EWING (SNELL) AND ML RANCHES, AND HILLSBORO



NATIONAL RECREATION AREA / MONTANA-WYOMING

HISTORIC STRUCTURE REPORT

HISTORICAL DATA SECTION

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HISTORIC RESOURCE STUDY

EWING (SNELL) AND ML RANCHES, AND HILLSBORO

BIGHORN CANYON NATIONAL RECREATION AREA

MONTANA-WYOMING

Prepared by
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DENVER SERVICE CENTER
HISTORIC PRESERVATION TEAM
NATIONAL PARK SERVICE
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FOREWORD

This report has been prepared to satisfy the research needs as enumerated in Historical Resource Study Proposal BlHO-H-2, Historic Structures Report and Resource Study, ML Ranch and Hillsboro, as outlined in the Memorandum of Agreement, dated June 1, 1973. In accordance with the subject Memorandum of Agreement, a Historic Structure Report, Historical Data Section, for the Ewing (Snell) Ranch has been included in this comprehensive report. The park is to extract data from the Ewing Ranch Study to prepare for submission to the National Register Nomination Forms.

To secure data on these structures, their uses, their significance, and the personalities involved, hundreds of documents on file in the Carbon and Big Horn County Courthouses were examined. The collections generously made available by Mrs. Frances Burrell of Lovell and Mrs. Beverly St. John of Billings were studied. Numerous people acquainted with the three properties and individuals involved were contacted and interviewed. Published sources were consulted. The information compiled has been organized into a comprehensive report that provides management with a structural history of the structures, museum specialists with data needed for Furnishing Studies, and interpretive personnel with material useful in explaining to park visitors the significance of the three properties and the individuals involved.

Many persons have assisted in the preparation of this report, and without their aid it would have been stillborn. Particular thanks are due: Park Superintendent Jim Sullivan, Chief of Interpretation Virgil Olson, District Ranger Dick Lake, Chief of Maintenance Volney Bahr, Park Technician Ed Lopez, and other members of the staff of Bighorn Canyon National Recreation Area. These men cheerfully took time to answer my questions, went out of their way to be of assistance, and provided logistic support.

Mrs. Alma Snell, who grew up in the Dryhead country and with her husband and family lived on the Ewing place for more than 30 years, and Mrs. Beverly St. John, who married Claude St. John and lived at

Hillsboro for more than 15 years, graciously shared their memories, family papers, and photographs with me. Mrs. Frances Burrell, local historian par excellence and authority on the ML Ranch and Henry Clay Lovell, shared her knowledge and extensive collection of documents. Without the interest and cooperation of these three ladies, this report would have been without substance.

I am indebted to Lee and Rose Hoffman for their kindness and interest shown in the project. Life-long residents of the area, they let me accompany them on their mail run up into the Dryhead. Never in my career have I met two people better versed in local history and site identification.

A number of other friendly and knowledgeable residents or former residents of the area shared their recollections with me. It was a privilege to discuss the history of the Dryhead and ML Ranch with such likeable individuals as Bessie Strong Tillett, Lou Howe, Mr. and Mrs. M. A. Jolly, Judge Ben Harwood, Frank Smith, Mrs. Paul Warfel, Mrs. Edith Cribbs, and Mrs. Elsie Spear Byron.

Mrs. Virginia Stoneberg, of the Big Horn County Library, and personnel of the Billings Public Library were extremely helpful, as were the people in the various offices responsible for the public records at the Carbon, Big Horn, and Yellowstone County Courthouses.

My colleagues Superintendent Sullivan of Bighorn Canyon Recreation Area, Dr. Harry Pfanz of the Washington Office, and Dr. Dave Wallace of the Harpers Ferry Center; Mrs. Frances Burrell and Mike Reynolds, friend and expert on the history of the Crow Indians and Reservation, read the manuscript in draft and made a number of valuable suggestions calculated to improve the final product. Frank Wines of the Denver Service Center took my rough draft of line maps of the ML Ranch and Hillsboro and converted them into works of art. Last but not least, I wish to express my appreciation to Dorothy Dean for typing the subject manuscript.

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EWING (SNELL) RANCH

I. ADMINISTRATIVE DATA--EWING (SNELL) RANCH

A. Name and Number of Structures

The Ewing (Snell) house, structure No. 1; the Dryhead (Snell) Schoolhouse, structure No. 2; and the Snell chicken house, structure No. 3. The subject structures are of Third Order of Significance.

B. Proposed Use of Structures

The exterior of the structures will be restored to their appearance, c. 1945, while the interior of the house will be rehabilitated, modernized, and brought up to suitable standards, to serve as quarters for park personnel. The interiors and exteriors of the schoolhouse/shop and chicken house will be rehabilitated and modified to provide a compatible usage.

C. Justification for Such Use

These structures, erected by one of the first white settlers in the area and possessing local historical significance, should be preserved. They can, with their interiors modified and modernized, be employed as quarters for park personnel assigned to protect, interpret, and maintain the interior unit of Bighorn Canyon National Recreation Area. Such usage will alleviate need to construct quarters in this isolated area, which with extension of the park road from Devil Canyon to Barry's Landing, will be subject to greatly increased visitation.

D. Provision for Operating Structures

The structures will serve the park as quarters.

E. Cooperative Agreement, if any, Executed or Proposed for Operating Structures

No cooperative agreement will be required to operate the structures.

II. HISTORICAL DATA

A. Statement of Significance

A number of years before the Dryhead Country was surveyed and laid off into townships and sections, squatters entered the area, building cabins and other improvements, and putting in irrigation systems. Within six years of the 1891 Crow cession of 1,800,000 acres off the western end of their reservation, which included the Dryhead Country, the first settlers entered the forbidding and arid region north of Crooked Creek and bounded on the east by Bighorn Canyon and on the west by the Pryor Mountains. First to come were prospectors, looking for precious metals, and a few grim individuals who made their livelihood by rustling cattle and horses from the Crow and the Bighorn Basin stockmen.

Gold had been discovered in the late 1880's at Bald Mountain in the Bighorns, a score of miles to the east. But by the mid-1890's the strike had played out, and the prospectors turned their attention to other areas. Some believed the rugged canyons leading into Bighorn Canyon from the Pryors to the west and Bighorns to the east might contain a mother lode. One of these was Erastus Tyler Ewing. He entered the Dryhead Country in 1896. Unlike most of the others he stayed. On Layout Creek he built a log house for his family and other improvements. By 1898 there were enough prospectors and squatters in the area to justify establishment of a post office and mail route into the Dryhead Country from Lovell, 31 miles to the southwest. The post office was in Ewing's home, and for the next several years on county and state maps, published at the turn of the century, there was a dot locating Ewing, Montana.

Like most prospectors, Ewing failed to find a Golconda on the Bighorn, and he and his family became ranchers. For more than 70 years, the Ewings and the successive owners (Clint Hough, the Snells, Sorensons, etc.) were ranchers. Their life style was similar to that of nearby ranchers and homesteaders on this last frontier in Montana. Even before construction of Yellowtail Dam and establishment of Bighorn Canyon National Recreation Area, their way of life was dying. The agricultural revolution and isolation caused the young people to leave the area for the cities and the Pacific coast. The parents soon sold out to go live with the children or bought homes in Lovell or Billings. Land ownership was consolidated into

the hands of a few large ranchers and a way of life had passed. The Ewing (Sorenson) ranch is typical of those which dotted the Dryhead Country from the late 1890's to the 1940's.

B. Legal Description and Chain of Title

The Ewings and Houghs occupied the land before it was surveyed and laid off into townships and sections. Unlike many future homesteaders, they failed to file with county authorities in Red Lodge a declaration of intent to take up a homestead on unsurveyed land. The first person to own in fee the land on which the Ewing house and improvements are located (the northwest quarter of Section 2, Township 9 South, Range 28 East) was Philip Snell.

To perfect title to the land purchased from Clint Hough in 1920, Philip Snell on November 18, 1929, secured a patent from the United States under the Homestead Act of May 20, 1862, to 320 acres, the south one-half of the southeast quarter and the southeast quarter of the southeast quarter of Section 35, Township 8 South, Range 28 East; and the north one-half of the northeast quarter, the southwest quarter of the northeast quarter, and the east one-half of the northwest quarter of Section 2, Township 9 South, Range 28 East. Snell moved slowly, however, and it was January 2, 1931, before he recorded his homestead in the Carbon County Deed Books.[1]

Ten years later, on January 24, 1941, Snell secured a patent from the United States under the Homestead Act to another 320 acres in the Dryhead Country of Carbon County. On that date he deposited with the General Land Office, a certificate of title to the southeast quarter of the northeast quarter, the north one-half of the southwest quarter, and the southwest quarter of the southwest quarter of Section 2; and the southeast quarter of Section 3, Township 9 South, Range 28 East. Once again, Snell was in no hurry to file the patent, and it was February 8, 1946, before it was recorded.[2]

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1. Carbon County Deed Book 36, p. 422, Carbon County Courthouse, Red Lodge, Montana. The tract encompassing the Ewing house and improvements is underscored.

2. Carbon County Deed Book 62, p. 265, Carbon County Courthouse, Red Lodge, Montana.

Philip Snell died in October 1950, and on November 5, 1952, Judge Guy C. Derry of the 13th Montana Judicial District issued a decree for the distribution of the estate. The estate would be divided among the heirs, which besides the widow Alma Wasson Snell, of the Dryhead, included her sons Rufus, Cecil, James, and Ray. James 16 and Ray 14 were minors. It had been determined by the court that the widow, who was also the executrix, had in her possession the following real estate: the southeast quarter of the northeast quarter, the north one-half of the southwest quarter, and the southwest quarter of the southwest quarter of Section 2; the southeast quarter of Section 3, Township 9 South, Range 28 East; the north one-half of the northeast quarter, the southwest quarter of the northeast quarter, and the east one-half of the northwest quarter of Section 2, Township 9 South, Range 28 East; the southeast quarter of the southwest quarter and the south one-half of the southeast quarter of Section 35; the northeast quarter of the northeast quarter of Section 10; the north one-half of the northeast quarter; the northwest quarter of the southwest quarter of Section 11; and the northwest quarter of the northwest quarter of Section 12, Township 8 South, Range 28 East.

Livestock included 25 Hereford cows, nine yearling steers, seven Hereford heifers, six yearling Hereford heifers, three registered Hereford bulls, and three ponies.

Farm machinery consisted of one 1947 Ford-Ferguson tractor with plow and buckrake attachments, and miscellaneous small farm machinery.

In dividing the estate, Judge Derry assigned one-third to the widow and one-sixth to each of her four sons.[3]

On January 19, 1959, James and Ray Snell conveyed to their mother for one dollar and other valuable consideration their interest in their father's estate, "together with all water rights, irrigation and ditch rights appertaining to said premises and used in connection therewith."

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3. Miscellaneous Book 43, pp. 329-31, 616-18, Carbon County Courthouse, Red Lodge, Montana.

This conveyance was subject to "a certain contract" for deed between Alma Snell, a widow and guardian of the estates of Jim and Ray Snell, Cecil and Elsie Snell, husband and wife, and Rufus and Lucy Snell, husband and wife, as first parties, dated October 23, 1955, and E. E. Hanson, as second party, which contract had been assumed by Clarence Mangus, as second party. The "grantors herein" did assign to the grantee all their rights in the subject contract.[4]

To perfect the conveyance, on March 12, 1964, Alma Snell, Cecil and Elsie Snell, Rufus and Lucy Snell, James and Violet Snell, and Ray and Jeanne Snell, all of Lovell, sold to Clarence Mangus of Lovell and Newell J. Sorenson of Kane for one dollar and other valuable consideration their ranch in the Dryhead Country.[5]

On the same date, Clarence and Leola Mangus sold to their son-in-law Newell J. Sorenson for one dollar and other valuable consideration their interest in the Snell Ranch.[6]

On August 21, 1968, Newell and Garnet Mangus Sorenson sold for $75,000 to the United States Reclamation Service for inclusion in Bighorn Canyon National Recreation Area 640 acres of their ranch. Acreage conveyed included the southeast quarter of the southwest quarter and the south one-half of the southeast quarter of Section 35, Township 8 South, Range 28 East; and the northeast quarter, the east one-half of the northwest quarter, the north one-half of the southwest quarter, and the southwest quarter of the southwest quarter of Section 2, and the southeast quarter of Section 3, Township 9 South, Range 28 East.

Included in the conveyance were all "singular tenements hereditaments and appurtenances thereto belonging, or in any wise appertaining" and reversions, remainders, rents, issues and profits thereof, and all

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4. Carbon County Deed Book 81, p. 627, Carbon County Courthouse, Red Lodge, Montana.

5. Carbon County Deed Book 82, pp. 402-08, Carbon County Courthouse, Red Lodge, Montana.

6. Ibid., pp. 409-10.

water and water rights including but not limited to water rights filed for record by the grantors. The grantors reserved to themselves the right to occupy the property for one year from the date of deed.[7]

C. The Ewings as Individuals

The Ewings are dead and all but forgotten. Edna Strong Anderson and Bessie Strong Tillett and a few other old-timers recalled that Mr. Ewing was from the South. A review of the Twelfth Census for 1900, which was opened to researchers in December 1973, confirms that Erastus T. Ewing was born in Tennessee in 1846, and provides other information about the family. For information about the Ewings and their Dryhead Country neighbors, the reader is referred to Appendix A, as extracted from the Twelfth Census.[8]

D. Erastus T. Ewing--Prospector

During the last five months of 1896 prospectors flooded the Dryhead Country looking for gold. Among these was Erastus T. Ewing, who settled on Layout Creek and established the first area post office at his cabin in August 1898.

On March 6, 1897, a number of claims were recorded in Billings on behalf of Ewing and his associates. Typical of these was the claim to the Sun Dog Quartz Lode of 160 acres, "a quartz vein, bearing gold, silver, and other valuable metals" discovered by George Turner, George Taff, Charles Aiken, B. M. Eckloe, and Erastus T. Ewing. This claim, as well as five others in the unorganized mining district, had been discovered and staked by the partners on December 28, 1896. It was six miles east of the Pryor Mountains, two miles east of Mr. Davis' cabin, three and one-half miles south of Sam Garvin's corral, ten miles west of the confluence of Dryhead Creek with the Bighorn River, and four miles north of where Birch Creek flowed into the Bighorn. Sun Dog Quartz was bounded on the west by the George Taff Quartz, on

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7. Carbon County Deed Book 86, p. 460, Carbon County Courthouse, Red Lodge, Montana.

8. Personal interview, Edna Strong Anderson with Mrs. Frances Burrell, the Frances Burrell Collection; Twelfth Census, Carbon County, State of Montana, National Archives.

the north by the Turner Quartz, on the east by the Dorallis Quartz, and the Madison Placer on the south. West of the Taff was the Aiken Quartz, while bounding the Aiken on the west was the Emma Quartz. The only one of these claims, each measuring 160 acres, not belonging to Ewing and his associates was the Madison.[9]

Four months before, on August 27, Ewing and seven associates (George and C.W. Savage, George Turner, Harry Duffield, John Johnson, Cass Prudhomme, and M. W. Poller) had discovered colors at a placer which they named Dead Man's Bar.[10]

On February 19, 1897, Erastus Ewing, having acquired three new partners, staked out two more 160-acre discovery claims. The Lady Temple adjoined Sun Dog on the west and Dorallis on the north, while Black Halk was bounded on the south by Dorallis and on the west by the Turner. Both claims were recorded at Billings on May 1, 1897.[11]

Ewing and his partners failed to strike it rich. The partners soon drifted on, and Ewing turned to ranching.

E. The Ewing Water Rights

Water in this arid region was more valuable than gold. Without it, settlement was impossible. Water would also be necessary for extracting gold from the placers, if it were ever found in paying quantities.

Erastus Ewing accordingly on April 8, 1897, appropriated 200 inches of water from Layout Creek for irrigation, mining, and milling. A ditch was used to divert the water from the north bank of the stream and to carry it eastward.[12]

Upon the death of his father, Lee W. Ewing on February 9, 1904, declared that he was appropriating "300 inches of water from Ewing, formerly known as Layout Creek 'for irrigation and other purposes' on my homesite and ranch on unsurveyed government land in Carbon County." The water would be diverted in a 24- by 24-inch ditch from the north side of the stream for one mile in a northeasterly direction.[13]

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9. Carbon County Quartz Location Book 1, pp. 549-54, Carbon County Courthouse, Red Lodge, Montana.

10. Ibid., p. 544.

11. Ibid., pp. 555-56.

12. Carbon County Water Rights Location Record 1, p. 76, Carbon County Courthouse, Red Lodge, Montana.

13. Ibid., p. 398.

F. The Post Office at Ewing, Montana

1. Its Establishment, Transfer, and Closing

With squatters and prospectors moving into the area, there was a demand for mail service, and on August 12, 1898, Erastus T. Ewing was appointed postmaster. As the post office was in his home, it was called Ewing. Upon E. T. Ewing's death in 1904, his son Erastus R. Ewing was appointed postmaster on June 25. Two years later, on June 20, 1906, George A. Berky became postmaster, and the post office was moved five miles north to his ranch on Davis Creek, although it was still known as Ewing.

Business was not sufficient to sustain the post office, and on August 15, 1908, it was discontinued. Persons living in the upper Dryhead Country now picked up their mail at Pryor and those south of Deadman at Raymond, Wyoming.[14]

2. Bessie Strong Tillett Carries the Mail to Ewing

a. The Strongs Settle on the Stinkingwater

Bessie Strong Tillett, a daughter of Frank and Ellen Strong, was born in Kansas City, Kansas, in 1889. Her father was a contractor and brought his family with him as he worked his way northwest. The family was living at Deadwood, South Dakota, in the winter of 1890-91, when the first battle of Wounded Knee occurred. The winter of 1893-94 found the Strongs residing at Ranchester, Wyoming, as the father worked on the track the Chicago, Burlington & Quincy was extending northward across the Crow Reservation to Billings. In 1894 Mr. Strong quit the railroad and moved to the "Stinkingwater," taking up a homestead near where Lovell was platted in 1900.[15]

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14. Records of Appointments as Postmasters, NA, RG28.

15. Personal interview, Mrs. Bessie Strong Tillett with Bearss, June 21, 1973.

b. Bessie Tillett Recalls Her Mail Route

Mrs. Bessie Tillett carried the mail for several years, beginning in 1903, into the Dryhead Country. Her father, Frank Strong, had a contract with the Postmaster-General for three mail routes out from Lovell--into the Dryhead, to the ML Ranch, and to Garland. Although Bessie was only 13, she took the Dryhead route; her sister Edna took the ML route.

Bessie picked up the mail twice a week in Lovell from Postmaster Ira Waters at 8 a.m. She carried the mail on horseback. In 1903 there was a wagon road to Crooked Creek but beyond there was only a trail. When she attended school in the winter, her father had to arrange for another carrier. The only cabin she passed after crossing Crooked Creek, until she reached the post offices at Ewing, was Frank Sykes'. Sykes, she recalled, was an eccentric and hermit. He had lost an eye before coming to Crooked Creek from the Hyattville area by running a stick into it. He had ridden across the mountains to Buffalo to get the stick removed. Sykes was an area pioneer, she continued, having settled on Crooked Creek several years before her parents homesteaded at Lovell in 1894.

At Ewing, Bessie dropped the mail to be picked up by the settlers. She then returned to Lovell with the outgoing mail in her saddlebags, reaching the post office about 8 p.m.

She recalled that in 1903 Erastus Ewing was postmaster at Ewing. He was a tall slender man with a pronounced limp, having broken his leg while hunting mountain sheep. His children were Jim, Lee, and Grace. When the old man died, he was succeeded as postmaster by a son. Johnny Booz, the Garvin Basin rancher, she recalled, had a "terrible crush" on Grace Ewing. On one occasion he propositioned her by asking her to attend the St. Louis Exposition with him. She refused.[16]

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16. Ibid. Jim would have been a nickname for the oldest son, Erastus R.

c. Billy and Bessie Tillett Settle on Crooked Creek

In 1909 Bessie Strong, a self-reliant young lady of 22, took up a homestead on Crooked Creek in the ceded strip. Today it is the core-area of the Tillett Ranch, now operated by her sons. After she married Billy Tillett of Peru, Indiana, who was a graduate engineer from Purdue, they made their home on his homestead near Kane. Her parents moved onto her Crooked Creek homestead. Mr. Strong died in 1914, and the widow told Bessie, "You and Billy better come over and take one of these places." Whereupon Mr. and Mrs. Tillett moved onto her Crooked Creek property, and Mrs. Strong occupied the Britton place on the Montana-Wyoming line.[17]

d. Recollections of the Barrys and Ewings

Because of her mail route and adventurous nature, Bessie Tillett knew the Dryhead Country. In 1903, when she began carrying the mail from Lovell to Ewing, Dr. G. W. Barry had not settled on Trail Creek. At that time one of the Ewing boys, either Jim or Lee, was squatting there.

Soon thereafter Barry arrived. Mrs. Tillett recalls that he was "a tall, lean, western type." His wife was "a fleshy woman with a good disposition." Mrs. Barry came from a good family, and it was said that she was a cousin of John Jacob Astor.

Barry had a shady reputation with many of the neighbors. In 1907-08, while associated with Gold Creek Consolidated Dredging, he was said to have brought one of the Guggenheims out to watch the dredging operation. Preparatory to the capitalist's visit, Barry was rumored to have "salted" the bar where the dredge was working.[18]

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17. Ibid.

18. Ibid.

Mrs. Tillett remembers that in the first years of this century the Ewings ran cattle for her parents up in the Dryhead Country. Two local toughs, Hannon and Mogan, stampeded the cattle into the Bighorn River, drowning several of them. Mr. Strong and the Ewing boys armed themselves and rode out, determined upon revenge. Shots were exchanged and Ed Morris received a flesh wound in his shoulder. No more blood was shed, and Mr. Strong had Mogan arrested.[19]

G. Clint Hough and the Ranch

1. Hough Buys a Ranch

Clint Hough of Bridger, Montana, bought the Layout Creek Ranch from the Ewings in the winter of 1910-11. He had been living on the ranch six months at the time of the July 1911 assault on Roy Huntington and Harry Barry by Dr. G. W. Barry and Lee Hall. His bachelor brother-in-law, Jasper (Jess) Faust, settled on an adjoining tract in Section 36, Township 8 South, Range 28 East. Three years later, on March 26, 1914, Jess Faust filed a complaint in the District Court for Carbon County alleging that he was in possession of 160 acres of unsurveyed government land on Layout Creek, which were unproductive unless irrigated. Occupying an adjoining 160 acres was Clint Hough, and to secure water from Layout Creek, Faust's ditch crossed Hough's acreage. So far, the two had been unable to agree on what compensation Hough was to be allowed for the ditch's right-of-way. The case was settled out of court, and Hough received an unspecified sum for damages.[20]

2. Hough has a Rough Time

The Houghs, like the Ewings, were ranchers, and like many other ranchers Clint Hough had to look to the banks for operating funds during certain seasons of the year. On November 17, 1914, he mortgaged to the Pierce County Bank of Nebraska for $3,000 his ranch on

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19. Ibid.

20. Faust v. Hough, Civil Case 1522, District Court, Carbon County, Carbon County Courthouse, Red Lodge, Montana.

Layout Creek and 100 head of cattle. Four months later, on March 10, Hough was declared bankrupt by the District Court, and on April 2, J. S. Emmett was appointed trustee to oversee liquidation of Hough's estate.

But before Emmett could act, the Pierce County Bank secured a court order levying on Hough's property to satisfy its claim. Sheriff W. H. Gebo promptly sent his deputy, S. T. McCall, into the Dryhead Country. Reaching Layout Creek, McCall seized 37 head of cows, 17 heifers, seven steers, and 17 calves with Hough's brand. After placing the cattle in custody of Claude St. John, Deputy McCall returned to Red Lodge, and Sheriff Gebo advertised them for public sale.

The sale was held on April 14, and the cattle sold to John P. Dahlem, the highest and last bidder, for $2,900. After deducting costs of $129.50, Deputy McCall delivered to the attorney for Pierce County Bank $2,770.50, the balance of the proceeds to be applied against Hough's chattel mortgage.[21]

3. Hough Sells His Ranch

After the foreclosure and loss of most of his cattle, Clint Hough continued to eke out a living for himself and his family on his Layout Creek Ranch. But within a year of the end of World War I, he was again deeply in debt. Deciding to sell out, he first contacted Lou Howe, a combat veteran, who had returned to the area following his discharge from the army. Hough told Howe that he was in a hurry to sell and move away. Howe was not in a position to make an acceptable offer, and Hough sold to Philip Snell, a young rancher from Kane.[22]

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21. C. Y. Hough v. W. H. Gebo, Civil Case 1684, District Court, Carbon County Courthouse, Red Lodge, Montana.

22. Personal interview, Howe with Bearss, June 25 and 30, 1973. W. Lou Howe and his wife live at 202 Jackson Street, Billings, Montana.

After Hough sold out and returned to Bridger, Jess Faust on April 26, 1920, filed a declaration that in the previous year he had appropriated 150 miner inches of water from Layout Creek to irrigate the west one-half of the southeast quarter and the south one-half of the southwest quarter of Section 36, Township 8 South, Range 28 East. His ditch, which ran in a northeasterly direction from Layout Creek to his homestead, crossed Section 2, Township 9 North, Range 28 East.[23]

Thus, Philip Snell, when he took possession of the ranch, found that Hough's brother-in-law had rights to "150 miner inches" of water from Layout Creek, a vital economic factor in this arid and harsh region.

H. The Snells and the Ranch

1. Philip and Alma Snell Raise a Family

A daughter of James and Mary Jane Wasson, Alma Snell was born in Gale, Texas. She moved to Billings, Montana, with her parents in 1906, her father having purchased a home on north 32d Street, near the McKinley School. Within a short time he traded this property for a farm on Red Lodge Creek. Disposing of the farm in 1909, Jim Wasson bought the George Berky ranch and moved his family to the Dryhead Country.

The Wassons lived on their ranch until 1917, when Charlie Spear hired Jim to be foreman of the ML spread. The family moved onto the ML, occupying the big frame house built by Henry Clay Lovell. The Wasson children who had formerly attended school at Billings, Fromberg, Bridger, Crooked Creek and since 1916 on Dryhead, now crossed the Bighorn River to attend school in Kane. Mrs. Wasson, wanting her children to have a school nearby, prior to the move to the ML Ranch, had been one of those who prevailed upon the Carbon County authorities to establish a Dryhead School in 1916. The first schoolhouse was about one-half mile north of Wasson's house, between Davis Creek and the Dryhead road.

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23. Carbon County Water Rights Location Record 4, p. 5, Carbon County Courthouse, Red Lodge, Montana.

After moving to the ML Ranch, Alma Wasson became acquainted with Philip Snell, whose father Jack Snell owned a ranch on Crooked Creek near Horseshoe Bend. M. A. Jolly, of Lovell, recalls driving with Philip Snell across the Bighorn from Kane on the ice to see the Wassons while they were living on the ML spread.

In 1920 Philip Snell and Alma Wasson were married. Snell took his bride back to the Dryhead Country to the ranch he had purchased from Clint Hough. Here they lived for the next 30 years, until Philip's death in 1950. Four boys blessed the home: Rufus born in 1921, Cecil in 1923, Jim in 1934, and Ray two years later.[24]

2. The Dryhead (Snell) School

By the time Rufus and Cecil were ready to start to school there was a new building on Deadman, three miles farther north than the one attended by their mother. The move had been dictated by a need to make the school more convenient to the area where most of the homesteaders with school-age children resided. While attending school the boys boarded and roomed with the Marchants, who lived across the road from the schoolhouse. During some years as enrollment dwindled in the late 1930's, the school year was reduced to a four-month summer term.

The schoolhouse doubled as a community center. There were Saturday night dances and occasional parties in the building.

By the time Jim and Ray were ready to enter the first grade, many of the homesteaders had left the area, generally selling out to Caroline Lockhart, who had bought the Berky place from the Wassons. World War II put an end to the homesteaders on the Dryhead, as the young men left for the service or to work in defense plants, and their parents sold out and retired to the city. By the mid-1940's there were only three pupils (the two Snell boys and Jean Abbott, whose father ran the Dryhead Ranch) enrolled in the school. To keep it open, Mrs. Snell prevailed upon the County Superintendent of Schools and the

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24. Personal interview, Mrs. Philip Snell with Bearss, June 19, 1973. Mrs. Snell resides at 725 South Billings Boulevard, Billings, Montana.

trustees to move the school from Deadman to the Snell Ranch. Carbon County would pay the teachers' salary, and the Snells would provide them board and room. Jean Abbott also boarded and roomed with the Snells. The log shop, about 100 yards east of the house, was turned into a school room. School was conducted at the Snell Ranch for two school years, 1945-46 and 1946-47.

The teacher during the first school year was Mrs. Edith Rech Cribbs, who was a long-time resident of the area. Following the death of her husband in Seattle, Mrs. Cribbs had recently returned to Wyoming with her five-year-old son. As he was not of school age, he accompanied his mother when she left for the Snell Ranch. Except for the "horrible" ride to and from the Snells', she enjoyed her year in the Dryhead Country. Not wanting to have her son in her class, Mrs. Cribbs did not return for the final year of the Dryhead School.[25] (See Appendix B for additional information about the Dryhead School, 1916-1950.)

3. Livestock and Crops

Mrs. Snell recalled that she and her husband usually ran about 100 head of cattle. She kept poultry, but the bobcats and coyotes, which were bad, taking a heavy toll of her chickens and turkeys. On land which they irrigated with water from Layout Creek, they raised grain (wheat and oats) and hay. They also had an orchard and garden.[26]

4. Transportation into the Area

When Mrs. Snell first moved into the Dryhead country, all travel was on horseback or in wagons. Supplies were freighted from Lovell.

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25. Personal interviews, Mrs. Snell with Bearss, June 19, 1973, and Mrs. Cribbs with Bearss, June 28, 1973; Records of the County Superintendent of Schools, Carbon County, Red Lodge, Montana. Mrs. Cribbs resides in Lovell, Wyoming.

26. Personal interview, Mrs. Snell with Bearss, June 19, 1973.

The trip up from Lovell, on a heavily loaded wagon, required a long hard day. With introduction of trucks and cars, the road was gradually improved. Because of the area's isolation from the rest of the county, the Carbon County Commissioners annually budgeted $500 for work on the Dryhead road by local ranchers. Most of the road improvements were undertaken by Philip Snell and Claude St. John.[27]

5. Mrs. Snell and the Boys Sell the Ranch

Philip Snell died in 1950. His widow and the two younger boys remained on the ranch for another summer and then put it up for sale. The first buyer was _____ Adams. When he was unable to make the payments, the Snells found themselves once again with a ranch on their hands. Mrs. Snell and her boys then sold the ranch in 1955 to E. E. Hanson.[28]

I. The Structures

The Ewing (Sorenson) Ranch now consists of the following structures: house, chicken house, shop (school), and pole corral. The buildings are log. A fenced yard and lawn enclose the house site. On the north side of Layout Creek is a pole corral. The sheds, formerly associated with the corral, and the barn have been removed. The grave of Erastus T. Ewing is about one-fourth mile northwest of the house.

According to Mrs. Snell, in the years 1920-50, the only improvements made to the house fell into the maintenance category.[29]

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27. Personal interviews, Mrs. Snell with Bearss, June 19, 1973, and Lee and Rose Hoffman with Bearss, June 29, 1973. Lee and Rose Hoffman live on U. S. Highway 14, three miles east of Lovell.

28. Personal interview, Mrs. Snell with Bearss, June 19, 1973.

29. Ibid.

HILLSBORO (CEDARVALE)

I. ADMINISTRATIVE DATA--HILLSBORO (CEDARVALE)

A. Name and Number of Structures

The Hillsboro (Cedarvale) complex includes these structures: the Barry stud barn and corral, structure No. 4; the Hillsboro Post Office, Structure No. 5; Eddie Hulbert's Shop and Dude Cabin, structure No. 6; big chicken house, structure No. 7; milk house, structure No. 8; Eddie Hulbert's Cabin, structure No. 9; small chicken house, structure No. 10; and root cellar, structure No. 11. The subject structures are of Third Order of Significance.

B. Proposed Use of Structures

The exteriors of the subject structures will be restored to their appearance, c. 1916. Two of the structures (Eddie Hulbert's Shop and Dude Cabin and the Hillsboro Post Office) will be furnished to reflect their use during this period. The interior of Hulbert's Cabin will be rehabilitated and modified to provide for a compatible usage. The corrals and fences will be rebuilt. If visitation warrants, the Barry house, horse barn, and hay shed can be reconstructed, as such a reconstruction can be accomplished in accordance with the guidelines found on page 23 of Administrative Policies for Historical Areas of the National Park System.

We agree with the Superintendent and his staff that the Hillsboro complex should be developed in phases. The first phase to be "confined to a general cleanup, inventory of artifacts and emergency stabilization of the remaining structures. This first phase should be implemented at the earliest possible time."

"A limited interpretive program [to] be initiated concurrently with a restoration program. Both could be expanded as visitation increases and interest in this project grows."

C. Justification for Such Use

These structures erected by Dr. Grosvener W. Barry (the promoter who first recognized and exploited the recreational potential of the area) possess local historical significance. They are located within

one-half mile of Barry's Landing, where the Service has constructed boat-launching facilities and opened a campground. With extension of the surfaced road from Devil Canyon to Barry's Landing, the Barry's Landing boat-launching facilities and campground will experience an influx of visitors. To enrich and diversify their visits to the area, the Service proposes to establish a Living History program at Hillsboro in the near future. Here the Service, using the stabilized, restored, and refurnished structures, will interpret the Hillsboro story and the settlement of the Dryhead Country, Montana's last frontier.

D. Provision for Operating Structures

The Hillsboro structures will be used in the Park's Living History program, and as such will be manned seasonally.

E. Cooperative Agreement, if any, Executed or Proposed for Operating Structures

No cooperative agreement will be required for operating these structures.

II. HISTORICAL DATA

A. Statement of Significance

Grosvener W. Barry was a promoter, and as such he sought with varying success to exploit the resources of the area. Entering the Dryhead Country about 1903, Barry established himself and his family on the South Fork Trail Creek. During the next decade, Barry's attention was engrossed by schemes to extract a fortune in gold from the Bighorn Canyon placers. Three gold mining companies (Hidden Canyon Gold Mining, Big Horn Gold Dredging, and Gold Creek Consolidated Dredging Companies) were successively organized by Barry. Stock was sold in at least two of them. Sufficient capital was raised by one of these to purchase, ship, and assemble a huge dredge on the Bighorn, at the mouth of Trail Creek.

Undaunted by his failure to strike it rich in mining, Barry plunged into other activities. The Embar Horse Company was chartered and organized to engage in a diversity of activities ranging from horse ranching to manufacturing. The only one of these pursued was the ranching interest, and for a number of years the Embar raised and marketed English hackneys.

Next, Barry redesignated his ranch Cedarvale and turned to dude ranching. To advertise the wonders of Cedarvale, Barry circulated brochures, while it was promoted in a vacation guide published by the Chicago, Burlington & Quincy Railroad. In conjunction with the dude ranch, Barry introduced motorboating to Bighorn Canyon. Boats were built at Cedarvale and launched at Barry's Landing in the second decade of this century. The dude ranch was successful, and was operated by his widow and stepson for a number of years after Barry's death in January 1920. Dr. Barry thus enjoys the distinction of being the first person to recognize and exploit the recreation potential of Bighorn Canyon.

Barry, himself, was an interesting character. He was a hard-drinking, "western-type" who had numerous brushes with the law. Mrs. Barry was a cultured lady, a descendant of the southern aristocracy. Their elegantly furnished home on the South Fork of Trail Creek was a cultural oasis.

B. Legal Description and Chain of Title

Grosvener W. Barry occupied the Hillsboro area before it was surveyed and laid off into townships and sections. Old-timers interviewed during the second half of June 1973 recalled stories that Barry had purchased the South Fork Trail Creek ranch from Lee Ewing about 1903.[1] Ewing, if he owned the subject property, failed to file with county authorities in Red Lodge a declaration of intent to take up a homestead on unsurveyed land. The first person to own in fee the land on which Hillsboro is located (the north one-half of the northeast quarter of Section 36, Township 8 South, Range 28 East) was Edith Gordon Barry, the widow of Dr. G. W. Barry.

On February 28, 1928, to perfect her title to the property she had acquired from her husband, Edith G. Barry was granted by the United States as her homestead the north one-half of the northeast quarter and the southeast quarter of the northeast quarter of Section 36 and the southwest quarter of the northwest quarter of Section 31, all in Township 8 South, Range 28 East, "according to the official plat of survey" on file in the General Land Office.

The 160 acres were granted to Mrs. Barry

> to have and to hold...with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of the courts.

Reserved from the land granted was a right-of-way "thereon for ditches or canal constructed by the authority of the United States" reserving to the United States or its permitee "a right to enter upon,

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1. Personal interviews, Bessie Tillett, Lee and Rose Hoffman, and Lou Howe with Bearss, June 21-29, 1973.

occupy and use, any part or all of that portion of the north one-half of the northwest quarter and the southeast quarter of the northeast quarter of Section 36, lying within 50 feet of the transmission right-of-way of the Big Horn Irrigation and Power Company, for the purposes provided in the Act of June 10, 1920 (41 Statutes 1063) and subject to the limitations of Section 24 of said act."[2]

Mrs. Barry on October 3, 1939, conveyed to her son, Claude St. John, for one dollar and other valuable considerations the north one-half of the northeast quarter and the southeast quarter of the northeast quarter of Section 36 and the southwest quarter of the northwest quarter of Section 31, all in Township 8 South, Range 28 East.[3]

Claude and Beverly St. John on June 11, 1952, pursuant to an Act of Congress, approved June 17, 1902, granted to the United States an easement to "construct, operate, and maintain an electric transmission line, with all poles, cross arms, cables, wires, guys, supports, fixtures, and devices, used or useful in the operation of said line, through, over, or across" the southeast quarter of the southwest quarter of Section 36, the east one-half of the southwest quarter of Section 6, and the northeast quarter of the northwest quarter of Section 7, all in Township 8 South, Range 28 East. For this easement the St. Johns were paid $60.[4]

On November 13, 1954, Claude St. John conveyed to his wife, Beverly, "in consideration of the love and affection and one dollar the following real estate": the north one-half of the southeast quarter and the southwest quarter of the southeast quarter of Section 25; the north one-half of the northeast quarter, the southeast quarter of the northeast quarter, the south one-half of the

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2. Carbon County Deed Book 79, p. 109, Carbon County Courthouse, Red Lodge, Montana.

3. Carbon County Deed Book 63, p. 558, Carbon County Courthouse, Red Lodge, Montana.

4. Carbon County Deed Book 70, p. 496, Carbon County Courthouse, Red Lodge, Montana.

southwest quarter, and the west one-half of the southeast quarter of Section 36; and the southwest quarter of the northwest quarter of Section 31, all in Township 8 South, Range 28 East.

Also conveyed were the south one-half of the northwest quarter and the southeast quarter of Section 6, and the north one-half of the northwest quarter of Section 7, Township 8 South, Range 29 East; and the west one-half of the southwest quarter and the southeast quarter of the southwest quarter of Section 30 and the north one-half of the northwest quarter of Section 31, likewise in Township 8 South, Range 29 East.[5]

Claude St. John had acquired the tracts adjoining the Hillsboro property from Jasper (Jess) Faust. On June 24, 1921, Faust, in conformity with the Homestead Act of May 20, 1862, had secured a patent to the south one-half of the southwest quarter and the west one-half of the southeast quarter of Section 36, Township 8 South, Range 28 East, containing 160 acres.[6]

The previous year, April 26, 1920, Faust had announced that he was appropriating 150 miner inches of water from Layout Creek for irrigating the west one-half of the southeast quarter and south one-half of the southwest quarter of Section 36. The means of diversion would be a 28- by 8-inch ditch, which would divert water from the left bank of Layout Creek, and conduct it in a northeast direction across Section 2, Township 9 South, Range 28 East. Faust had opened this ditch in 1919.[7]

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5. Carbon County Deed Book 75, p. 242, Carbon County Courthouse, Red Lodge, Montana.

6. Carbon County Deed Book 32, p. 413, Carbon County Courthouse, Red Lodge, Montana.

7. Water Rights Book 4, p. 5, Carbon County Courthouse, Red Lodge, Montana.

Ten years later, on October 17, 1930, Faust, having moved to Bridger, sold his 160-acre homestead and water rights in Layout Creek to Claude St. John for one dollar and other valuable considerations. St. John would also pay the Carbon County real estate taxes on the property for 1930.[8]

Three hundred and twenty acres of the subject ranch conveyed by Claude St. John to his wife at this time had been included in the homestead he had received from the United States in the 1920's. The St. John homestead included the north one-half of the southeast quarter and the southwest quarter of the southeast quarter of Section 25, Township 8 South, Range 28 East; and the southeast quarter of the southwest quarter of Section 30 and the north one-half of the northwest quarter of Section 31, Township 8 South, Range 29 East. St. John's title to the subject 320 acres was limited by the same provisions as those attached to his mother's patent to 160 acres in Sections 31 and 36.[9]

With their ranch mortgaged and Claude critically ill, the St. Johns on June 3, 1958, sold their ranch to L. R. Aldrich, Jr. of Billings, for one dollar and other valuable consideration. Land conveyed included the north one-half of the southeast quarter and the southwest quarter of the southeast quarter of Section 25; the north one-half of the northeast quarter, the southeast quarter of the northeast quarter, the south one-half of the southwest quarter, and the west one-half of the southeast quarter of Section 36; the southwest quarter of the northwest quarter of Section 31, all in Township 8 South, Range 28 East.

Also included were the west one-half of the southwest quarter and the southeast quarter of the southwest quarter of Section 30; the north one-half of the northwest quarter of Section 31; the south one-half of the northwest quarter and the southeast quarter of Section 6; the east one-half and north one-half of the northwest quarter of Section 7; and the northwest quarter of Section 17, all in Township 8 South, Range 29 East.

In addition to the 1,440 acres, Aldrich was deeded the water, water rights, ditches, and ditch rights "used in connection with or anywise appertaining" to the subject land, including the 150 inches

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8. Carbon County Deed Book 43, p. 428, Carbon County Courthouse, Red Lodge, Montana.

9. Carbon County Deed Book 36, p. 439, Carbon County Courthouse, Red Lodge, Montana.

of water allotted from Layout Creek, "subject to reservations contained in the United States patents and to easements and right-of-ways of record, and to notices of location of quartz mining claims."[10]

L. R. Aldrich and his partner, Harold Ruth, had purchased the St. John ranch for speculative purposes. They believed construction of the Yellowtail Dam would cause land values to soar. When the Bureau of Reclamation sought to purchase about 600 of the 1,440 acres they had bought from the St. Johnses several years before, Aldrich and Ruth asked $401,385 for the ranch they had acquired for $17,600. They told government attorneys they had had Barry's Landing platted as a subdivision under the name of Yellowstone Lake Land Company. Government investigators, however, were unable to find a file copy of the plat in the Carbon County Courthouse.

Negotiations soon reached an impasse and condemnation proceedings were resorted to on July 2, 1968; the court awarded Aldrich and Ruth $95,035 for the 560 acres of their land included in Bighorn Canyon National Recreation Area.

Property acquired by the United States included the north one-half of the southeast quarter and the southwest quarter of the southeast quarter of Section 25, the north one-half of the northeast quarter and the southeast quarter of the northeast quarter of Section 36, Township 8 South, Range 28 East; and the northwest quarter of the southwest quarter and the southeast quarter of the southwest quarter of Section 30, and the north one-half of the northwest quarter and the southwest quarter of the northwest quarter of Section 31, Township 8 South, Range 29 East.[11]

C. The Hillsboro Water Rights

Edward Thow, as agent for Grosvener W. Barry of Ewing, on July 24, 1903, appropriated 350 inches of water from Trail Creek for irrigation and mining purposes. The means of diversion would be a hydraulic pipe and ditch to carry water from the north side of Trail Creek into a 24- by 40-inch ditch paralleling the stream for one mile.[12]

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10. Carbon County Deed Book 37, pp. 140-41, Carbon County Courthouse, Red Lodge, Montana

11. U.S. v. Aldrich & Ruth, July 2, 1968, files Bureau of Reclamation, Billings, Montana.

12. Carbon County Water Rights Location Record 1, p. 388, Carbon County Courthouse, Red Lodge, Montana.

D. The Barrys as Individuals

Mary Edith Gordon Sargent was born at Natchez, Mississippi, on June 2, 1866. She was the daughter of George and Julia M. Gordon Sargent. Her maternal grandparents owned a large plantation, Verona, in Tensas Parish, Louisiana. The plantation home had been plundered by Union soldiers in May 1863, when Maj. Gen. Ulysses S. Grant was marching his columns down the west side of the Mississippi in his Vicksburg Campaign.

On her father's side, Mary Edith was descended from Winthrop Sargent, first secretary of the Northwest Territory and first governor of Mississippi Territory. Her father was a Confederate veteran, having served with distinction in Col. Isaac Harrison's 15th Louisiana Cavalry.

Mary Edith married Hunter St. John, a doctor, the son of Thomas and Ellen St. John, at Mobile, Alabama, on May 17, 1886. Two sons, Earl Gordon and Claude Gordon, were born to the couple while they lived in Roanoke, Virginia. Earl, who was born in April 1889, lived only 13 months, dying four months before Claude's birth.

Dr. St. John died in Pittsburgh, Pennsylvania, on March 4, 1902. Shortly thereafter, the widow married Dr. Grosvener W. Barry. The son of Charles Paul and Marie Louise Squire Barry, Grosvener was born in New York City on June 28, 1865.[13]

Barry's career, prior to his arrival in the Dryhead Country in 1903, is cloaked in mystery. In the first decade of this century, he passed himself off as a physician and referred to himself as "Doctor Barry." So far it has been impossible to identify what medical schools Barry might have attended or in what state or states he was

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13. Epes Sargent of Gloucester and His Descendents, arranged by Emma Worcester Sargant, with Biographical Notes by Charles S. Sargant (Boston, 1923), p. 67.

licensed to practice. When he died, his widow listed his occupation as farmer on his death certificate. We know that in the summer of 1880, he was not living at home, when the enumerator for the Tenth Census called at the family dwelling on West 52d Street in New York City. Living in the house at that time were: Mary Squire, a 56-year-old widow, who listed her occupation as housekeeper and head of the family; Lizzie Squire, who gave her age as 40, was unmarried, and had no occupation; Maria Squire Barry, a 37-year-old widow; and her two sons 10-year-old Freddie and 6-year-old Benjamin: Also living in the house were Mary Jackson, a 25-year-old widow, who listed her occupation as servant, and 17-year-old Eliza M. Gee.[14]

According to old-timers and local historians, Dr. Barry came to the Dryhead Country from New Orleans to escape his creditors and lay low until the statute of limitations ran out.[15]

E. Grosvener W. Barry--Promoter

1. His Mining Claims

Dr. Barry had established himself on Trail Creek by 1903. A born promoter interested in "get rich quick schemes," Barry observed, as others had for more than half a century, that good colors were prevalent along the Bighorn Canyon bars.

In the summers of 1903-4, Edward Thow, acting as agent for Barry, located and recorded a number of 20-acre placer claims along the Bighorn River in Carbon County. These claims included: South Placer (discovered July 24, 1903); Babe, Dakota (beginning at a point marked by a large cedar about one-half mile below the north line of South Placer, said cedar being blazed on the north and south sides, then

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14. Tenth Census, State of New York, New York City, Vol. 62, Sheet 21, line 14, NA.

15. Ltr., Mike Reynolds to Bearss, Oct. 4, 1973.

running on the "southerly" side of Bighorn Canyon about 2,400 feet in an easterly direction, then northerly about 600 feet, then westerly about 2,400 feet, and then southerly to the place of beginning); an unnamed claim straddling the river at the mouth of Trail Creek; the Hall (the river and both its banks at the mouth of Chain Canyon); Seven Sheep (at the mouth of Hannan's Canyon); Thirty-two West, Essex (600 yards north of the canyon known as Garvin's Crossing); Lone Pine (700 feet north of the mouth of Deadman): Sun Set (about 100 feet south of the mouth of Twentymile Creek); and Cottonwood (one mile south of the mouth of Dryhead).[16]

In the winter of 1905-06, preparatory to launching his first gold mining company (the Hidden Canyon Gold Company), Dr. Barry and his associates in the venture (Frank Kimberly, Samuel Weinburg, Frederick Barry, Edith Gordon Barry, Charles Post, O. L. Chandler, A. Parker Nevins, and Bolton Hall) relocated a number of old claims and recorded a number of new ones along the Bighorn. One of these was the 160-acre Prosperity Group, which included a number of 20-acre claims dating to the 1890's. The boundary of the Prosperity Group began at a point marked by a discovery shaft at a post on the west side of Bighorn River opposite the mouth of Gyp Canyon, then in a northerly direction "16,000 feet" with the west rim of Bighorn Canyon to a point on the river where a squared cedar post had been set at the mouth of Deadman Canyon, then east 600 feet to a squared post on the east side of Bighorn River, then in a southerly direction "16,000 feet," following the east rim of Bighorn Canyon, to a squared post set in an aspen grove at the mouth of Gyp Canyon, and then west 600 feet to the place of beginning.

Included in Prosperity Group were these relocated 20-acre claims: Prosperity No. 1 West, Prosperity No. 2 East, Prosperity No. 3 East, Prosperity No. 4 East, Prosperity No. 4 West, Latrobe, Edith, and Thirty-nine West.[17]

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16. Carbon County Mining Record Book 1, pp. 1-3; Book 2, pp. 103-105; Book 3, pp. 4, 20-26, Carbon County Courthouse, Red Lodge, Montana.

17. Carbon County Mining Record Book 3, p. 27, Carbon County Courthouse, Red Lodge, Montana. Frederick Barry was Dr. Barry's brother.

A large number of 20-acre claims located by Edward Thow for Barry in 1903 were relocated and re-recorded on February 5, 1906. These included the South, Babe, Dakota, Hall, Seven Sheep, Leonard, Lawrence Placer, Natchez Placer, Barry, Belden, Lincoln, Butler-Duncan, Enid, MacGregor, Single Top, and Aristogonshe. Barry at the same time recorded twelve additional 20-acre placer claims. One was in his name and the others he entered as agent for a number of his associates. These were:

Forty-four West, as agent for E. W. Potter
Deadman's Placer, as agent for E. W. Potter
Otter, as agent for Frank Kimberly
No. 2, as agent for Samuel Weinburg
Five East, as agent for O. L. Chandler
Thirty-three West, as agent for Wilkes McClure
No. Sixty-six, by Barry in his own name
East Placer, as agent for James C. Clinton
Rocky Bar, as agent for Philip H. Potts
No. 20 East Placer, as agent for Clarence Cohen
Big Bill, as agent for A. Parker Nevins
Fifty-five West, as agent for Samuel Weinburg.[18]

To prove his claims, Barry, on April 4, 1906, swore before the Carbon County Clerk and Recorder in Red Lodge that in the year ending April 1 "at least $100 worth of labor or improvements" had been made on two of his Bighorn Canyon placers--the South and Babe.[19]

Six months later, he returned to Red Lodge to report to the County Clerk and Recorder that at least "$100 worth of labor or improvements were performed or made" upon these placer claims in the year ending October 10, 1906: Single Tax, No. 22 East, No. 33 West, Big Bill, No. Sixty-six, Otter, No. Two, Rocky Bar, Fifty-five West, Belden,

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18. Carbon County Mining Record Book 2, pp. 458-80, Carbon County Courthouse, Red Lodge, Montana.

19. Annual Representation Record Book 1, p. 567, Carbon County Courthouse, Red Lodge, Montana.

Lincoln, Leonard, Thirty-two West, Lone Pine, Seven Sheep, Forty-four West, Deadman's, No. 1 East, Aristogonche, Enid, Lawrence, Five East, Butler-Duncan, Sun Set, Cottonwood, Hall, MacGregor, Prosperity Group, Barry, Natchez, and Essex.[20]

On April 3, 1908, Barry recorded two additional 160-acre placer claims for himself and eight associates, including his wife (Richard H. Gatting, E. M. Potter, Edith Gordon Barry, Philip Potter, Wilkes McClure, A. Parker Nevins, A. C. Cheneweth, and Samuel Weinburg). The first of these was Ruby Chief, located in the Big Horn Mining District of Carbon County. In staking the subject claim, Barry began on the Bighorn River near the mouth of Black Tail Canyon at the discovery shaft, then in a "westerly direction following the rimrock of the southerly wall of Big Horn Canyon, 6,600 feet to" a squared cedar post, then in a northerly direction across the river 800 feet, to a squared cedar post at the rimrock, then in an easterly direction following the north rim of the canyon 6,600 feet to a squared cedar post, and then in a southerly direction 800 feet to the point of beginning.

The second claim, Golden Chief, commenced on the west bank of the Bighorn River at the discovery shaft, about 1,000 feet above the mouth of Dryhead Canyon on a creek, then in a northerly direction with the rimrocks 6,600 feet to a squared cedar post, then in an easterly direction about 800 feet across the Bighorn River to the east rimrock to a squared cedar post, then in a southerly direction with the east rimrock 6,600 feet to a squared cedar post, and then in a westerly direction about 800 feet to the place of beginning.[21]

On January 11, 1910, Barry appeared before the Carbon County Clerk and Recorder and swore that in the year ending December 31, 1909, "at least $100 worth of labor or improvements" had been "performed or

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20. Ibid., pp. 567-84.

21. Carbon County Mining Record Book 3, pp. 64-65. Carbon County Courthouse, Red Lodge, Montana. This claim had been located in accordance with the requirements of Chapter 6, Title 32, Revised Statutes of the United States.

made" on these placer claims: Ruby Chief, Canyon Chief, Golden Fleece, Golden Chief, and Hall.[22]

Grosvener W. Barry on January 18, 1911, informed the Carbon County Clerk and Recorder that in the previous year he had invested $100 in labor or improvements on these claims: Ruby Chief, Golden Bullion, Canyon Chief, Golden Fleece, Golden Chief, and Hall.[23] Two years later, on January 14, 1913, Barry appeared before a notary public in Billings and swore that in the year just ended he had expended at least $100 in labor or improvements on Ruby Chief, Hall, Golden Chief, Golden Fleece, Canyon Chief, and Gold Bullion.[24]

This is the last entry made by Barry in the Carbon County "Annual Representation Record." Therefore, we may conclude that Dr. Barry, after repeatedly failing to successfully exploit his gold mining ventures, focused his attention on development of his dude ranch.

2. G. W. Barry and His Mining Companies

a. The Hidden Canyon Gold Mining Company

To exploit his mining claims, Dr. G. W. Barry organized and promoted three companies. The first of these, which was active in 1905, was Hidden Canyon Gold Mining Company. In the autumn of that year there were ten men on the company's payroll.[25]

Efforts to determine whether the company was incorporated have been unsuccessful. We do know, however, that it was not incorporated under the laws of Montana.

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22. Annual Representation Record Book 1, pp. 599-601, Carbon County Courthouse, Red Lodge, Montana.

23. Ibid., pp. 605-08.

24. Ibid., pp. 609-11.

25. Billings Gazette, Dec. 8-10, 1905.

b. The Big Horn Gold Dredging Company

On March 19, 1906, the Big Horn Gold Dredging Company was incorporated under the laws of Arizona Territory. Its principal place of "transacting business" would be Tucson, while such "branch offices may be established at such place, or places, throughout the United States . . . as the Board of Directors may direct."

The company was authorized:

> To locate, buy, lease, hold, sell, improve and develop and operate mines and mining property of every kind and character, and to pledge, mortgage, or otherwise deal in the same, or in leases, options or bonds thereon.
>
> To quarry, dredge, or in any manner mine any and all ores and mineral substances, and to smelt, refine, dress, malgamate and prepare for market, and to market, all ores, metals, and mineral substances, and to carry on any operations which may seem conducive to any of the company's objects: To buy, sell, manufacture and deal in minerals, plants, machinery, implements, conveniences, provisions, and things capable of being used in connection with mining operations, or required by workmen and others employed by the corporation.
>
> To buy, construct, lease, sell, convey, maintain, improve, manage, work and superintend boats, dredges, bridges, reservoirs, water sources, wharves, tramways, or railroads, in so far as it may be lawful so to do.
>
> To buy, construct, lease, sell, convey, maintain, improve, manage and operate furnaces, smelters, concentrators, mills, crushing works, hydraullic works, works, factories, and other conveniences which may seem directly, or indirectly, conducive to any of the objects of the corporation, and to contribute to, subsidize, or otherwise aid, or take part in such operations.

To take, acquire, own, hold, sell, lease, exchange, mortgage, pledge, improve and otherwise deal in real estate, and lease, manage, sell, or convey houses, stores and other buildings, and to make and maintain all other necessary or desirable improvements in connection therewith; also, to purchase, own, sell, exchange, mortgage, and otherwise deal in all kinds and character of personal property, merchandise, goods and chattels.

To do all things incident to, or advantageous in the carrying on of any or all of the said objects or purposes above stated.

To issue bonds, and to sell or hypothecate the same, and secure the payment of the same by mortgage, or otherwise, upon all or any of the properties of the corporation.

To make any and all contracts, acquire and transfer any and all species of property, and to possess the same powers in such respects as private individuals now enjoy.

To hold, purchase and otherwise acquire, and to sell, exchange, mortgage, pledge, and otherwise deal in bonds, mortgages, notes, debentures, shares of capital stock, and other securities and obligations of any corporation; also to receive, collect and otherwise dispose of interest, dividends or income from any of the properties held, owned, or acquired by the company, and to exercise in respect of all such bonds, mortgages, debentures, notes, shares of capital stock, and other securities and obligations, all the rights, powers and privileges of individual owners thereof, including the right to vote upon any shares of stock held by it, to the same extent that a natural person might or could do, and generally to have all the rights, powers and privileges to do any and all things incident to, or advantageous to the carrying out any of the objects and purposes herein mentioned.

To sell, or issue all, or any part of its capital stock, or any bonds, debentures, or other evidences of indebtedness authorized by its Board of Directors in payment for the good will, rights, business, personal property, real estate, or

leases thereon, options of any person, firm, association or corporation, and the judgment of its Board of Directors as to the value of such good will, rights, business, property, real estate, options, or leases thereon, shall be conclusive.

To remunerate any person, persons, or corporation, for services rendered, or to be rendered in placing or assisting to place any of the shares of the company's capital stock, or any debenture, bonds, or other securities of the company, or in or about the formation or promotion of the company, the selection and procurement of directors, or the conduct of its business, upon such terms as the Board of Directors may determine and direct.

To cause, or allow the legal title, estate and interest in any property acquired, established or carried on by the company, to remain or be vested or registered in the name of, or carried on by any other company or companies, foreign or domestic, formed or to be formed, and either upon trust for, or as agent of, or nominees of this company, or upon any other terms or conditions which the Board of Directors may consider for the benefit of this company, and to manage the affairs, and take over the business of such company or companies, so formed or to be formed, either by acquiring the shares, stocks, or other securities thereof, or otherwise, and to exercise all or any of the powers of holders of shares, stocks or securities thereof, and to receive and distribute as profits the dividends and interests upon such shares, stocks or securities.

To guarantee the payment of dividends, or interest, on any shares, stocks, debentures, or other securities, issued by any corporation, whenever proper or necessary for the business of this company, upon such terms and conditions, and in such manner as may be prescribed by the By-Laws, or by Resolution of the Board of Directors.

To enter into, make, perform and carry out contracts of every kind, and for any lawful purpose, with any firm, person, association, or corporation.

To borrow or raise money upon warrants, bonds and other negotiable or transferable instruments.

To purchase, hold, and re-issue the shares of its own capital stock. To conduct business in any of the States, Territories, Colonies or Dependencies of the United States, and any and all foreign countries.

The foregoing clauses shall be construed both as to objects and powers, and it is hereby expressly provided that the foregoing enumeration of specific powers shall not be held to limit or restrict in any manner the powers of the corporation.[26]

The company was authorized to issue one million dollars in capital stock, divided into one hundred thousand shares at par value of ten dollars each. The subject stock was to be "paid in at the time of its issuance," and could be sold for money, services, real or personal property, stocks of other corporations, or anything of value the Board of Directors might request.

The subject corporation was to have a life of 25 years, with the right to renew and extend the period of its existence for another 25 years.

Management and control of the business and affairs of the corporation was vested in a five-man Board of Directors, to be elected at the annual meeting of stockholders. The first board, however, was to consist of the five incorporators (J. P. Owen, J. E. Owen, S. L. Kingman, John B. Wright, and Charles E. Bell) who were to hold office as directors until the first annual stockholders meeting, which would be held on the third Monday of February 1907.

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26. Articles of Incorporation of the Big Horn Gold Dredging Company, files Arizona Dept. of Library and Archives, Phoenix, Arizona.

Company officers would consist of a president, vice-president, secretary, and treasurer, and such others as the Board might deem expedient. Officers and directors were to hold office for one year after their election, unless removed earlier by the Board of Directors.

All directors and officers were to be stockholders, while the former were to have power and authority to adopt by-laws and to change or amend the same as they deemed advisable.

The liability to which the corporation might subject itself was limited to $650,000.

Private property of the stockholders was exempted from corporate debts.

Finally, in furtherance and not in limitation of the powers

> conferred by statute and by these Articles of Incorporation, and by any By-Laws which may be adopted, the Board of Directors is expressly authorized to issue and cause to be executed bonds, debentures or other securities and written evidences of indebtedness of the company, and to authorize the execution of mortgages, liens, or other contract obligations, upon and with reference to the real and personal property of the company, for the purpose of securing payment of such bonds, debentures, securities or written evidences of indebtedness; to make, alter, amend and rescind at will the By-Laws of the company, to fix the amount to be reserved as an operating fund, or working capital, to fix the time for the declaration and payment of dividends, and to determine absolutely the amount of such dividends.
>
> The company may issue and apply its surplus earnings, or accumulated profits for the purpose of the acquisition of property, and to the purchase and acquisition of its own capital stock, from time to time, to such extent, and in such manner, and upon such terms, as the Board of Directors may determine, and neither the property nor the capital stock so purchased

and acquired shall be regarded as profits for the purpose of the declaration of dividends, unless so determined by the Board of Directors.

That the Board of Directors may elect an Executive Committee to consist of three (3) members from the persons then directors of the corporation, said Executive Committee to be elected at the times that other officers of the corporation are elected by the Board of Directors.

The Executive Committee shall have and exercise all the powers of the Board of Directors whenever a quorum of said Board shall fail to be present at any stated or other meeting of the Board, and shall have and exercise all the powers of the Board of Directors at all times when the Board shall not be in session, including the power to sign, or cause to be signed, the corporate name, and to affix, or cause to be affixed, the corporate seal, to all papers which the Executive Committee may deem expedient.[27]

By mid-May 1906 the Board of Directors had met and company officers had been elected. S. M. Franklin, a Tucson, Arizona, resident was appointed company agent for the Territory of Arizona. As such, he was authorized to accept "all necessary process or processes" in civil actions brought against the corporation in Territorial courts.[28]

G. W. Barry, although not a member of the Board or a company officer, was active in corporation affairs and their promotion. In the second week of May 1907, he reached Billings on return from an important business trip to New York and Pennsylvania on behalf of the recently chartered Big Horn Gold Dredging Company, successor to Hidden

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27. Ibid.

28. Appointment of Franklin as agent, files BHGDC, Arizona Dept. of Library and Archives, Phoenix, Arizona.

Canyon Gold Mining. He reported that he had been perfecting arrangements for working the auriferous sands of the Bighorn Canyon on an "extensive scale." Dr. Barry told the press that the reorganized company was backed by unlimited capital, and had as its principal officers "some of the wealthiest steel magnates" of Pennsylvania. President of Big Horn Gold Dredging was Garrett B. Linderman, an influential steel man of South Bethlehem, while James Gayley, a vice president of U. S. Steel, was a member of the Board of Directors.

The company, Barry continued, had purchased and was loading on railroad cars at Richmond, Virginia, machinery for a chain bucket steam dredge of the latest model, with a capacity of 2,000 cubic yards per day. The dredge, which cost $50,000 at the foundry, was enroute to Keiser, a station on the Chicago, Burlington & Quincy. There it could be unloaded and freighted into the canyon. To operate the dredge would require 200,000 feet of lumber, and contracts for its delivery were being negotiated. When cranked up, the dredge would represent a cash expenditure of $75,000.

With it, the company proposed "to work the bars and banks" of the Bighorn River "in a thoroughly up-to-date and systematic manner." Barry was confident they could be made "to yield enough placer gold within a few seasons . . . to make him and his associates immensely rich."[29]

Barry confronted the problem of getting the bucket dredge from the railroad to Trail Creek, by contracting with H. J. Smith of Fromberg. On August 16, 1907, Smith signed an agreement with Barry, as agent for the Big Horn Gold Dredging Company. He agreed to unload the machinery from cars of the Burlington Railroad at Keiser, load it onto wagons, and to deliver it "in the same condition as received . . . over the road" now being opened by the company, "on the banks of the Big Horn River, about 500 yards north of the mouth of Trail Creek." The dredge and its equipment, Smith was notified by Barry, weighed about 200 tons. Smith agreed to begin "work on or

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29. Red Lodge Picket, May 17, 1907.

about August 26" and to complete the project on or before November 15, 1907.[30]

Barry, on the company's part, agreed to pay Smith $500 at the signing of the contract and "the balance and other payments" upon delivery of the equipment at Trail Creek.

Although Barry failed to pay the $500 as stipulated, Smith carried out the contract. By October 1 this dredge was on the Bighorn, and Smith billed Barry for $1,100 for labor and materials, in addition to the $500 down payment.

Barry refused to pay, and Smith went to court. A summons was issued. When Barry failed to appear to answer the complaint, the judge declared him in default.

Thirteen days later, on November 22, C.S. Whipple and W. M. Johnson appealed the judge's decision. Johnson reported that although Barry was a director of the company, he had caused it considerable embarrassment during the past several months. So much so that on October 24, President Linderman had notified Barry that he was "no longer" to act on the company's behalf in any capacity. This notice had been published in the Billings Gazette.

Whipple testified that he was a director of the Big Horn Gold Dredging Company and on October 24 had been named by President Linderman to replace Barry as general manager. He had left the state on October 1 to travel to South Bethlehem, Pennsylvania, to confer with the company's president and board of directors. There Whipple had reported on the status of the company's properties and interests in Montana and the high-handed reckless, and wasteful fashion in which Barry was handling the money. It seemed to Whipple that Barry was "doing everything possible to dissipate

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30. Contract, Smith with the Big Horn Gold Dredging Company, August 16, 1907, found in Case 679 District Court of the 13th Judicial District, Carbon County Courthouse, Red Lodge, Montana.

the properties of the company, and to bankrupt it." Whipple, on returning to the state on November 14, had been told of the court action brought by Smith.[31]

The judge, after listening to the arguments, sustained his judgment. The sheriff was ordered to levy on and sell certain property of the company stockpiled at Barry's Trail Creek ranch.[32]

Barry, suspecting this might happen, had on September 1, 1907, sold to his wife for one dollar and other valuable consideration," more particularly $1,000 and a promissory note for $3,000," the following property currently on his ranch: one McCormick mower, one iron rake, one Stoughton farm wagon, one Bain farm wagon, one Mitchell farm wagon, one steel-tooth harrow, three plows, one hay rack, one top buggy, one platform wagon, one set spring wagon harness, one set buggy harness, four sets farm harness, one set carpenter tools, one set blacksmith tools and forge, three bay geldings, one grey mare, one red roan gelding, two black mares, one brown gelding, two sorrel mares, two bay mares, one pinto mare, one black gelding, six head of cattle, five riding saddles and bridles, and eight pack saddles, blankets, and rigs.[33]

Consequently, on January 30, 1908, Deputy Sheriff James Tuggle of Carbon County levied on and sold property belonging to the company. Items sold included:

Hull of boat	$ 100.00
Lumber and "working stuff"	680.00
One ton bolts, three keys, ship spikes, screws, ten iron rods, 3/4-inch by 12 feet long	30.00
Twelve bars iron, 2 inches by 1 and 1/2 inches by 12 feet	11.00
One Dempster oil drill and one old gasoline engine	75.00
One frame building	25.00

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31. Smith v. the Big Horn Gold Dredging Company, Case 679, District Court of the 13th Judicial District, Carbon County Courthouse, Red Lodge, Montana.

32. Ibid.

33. Bill of Sale, Document 462, Carbon County Courthouse, Red Lodge, Montana.

Two hundred pounds black powder and 250 pounds Giant powder	$ 12.00
One Charter Oak range	15.00
One dozen railroad picks and handles, four D B axes, one dozen railroad shovels, three sets of doubletrees, three sets of singletrees, and two crowbars	12.50
Four tents	15.00
Five hundred pounds white lead	20.00
Twenty-five gallons turpentine	5.00
Six striking hammers and six pounds 50-foot drill steel	7.50
Three hundred feet 1/2-inch wire cable and 250 feet 7/8-inch cable chain	20.00
One portable forge and one 100-pound anvil	12.50
One road plow	8.00
Nineteen kegs of nails	30.00
	$ 1,178.00[34]

It was fortunate for Dr. Barry that he had conveyed title to his personal property to his wife five months before, because the sheriff's sale did not fully recompense Smith for hauling the dredge from Keiser to Trail Creek.

c. The Gold Creek Consolidated Dredging Company

Grosvener W. Barry was undaunted by the collapse of the Big Horn Dredging Company. Within 13 months he and a new group of associates had organized another company, again taking advantage of the laws of Arizona which were favorable to this type of business enterprise.

On February 19, 1909, Barclay Ivins, Frank N. Johns, and R. R. Vollrath incorporated the Gold Creek Consolidated Dredging Company under the laws of Arizona Territory. The principal place of business would be Tucson, with a branch office in Billings, Montana.

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34. Smith v. the Big Horn Gold Dredging Company, Case 679, District Court, Carbon County Courthouse, Red Lodge, Montana.

Except for a few points, the articles of incorporation were identical to those of the Big Horn Gold Dredging Company. Differences occurred in Article IV, which provided for issuance of three million dollars in capital stock, divided into 600,000 shares, with a par value of five dollars a share. Management of the corporation, according to Article VI, was vested in a nine-man Board of Directors, who were to be elected at the first annual meeting of the stockholders on the second Wednesday of July. Pending this meeting, the Board would include Norman A. Pyffer, William Myer, Bolton Hall, Samuel Weinburg, Barclay Ivins, Frank Johns, R. R. Vollrath, R. B. O'Neill, and N. B. Denton. Article VII limited the indebtedness to which the corporation could subject itself to two million dollars.[35]

Unlike the two earlier mining ventures with which Barry was associated, Gold Creek Consolidated never really got started. In a futile effort to raise operating capital, after few buyers were found for company stock, the Board of Directors on February 15, 1910, sought to market 200 thousand dollar bonds and 1,000 hundred dollar bonds, commanding an interest rate of seven percent per annum.[36]

The Union Trust Company of New Jersey accepted the impossible task of selling the bonds for which there was no market.[37]

In exchange for his mining claims, G. W. Barry on March 14, 1910, accepted from the corporation 365,992 shares of capital stock, with a par value of five dollars a share.[38]

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35. Articles of Incorporation, Gold Creek Consolidated Dredging Company, files Arizona Dept. of Library and Archives, Phoenix, Arizona.

36. Gold Creek Consolidated Dredging Company, First Mortgage Seven Per cent Gold Bond, found in the Beverly St. John Collection.

37. Ibid.

38. Certificate of Shares, Gold Creek Consolidated Dredging Company, March 14, 1910, found in the Beverly St. John Collection.

3. His Ranching Interests

While promoting his mining schemes, Dr. Barry found time to engage in ranching. After he turned to entertaining dudes and exploiting the recreation potential of the area, he continued to raise horses and mules for the use of his guests.

To protect himself in these ventures, Dr. Barry habitually organized companies. On January 7, 1905, he formed a business connection with Jeff Z. Brewer of Billings by conveying to him the "right, title, and interest to all improvements now built and located" on his Trail Creek ranch. Brewer on his part paid Barry $200.[39]

Thirty-three months later, in October 1907 (the same month that H. J. Smith brought suit against the Big Horn Gold Dredging Company) Barry formed a corporation under the laws of Montana with Jeff Brewer and John F. Kelley, to be known as the Embar Horse Company. The purpose of the corporation was "to transact a business of raising, buying, and selling horses, cattle, sheep, and other domestic animals and to do all things necessary to properly transact such business."

In addition, the corporation was authorized "to carry on any kind of manufacturing, mining, mechanical, or chemical business." It could build flumes, dig ditches, and run tunnels; "purchase, hold, develop and improve, use, lease, sell, or convey or otherwise dispose of waterpower and sites thereof" for industries growing up in connection therewith. The corporation could "lay out, deal in or otherwise use or dispose of townsites."

The corporation's home office would be in Red Lodge. Its life was to be 20 years, and it was authorized to issue 2,500 shares of capital stock with a par value of $10 each. As evidence of their good faith, the trio each purchased one share of stock.[40]

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39. Bill of Sale, Document 324, Carbon County Courthouse, Red Lodge, Montana.

40. Articles of Incorporation, Oct. 16, 1907, Carbon County Courthouse, Red Lodge, Montana.

Barry, in April 1909, sold 175 horses running on his Dryhead range to the corporation for one dollar. The horses were branded on the left shoulder with an M—.[41]

By 1913 the Embar Horse Company had improved its stock. On its Dryhead range Dr. Barry was breeding, raising, and selling English hackneys. He had purchased several high priced stallions and Claude St. John, his stepson, had been employed as manager.

Barry, however, was not a good man to do business with. On September 5, 1913, he purchased from the Miles City Saddlery Company, for the corporation, merchandise consisting of packsaddles, cinches, hobbles, reins, and other leather goods valued at $119/$95. The goods were shipped by the company to Raymond, Wyoming, and delivered to the Trail Creek ranch as specified by Barry.

Although the Miles City firm repeatedly billed the Embar Horse Company, no money was forthcoming. The vender then went to court, and a summons was served on Claude St. John, manager of the corporation. Barry, as president of the Embar Horse Company, appeared in court in April 1915. He admitted purchasing the merchandise, placed its value at $95 rather than the $119 claimed by Miles City Saddlery, and declared his readiness to pay the former sum. The vender, knowing Barry's reputation as a sharp operator, was agreeable, and accepted the lesser amount, closing the case.[42]

4. Barry and His Dude Ranch

Grosvener W. Barry was an eternal optimist. Undaunted by his failure to find gold in paying quantities, he turned his place into a dude ranch and started breeding English hackneys. To advertise the wonders of his ranch, which he called Cedarvale, Barry circulated tourist brochures, while his lodge was promoted in a vacation guide published by the Chicago, Burlington & Quincy Railroad.

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41. Bill of Sale, Document 678, Carbon County Courthouse, Red Lodge, Montana.

42. Miles City Saddlery Company v. Embar Horse Company, Case 3688, Carbon County Courthouse, Red Lodge, Montana.

Cedarvale was described by the railroad booklet as "a new resort noted for its cleanliness and bounteous meals."[43] One of the Barry brochures extolled Cedarvale as "the Sportsman's Paradise of America," located at "an ideal spot, free of gnats, mosquitoes and similar discomforts."

It could be reached by motorboats from Kane, by automobile from Billings, and wagon from Cowley. The recommended way during the summer months was the water route, but after September 10 the river was usually too low to be navigated by boats going to Kane. Leaving the Kane depot at 11 a.m., guests would be at Cedarvale by early afternoon. Dudes planning to arrive in this fashion were cautioned to give notice at least four days in advance of their date of arrival to insure the boat would be waiting for them.

The Cedarvale buildings, according to the folders, were of "logs, conveniently arranged with large sized rooms. Surrounded by ample shade, there were well-kept lawns of moderate extent. Rooms were well furnished, with electric lights throughout. Water for culinary and drinking purposes was piped from a spring 1,500 feet up the canyon." It was "free from contamination of any kind and cool enough to use without ice." Cedarvale, it was noted, had a deserved reputation for "its bountiful and well-prepared table," supplied principally "from our own ranch products." There was a large garden; buttermilk, and cream came from the ranch dairy herd. Ice was in abundance, and due to cold storage, fresh meat was served through the summer. Wild game was featured in season.

For guests who wished to "rough it," there were portable houses and tents. The portable houses were three-room and could comfortably accommodate three persons. "They had matched floors, awnings and fly-screens," and were wind, water, and flyproof. These structures were equipped with electric lights and were positioned in the shade. The tents, averaging 10 by 12 feet, were supplied with board flooring, tent flies, and "all conveniences except electric lights."

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43. "Copy of Tourist Booklet," C. B. & Q. Railroad, undated, files Bighorn Canyon National Recreation Area.

Hunting and fishing were unsurpassed, with the bird season opening September 1 and closing October 15; the game season lasted from October 1 to December 1. Sage hens, prairie chickens, blue grouse, plover, and partridges abounded. There were blacktail deer, mountain sheep, and bear to be hunted in season, while coyotes, wolves, and bobcats could be shot anytime. The mountain streams, tributaries of the Bighorn, teemed with trout, and could be reached from Cedarvale by motorboat or horseback.

For the boating enthusiast Cedarvale had three motorboats, "equipped with powerful marine engines, which are required in the swift-running" Bighorn. Each vessel accommodated from four to eight persons. "Those," it was observed:

> who have made the trip through the entire canyon pronounce it to be the finest and the only trip of it's kind that can be found anywhere. Ascending the river is sublime, and coming down, positively thrilling.

Boating and camping equipment could be secured for trips to the Gulf of Mexico or intermediate points on the Yellowstone, Missouri, or Mississippi rivers." With tongue in cheek, the author of one brochure wrote, time to New Orleans, about three weeks. It took Claude St. John and Bert Smith two and one-half months to make the trip.

Camping trips into the Bighorn and Pryor Mountains were popular with the guests. These could last two days or several weeks, bringing "rest, peace and comfort; with the added pleasure of life in the great outdoors." No extra charge was made for these trips into the backcountry, "except a very reasonable one for pack-horses and a guide." Outfits for these

> camping trips are complete and up-to-date, providing the greatest amount of comfort for those who take them. Storm-proof tents with ground cloths and flys. Pneumatic sleeping bags and mattresses; folding tables and chairs; aluminium cooking utensils and tableware. The best camping provisions will be supplied.

It was emphasized that all guests could expect "fine treatment," with "special care and attention" for unescorted ladies. Parents were invited to send their boys to Cedarvale, where there were

"no bad influences or acquaintances," and Dr. Barry would see that they were instructed as to the "rules of daily life, study, etc." The "moral tone" of the ranch was high and would be maintained.

Rates for guests staying in the "Dude Cabin," the Squire house, etc., were three dollars per day including saddle horse (one person to a room); $5.50 per day including saddle horses (two in a room). In portable houses rates were $2.75 per day including saddle horse (one in a room); $5 per day including saddle animals (two in a room). In tents, all conveniences, $2 per day including saddle horse. Children from three to twelve were half price. Boys under 21, unaccompanied by parents, either singly or in parties, could be accommodated for the season for $300, commencing June 1 and ending September 15. This included use of a saddle horse, free transportation to and from Cedarvale, a trip to Custer battlefield, and fishing and camping trips into the Pryors and Bighorns.

For boat rides there was a charge: the four-passenger launch, Flirt, $2 per hour; the six-passenger launch Reliance, $3 per hour; and the seven-passenger Mistral, $3.50 per hour. By the day these craft rented for $15, $22.50, and $25, respectively. Packhorses for hunting or camping trips were $1 per day, while a guide, who doubled as a cook and packer, cost $3.50 per day.[44]

5. Barry Brings Boating to the Canyon

a. From Cedarvale to New Orleans

To publicize Cedarvale and the Barry boats, as well as satisfy a youthful urge for adventure, Claude St. John and a neighbor, Bert Smith, in the spring of 1913 planned a trip by boat from Trail Creek to New Orleans. Having secured necessary permission, the young men began making preparations in March for the 4,000-mile trip.

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44. "Cedarvale Ranch in the Big Horn Mountains of Montana," c. 1916; "Cedarvale Ranch--'The Sportsman's Paradise,'" c. 1914, found in the Beverly St. John Collection.

Dr. Barry had a 16-foot teakwood reelboat, with an eight-horsepower, two-cylinder Caille engine, drawing 36 inches of water, which was reconditioned and painted and the engine overhauled.

By the night of May 30 everything was ready. The boat, Edith, named for Claude's mother, was loaded with 40 gallons of gasoline, food for four or five days, bedrolls, and a tent. Next morning, the 31st, at 9:15, Claude and Bert loaded a cat and dog into the craft and cast off from Barry's Landing. Navigating the canyon, the two adventurers spent two nights and a day at Hardin. On June 3 they entered the Yellowstone, and four days later the Missouri. It was fortunate they were running downstream, because engine trouble plagued them the entire way to New Orleans. A meandering channel, inadequately and poorly marked, along with sandbars and swarms of mosquitoes added to their problems.

They entered the Mississippi on July 15, 46 days after leaving Cedarvale. Better time was now logged, and on August 1 they reached New Orleans. The next day, Claude's Uncle Gordon sold the boat for $50, but the little craft had proved "its sturdiness." Bert boarded a train for Montana, and Claude St. John "landed in the hospital with typhoid and malaria, and did not get back home until mid-October."[45]

b. A Trip Through the Canyon in a Barry Boat

Several years after the voyage of Edith, Dr. Barry and Claude St. John took a group through the canyon in Reliance, Cedarvale's six-passenger launch. The two passengers met the boat four miles below Kane. It was June and the river was high and full of drift, which prevented the boat from picking them up at Kane as planned. Reliance "looked staunch and strong." She was about 25 feet in length, had a good beam, and was powered by a 40-horsepower, four cylinder gasoline engine.

The 15-mile run to the entrance to the canyon took about 30 minutes. Just above the canyon, the craft entered Lost Horse Rapids. They were "two miles long and the channel through them"

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45. "Claude St. John's Journal of Trip from Trail Creek to New Orleans," found in the Beverly St. John Collection.

was "very winding, owing to the abrupt rocky headlands which come into the river from the hills on both sides." At the foot of these rapids Reliance entered the canyon through "a very narrow defile of solid rock." Although the water was "not broken," it was formed into a number of "large and dangerous whirlpools." To spark the passengers' awe, one of the crew told them that soundings taken at this point had found no bottom, although 400 feet of chain had been used.

Ten miles below the entrance to the canyon, Reliance encountered some heavy rapids, and the engine was throttled down, the craft retaining only enough speed to give it steerage. Passing the mouth of Devil Canyon, the passengers craned their necks to look upward toward the rim of the canyon, 1,800 feet above. Out of Devil Canyon flowed Porcupine Creek, famous for its trout fishing.

From Devil Canyon to the mouth of Dryhead, rapids and "quiet running water" alternated. The "color stains" on the limestone canyon walls changed from "grays to blues, from pinks to deepest reds, whites and browns." In many places the talus slope was covered with bunch grass, several feet in height. Hundreds of cedars, in groves and singly, were seen.

After passing Dryhead, the canyon again narrowed, and Dr. Barry informed his passengers that "the fastest part of the journey was yet to come." Below Bull Elk Rapids, the most dangerous white water on the river, they sighted Allen's Rock, named for Dr. Will Allen who had led a boat expedition through the canyon at the turn of the century. Here Allen's party had seen their boat shattered, and had been compelled to walk out of the canyon. As Dr. Barry grasped the wheel with a tighter grip, his companions crouched below the gunnels. The boat shot to the right, passing the rock so close they "could have easily . . . touched it, if we had not been so busy holding on."

Near the mouth of Black Canyon, they dared the Big and Little Homburgs. Here the river, "descending with tremendous speed, confined by narrow walls, split into two channels, the Big and Little Homburg. The latter ran smoothly against the west wall of the canyon, while the Big Homburg, veering to the east, broke "into thousands of eddies, giving it the appearance of a series of

foaming circles, each deepening as it approaches the center." Below the boulders splitting the river a still "narrower contraction of the walls of the canyon" forced these two streams together into "the mighty Homburg whirlpool," named for two German boys who had lost their lives in attempting to pass it. The whirlpool was hidden from those approaching from upstream.

In navigating this dangerous reach, Dr. Barry sheered the craft off to the right and gunned the engine. The boat roared into the Big Homburg chute through a "mass of seething white water." Hugging the east bank, Reliance roared by a line of boulders and through a narrow strip of smooth water between the whirlpool and shore.

Emerging from the canyon, the boat entered a quiet reach of the river. The vegetation had undergone a radical change. Whereas south of the canyon grass had been sparse, and the flats covered with salt brush and sage, the Bighorn Valley and hills north of the canyon were a sea of lush prairie grass. The numerous islands were grown up in cottonwoods and willows.[46]

c. Dr. Barry's Boats

The boats used at Hillsboro were built at Barry's Landing. Teakwood and oak were hauled by wagon from Cowley, while metal fixtures were fabricated in Cedarvale's blacksmith shop. Native fir was used for planking. Barry and Eddie Hulbert built the boats, which ranged in length from 16 to 25 feet and in capacity from four- to eight-passenger. Sheeted with copper or brass, the boats were equipped to challenge Bighorn Canyon.

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46. G. W. Barry, "Through the Big Horn Canyon by Motor Boat," The Red Lodge Picket, March 10, 1916; W. A. Allen, Adventures with Indians and Game (Chicago, 1903), pp. 51-4; Charles L. Harris, The Crow Reservation Homeseekers' Advisor . . . (Helena, 1905), p. 37; Anonymous, "A Motor Boat Trip Through the Big Horn Canyon," unpublished manuscript, found in the Beverly St. John Collection.

Dr. Barry's flotilla was powered with inboard engines, ranging from two- to four-cylinder. They were two-cycle, water-cooled. Old-timers recall that the boats were painted light blue.

On at least one occasion Dr. Barry's failure to face up to his financial responsibilities led to difficulties. In March 1912 the Waterman Marine Motor Company of Detroit, Michigan, sold and delivered to Barry's Trail Creek ranch a boat engine, costing $450. Payment was due in three months.

When 18 months passed and no money was forthcoming, the Detroit firm brought suit against Barry in the Thirteenth District Court at Red Lodge. The judge was asked to enter a judgment for the plaintiff for the principal of $450, interest for 18 months at eight percent ($57), and costs. The judge, after Barry declined to appear in court, made an award to Waterman Marine by default and ordered the sheriff to collect.[47]

In 1959 when the St. Johns sold the ranch and moved to Billings, four of the boats were extant and positioned on timber skids at the landing.[48] With completion of Yellowtail Dam in 1965, the old hulks were marked for destruction by personnel of the Bureau of Reclamation. Bill Greene of Greybull, who had navigated the canyon in 1931 in a motorboat, and two friends--Ray Cheatham and Russell Bond--learned of this and determined to salvage one of the vessels. They found that Hillmont, which had a length of 23 feet and a beam of 54 inches, was in the best condition. Even so she was badly weathered and weakened. Getting the craft out of the canyon and to Greybull proved to be a backbreaking three-day operation. One day was required to reinforce Hillmont with a frame and put her on skids. The second day, using 1,500 feet of cable, they winched her out of the canyon. "They were plagued by many frustrating mishaps--the cable breaking numerous times, a wheel coming

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47. Waterman Marine v. G. W. Barry, Case 1459, Carbon County Courthouse, Red Lodge, Montana.

48. The Yellowstone News, Vol. 6, No. 44, May 15, 1958. At this time there were also a number of heavy timbers at the landing and a gold-rocker that had belonged to one of the gold mining corporations organized by Dr. Barry more than fifty years before.

off the trailer, the battery of the electric-powered winch running down." On the third day, they hauled Hillmont to Graybull.

The trio also salvaged a two-cycle engine built in Germany in 1902 which they found stored in one of the abandoned Cedarvale buildings.[49]

F. The Dryhead Country--Montana's Last Frontier

1. Claude St. John Witnesses a Murder

One of the ten employees in Grosvener W. Barry's Hidden Canyon gold camp was ex-convict James Meddles, who had served time for arson in Nebraska. On November 26, 1905, Barry sent Meddles to Billings with a four-horse team to get supplies, including two gallons of whiskey. Meddles was accompanied by Barry's 15-year-old stepson, Claude St. John.

They reached Billings on Tuesday the 28th, and remained until 5 p.m., Friday. On Tuesday afternoon at Chapman's Harness Store, they met Roy McClaren, who worked on the George Berky ranch, the next place north of Barry's. McClaren remarked that he was broke and would like to return to the Dryhead Country with them. That evening both Meddles and McClaren got drunk, and McClaren quarreled with St. John. Meddles came to the boy's aid and, near Kelley's employment agency, knocked McClaren into a snowdrift. Meddles walked off, and McClaren, getting to his feet, pulled a knife and muttered, "I'll get that son of a bitch before morning."[50]

Meddles then went into the Silver Dollar Saloon and took a seat at one of the card tables. McClaren walked in and struck Meddles several times on the side of the head, knocking him under

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49. Vera Saban, "Doc Barry's Boats," undated article found in the Beverly St. John Collection.

50. Billings Gazette, Dec. 8-10, 1905. McClaren was also an ex-convict. Several years before he had been convicted in Carbon County and sent to the Deer Lodge Penitentiary for stealing a watch from a bartender. At that time he was known as James McLaren. Red Lodge Picket, Dec. 14, 1905.

the table. As he did so, McClaren growled "You — — you'll hit me again, will you?" After Meddles got to his feet, the two men shook hands, and, drifting over to the bar, had several drinks together.

Meddles and McClaren were seen frequently together, usually drunk, until Friday afternoon, when they started back to the Dryhead Country with the wagon-load of supplies. Nightfall soon overtook them and they stopped at John Conway's ranch. Here they quarreled and McClaren pulled his knife. Meddles drew his pistol, making McClaren drop the knife. The next night, Saturday, they stayed at a sheepherder's camp. By 11 a.m. on Sunday, December 3, they had reached Pryor Creek, at Keiser Switch, where they decided to let the horses rest. The afternoon was spent by Meddles and McClaren drinking and smoking. Both got drunk. To show their manhood, they sought to ride several broncs and were repeatedly thrown. Meddles became so upset that he tried to shoot one of the horses.

Claude St. John now discovered that McClaren had stolen some whiskey they had bought in Billings for the boys back at the ranch. When he accused McClaren of this, the cowboy "abused him." Meddles took the boy's side, and McClaren's ire focussed on him. At this time McClaren was leaning against the corral fence and Meddles was standing several feet in front of him. Meddles told McClaren to shut up several times, and then, when McClaren started to reply, Meddles snatched his pistol off the footboards of the wagon and shot McClaren in the neck. "The words died in" McClaren's mouth and he slid down the side of the fence.

Meddles became hysterical and discussed with St. John several stories to explain the killing. After placing the body in a bunk located in the shearing pen, Meddles and St. John retired for the night. After they had lain down, Meddles exclaimed that McClaren was moving about, and said he would get up and shoot him again. When they examined the body, they saw that McClaren was "stone cold dead."

Next morning Meddles and St. John hitched up the team and, leaving the body in the pen, resumed their journey. As they topped the Hay Creek divide, they encountered a local rancher, Lawrence Laughrey. Meddles told the rancher that McClaren had

killed himself. Laughrey, wheeling his horse about, rode for the Dryhead Ranch, where he told Charles Phelps what he had heard from Meddles. Next morning Phelps started up the road to Keiser Switch and met Meddles and St. John three miles west of the ranch. Phelps asked the two to accompany him to pick up the body and notify the authorities. Meddles was agreeable, but St. John, knowing the wagon contained several hundred dollars' worth of supplies, insisted that he would have to push on to Hidden Canyon.[51]

Meddles was arrested and charged with murder. At the three-day trial in Billings, Meddles' claim that he had shot in self-defense, when McClaren pulled a knife, was contradicted by the testimony of Claude St. John on January 18 and 19, 1906.

As the Billings Gazette observed:

> The position of young St. John and his stepfather, G. W. Barry, was peculiar. Meddles had been working for Mr. Barry for more than two years and despite his proclivities in the direction of lawlessness he is said to have been most attentive to Mr. Barry's family and especially friendly to the boy. . . . One word from the boy, whose evidence every juror, as well as every person who listened to it fully believed, would have saved Meddles, and while the youth was friendly to the defendant, he told the exact truth. If he had said that he had seen a knife in McClaren's hand there is no doubt but that Meddles would have been acquitted.[52]

On Sunday morning, the 21st, the jury returned a verdict of guilty of murder in the second degree. On Monday, Judge Loud sentenced Meddles to 50 years in the state penitentiary at Deer Lodge.[53]

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51. Billings Gazette, Dec. 8, 9, 10, 19, 1905, Jan. 4, 18, 19, 20, 21, 23, 24 and 26, 1906.

52. The Red Lodge Picket, Jan. 25, 1906.

53. Billings Gazette, Jan. 24 and 26, 1906.

2. The Barry-Huntington Feud

There was trouble on April 10, 1911, on Crooked Creek between Claude St. John and Roy Huntington, a local rancher. St. John called Huntington to account for some slanderous remarks he had made regarding his mother. When Huntington hedged, young St. John cursed and threatened him. Huntington complained to Big Horn County Attorney B. W. West, and on the 14th a warrant was sworn out for St. John's arrest on a charge of felonious assault.

When brought into court in Basin on April 24, St. John pled guilty to a lesser charge of assault and battery and was fined.[54]

St. John's hot-tempered stepfather did not forget this incident, and he warned Huntington to stay out of the Dryhead Country. This was impossible, because Huntington ran horses on Phelps' Dryhead Ranch. Unless he took the indirect route, via Pryor Gap, Huntington had to pass within one-half mile of Barry's ranchhouse on Trail Creek to get to Phelps' range.

On July 17, 1911, Huntington left his home at Raymond enroute to Phelps'. He was accompanied by Harry Barry, a conductor on the Burlington Railroad's Billings-Edgemont run. Twenty-one-year-old Barry had also run afoul of Dr. Barry. No relation to the rancher-promoter, young Barry had met him in New York in February 1909. Dr. Barry, as was his habit, befriended young Barry and brought him west. Harry Barry worked on the Barry ranch until October 1909. When he announced that he was quitting to look for another job, Dr. Barry was angered. He accused Harry of ingratitude and gave him three days to get out of the country. Subsequently, they had met at the Raymond Post Office on several occasions, and Dr. Barry had verbally abused his former employee.[55]

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54. State of Wyoming **v.** Claude St. John, Case 483, District Court, Big Horn County, Basin, Wyo. Huntington had lived at Raymond on Crooked Creek for about four years.

55. State of Montana **v.** G. W. Barry, Case No. 304, Carbon County Courthouse, Red Lodge, Montana.

It was supper time when the two horsemen reined up at Clint Hough's ranch, two miles southwest of Barry's. Hough, who had bought the Ewing ranch, was a newcomer to the area, having moved onto Layout Creek in May. After eating, Huntington and Barry headed north, planning to spend the night at James Wasson's. It had clouded up and now began to rain. The duo stopped, dismounted, and took cover beneath an overhanging rock, about two and one-half miles north of Hough's. In their hands they held their horses' reins, the two mounts partially blocking the narrow road.

They now heard the pounding of hoofs, and saw two horsemen approaching from the north through the gloom. As the newcomers rode up, one of them, Lee Hall, who worked for Dr. Barry, dismounted and, recognizing Huntington, shook hands. His companion, who was Dr. Barry, now recognized Harry Barry and shouted, "You little son of a bitch what are you doing here? I thought I told you never to come in here again. I am going to kill you!" Whereupon he rushed Harry and began hitting him with his quirt.

"What are you whipping me for?" pleaded Harry.

Dr. Barry now recognized Huntington and called, "You son of a bitch, I have been looking for you for two years, I'll kill you." As he spurred his horse toward Huntington, the rawboned Barry drew his revolver. Huntington by this time had remounted, and his horse bounded off the road into the cedars. Taken aback, Barry called after him, "I'll get that son of a bitch yet!"

Huntington, having gotten the jump on his enemy, now leaped off his horse and took cover. As he crouched, he heard Barry and Hall ride by, driving Harry's horse ahead of them. As they passed, Dr. Barry exclaimed to Hall several times, "The son of a bitch is ahead of us."[56]

After Dr. Barry and Lee Hall had disappeared and quiet returned, Huntington caught his horse and rode on to Jim Wasson's, where he spent the night. Unknown to Huntington, Harry Barry, having lost his horse in the melee, walked to Hough's.

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56. Ibid.

Wasson, a rugged Texan, had purchased the George Berky ranch a little more than two years before. Visiting him at this time was his brother, Arthur, of Big Springs, Texas. Huntington told the Wassons of the savage attack upon him and Harry Barry. The wild evening had so unnerved Huntington that he decided to forego his business at Phelps' and return to his Raymond ranch The Wasson brothers agreed to accompany and protect him.

On the morning of July 18, Lee Hall stopped at Wasson's for a chat and observed that Huntington was there. When he left, Hall rode down the road toward Trail Creek.

Shortly thereafter, the trio left Wasson's enroute for Crooked Creek. About one and one-half miles down the road, they approached a clump of cedars. Suddenly a man, whom they recognized as Dr. Barry, leaped out of the cedars, and, pointing an automatic rifle at them, called, "Throw up your hands!"

Jim Wasson, however, moved faster, and pulling his 30.30 rifle out of its scabbard, he told Barry to throw his gun down. Barry did as commanded and pleaded "For God's sake don't shoot me Jim!"

As Wasson dismounted and walked toward Barry, the doctor said, "Jim, you're not the man I'm after, it's the other dirty son of a bitch there," and he pointed at Huntington.

He told Wasson, "I will turn my gun over to you and fight Huntington with fists, rocks, guns, knives, or anything, if you will give me a fair show."

Continuing his tirade, Barry threatened, "If it hadn't been for Wasson, I would have killed you, you son of a bitch, you're the man I'm after."

Now Wasson spotted Lee Hall who was on a hill about 200 yards away mounting his horse. Hall joined the group as Barry continued to curse Huntington, accusing him of persecuting his little boy, whom he had had indicted at Basin in April. "If you ever undertake to come into the Dryhead again, I'll whip you," he threatened.

Hall, taking his cue from Barry, called Huntington the "Damndest coward that I ever saw in my life."

Huntington, as the angry group separated, told Barry he "would fight him with the law."[57]

Huntington kept his word. On July 20 he appeared before Justice of the Peace W. H. Close and filed a complaint charging Grosvener Williams Barry with assault in the first degree on July 18, 1911. Huntington prayed "for a warrant for his arrest." The warrant was issued and given to Sheriff F. S. Bachelder of Carbon County to serve.

After his arrest, Barry and his lawyer entered a plea of not guilty and the preliminary hearing was set for October 25. Barry was then released after posting a thousand-dollar bond.

At the preliminary hearing, it was determined by the court that there was "sufficient cause to believe the defendant guilty of the crime of assault in the second degree." Barry was accordingly ordered held for trial at the next session of the District Court.

The trial was held on December 15, 1911, and Judge Sidney Fox directed that a verdict of not guilty be returned. At the same time, however, Barry was convicted of "feloniously, wilfully, and maliciously assaulting" Harry J. Barry and J. R. Huntington on the evening of July 17, 1911, with a loaded revolver and "a deadly weapon a quirt with intent to kill" Barry and Huntington.

Dr. Barry's attorney appealed the conviction to the Montana State Supreme Court. At its June 1912 session, the Supreme Court, on reviewing the case, decided that the District Court had erred and the verdict was reversed. Dr. Barry was released from custody and his bond returned.[58]

G. The Hillsboro Post Office, 1915-1945

On January 21, 1915, the United States mail service returned to the Dryhead Country, with the establishment of a post office at Hillsboro. Dr. G. W. Barry was appointed postmaster and held the position until his death on January 25, 1920.

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57. Ibid.

58. Ibid.

Barry, in locating the post office, reported it was within 30 feet of Trail Creek, with the nearest other post office on the route at Raymond, 18 miles to the south.[59]

When the post office was established at Hillsboro in 1915, Jess Faust carried the mail twice a week from Raymond to Hillsboro. Ches Moore picked it up there and carried it to the Dryhead Ranch. Both men used a wagon and team for their mail run.[60]

Four months after Dr. Barry's death, on May 14, 1920, Postmaster General Albert S. Burleson of Texas appointed Claude St. John to succeed his stepfather as Hillsboro postmaster.

During World War II the exodus of homesteaders from the area accelerated, and in the interest of economy Postmaster General Frank C. Walker discontinued the Hillsboro Post Office on March 31, 1945. Henceforth, the Dryhead Country would be served by Dryhead Rural Route.[61]

H. Dr. and Mrs. Barry Pass On

Grosvener W. Barry in 1917 was plagued with migraine headaches, which his doctors eventually diagnosed as caused by a brain tumor. There was little they could do to alleviate his suffering. In the fourth week of January 1920, the pain became more than Barry could stand, and he lapsed into a coma. His wife and stepson brought him to Kane by wagon and took him to Billings by train. There on the 22d he was hospitalized at St. Vincent's. Three days later, on the 25th, Barry died of a cerebral hemorrhage.

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59. Records of Appointments as Postmasters, NA, RG 28.

60. Personal interview, Lee and Rose Hoffman with Bearss, June 29, 1973.

61. Records of Appointments of Postmasters, NA, RG 28.

In accordance with the deceased's wishes, the body was shipped to Hudson, New York, for burial.[62]

Edith Gordon Barry continued to live on the ranch as a widow for 31 years following her husband's death. She died at Hillsboro on February 19, 1951, of old age and senility. She was buried two days later in Billings' Mountain View Cemetery.[63]

I. The Hillsboro Structures

1. Beverly St. John's Hillsboro Years

Beverly Brown St. John was born in Minneapolis, Minnesota. She was living and working in Chicago in the mid-1940's, when fate intervened and she traveled west for a vacation. She met Claude St. John, whose wife had died several years before, and they were married.

Although she had lived in cities all her life, Beverly St. John fell in love with the Dryhead Country. She found the South Fork Trail Creek a place of beauty. Her husband's ranch headquarters, with its green trees and irrigated fields, was an oasis in a rugged arid region.

Living at the ranch, both before and after their marriage, were her husband's mother, Mrs. Edith Gordon Barry, and Eddie Hulbert and Bill Sargent. Eddie, a skilled silver- and blacksmith, was one of the orphans Dr. Barry had brought to Montana from New York. Hulbert had liked the area, and adopting the Barrys, spent the rest of his life at Hillsboro. Bill Sargent was a nephew of Mrs. Barry. He had been abandoned by his mother as a child, and had been sent west to live with the Barrys. Lee and Rose Hoffman had met the train at Kane and had taken Bill up to his aunt and uncle's.

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62. Yellowstone County Death Certificate 3247, Yellowstone County Clerk and Recorder, Billings, Montana; personal interview, Lee and Rose Hoffman with Bearss, June 29, 1973.

63. Carbon County Death Certificate 4955, Carbon County Courthouse, Red Lodge, Montana.

The big log house was handsomely furnished with heirlooms that had belonged to Mrs. Barry's family, the Sargents, wealthy Mississippi planters in the years before the Civil War, who prided themselves on being descended from Winthrop Sargent. Dr. Barry, despite his faults, had been a man of taste, who prided himself on an extensive library containing numerous valuable first editions.

During the winter of 1947-48 the house caught fire, the blaze beginning in Mrs. Barry's room. Outside the thermometer registered thirty degrees below zero. Efforts to fight the fire were doomed, when it was found that the cold had broken the couplings in the hose. The fire raced through the house, destroying irreplaceable books, the Audubon china, and furnishings. One of the few things saved was the refrigerator, which was carried outside by one of Matt Tschirgi's visiting cowhands.

Until spring, when they could rebuild, the St. Johns and Mrs. Barry lived in the Dude Cabin adjoining Eddie Hulbert's blacksmithy. Bill Sargent moved into Eddie Hulbert's frame cabin. After the snow melted, Beverly and Mrs. Barry sifted the ashes in hopes of finding Mrs. Barry's jewelry, but all they found were the melted and fused remains of a few precious stones.

When the St. Johns rebuilt, their house was positioned on the creek's south bank, the opposite side of South Fork Trail Creek from the fire-blackened site of their former home.

The reason behind this decision was a desire on Claude's part to escape the floods sweeping down the canyon following cloudbursts. It seems that Dr. Barry, in his early years on Trail Creek, had relocated the stream from the middle of the canyon to the south side to get a bigger area for farming. But after each cloudburst, a wall of water came pouring across the yard and into the house. The periodic floods now bypassed their home, although they continued to rush through the bottoms. In 1959 a flood tore out the roadway and swept an engine downstream several hundred feet.

The Hillsboro post office had been discontinued by the time Beverly married Claude, and the building was used for storage. Claude told her that running the post office had netted him six dollars a month. Showing the effect of inflation, Mrs. St. John

said that, as Claude's widow, she receives a pension check for $16 per month from the government for Claude's federal service.

During Beverly St. John's years in the Dryhead Country, Claude was a cattle and horse rancher. The days when dudes were put up was something her husband and his friends reminisced about around the dinner table.

Like several old-timers, Beverly St. John recalled that her husband had told her that Dr. Barry was not the first settler on Trail Creek. When Barry arrived, shortly after the turn of the century, construction materials were at hand. According to Claude, one of the Ewings or their prospector friends had been startled by a rattlesnake, which escaped into the underbrush. To get rid of the rattler, they set fire to the brush, but the blaze got out of hand and killed all the timber on one side of the canyon. Dr. Barry found these dead trees ideal for building his horse barn and several other structures.[64]

2. Lee and Rose Hoffman Recall the Barrys

Lee and Rose Hoffman are steeped in the history of the Dryhead Country. Rose, a daughter of Joseph and Eliza Freer Howe, made her first trip into the Dryhead Country in September 1916, when she took a job as cook at Cedarvale. She traveled north from her parents' home at Kane in a buckboard. Living at Cedarvale at this time were Dr. and Mrs. Barry, Claude St. John, Eddie Hulbert, and Bill Sargent. Dr. Barry's mother and Auntie Squire were residing in the frame house on North Fork Trail Creek. The Barrys at this time were taking in dudes and raising hackney horses. During the summer and hunting season there were usually ten to twelve dudes in residence and occasionally more. While most of the dudes were from the "east," some came from Billings. Those from Billings, which included the Mosses and Williamses, could hardly be classed as dudes.

It was during this period that Dr. Barry employed his small flotilla of motorboats to travel up and down the river to Kane to pick up supplies and to meet dudes. The boats were also used for fishing and hunting trips in Bighorn Canyon.

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64. Personal interviews, Mrs. St. John with Bearss, June 16 and 23, 1973.

Holidays, such as Christmas, Thanksgiving, and St. Patrick's Day, were important at Cedarvale. There was a huge dinner with as many as 30 people seated at the big dining table.

Dr. Barry, Mrs. Hoffman found, was interested in social problems. He would bring out from eastern cities young people who had fallen on evil days and give them work at Cedarvale. Most of these people took the opportunity and made a new start in life. One whom he failed to reform was Big Willie.

Where money was involved, though, Dr. Barry could not be trusted. When she came to work at Cedarvale, Rose Howe was to get her board and room and $30 per month. After working through the autumn, she told Barry that she was going to quit. He told her that if she stayed through the winter, he would give her the pick of his saddle horses in addition to her salary. Rose was agreeable.

When spring came and she prepared to return to Kane, Rose asked for her horse. Dr. Barry told her that she was mistaken and reneged on giving her the animal. He then wrote out a check to cover her wages since September, and Rose returned to Kane. When she sought to cash the check, it "bounced" and she never collected a cent for the months she had worked at Cedarvale. She then went to work for the Spear Brothers as a cook at the ML Ranch.[65]

3. The Structures and Grounds--A Physical Description

a. Stud Barn and Corral (Extant)

These structures, located about 100 yards west of the wire gate closing the Hillsboro trace, are south of the road but difficult to see unless one gets out of his vehicle. The north elevation of the log barn abuts against the bank. There are mangers next to the east and west elevations, while the barn is entered from the south. The roof is straw and chicken wire. A pole corral, with a gate in the west side, encloses the barnyard.

Dr. Barry kept his stallions in this barn. Lee Hoffman recalls several Morgans and a big 2,200-pound Belgian.[66]

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65. Personal interview, Lee and Rose Hoffman with Bearss, June 29, 1973.

66. Ibid.

b. Hillsboro Post Office (Extant)

About 400 yards west of the stud barn, north of the approach road, is the log one and one-half story building (13 feet 8 inches by 18 feet 6 inches) which from 1915 to 1945 housed the Hillsboro Post Office. After postal service to Hillsboro was discontinued, Claude St. John and his mother used the structure for storage.

The post office was entered through a door in its south elevation. Furnishings for the building were sparse. Against the south wall to the right of the doorway, on entering, was a table used by Claude St. John and Dr. Barry before him. Attached to the wall above the table was a cupboard, with pigeon holes, in which the postmaster kept stamps, money orders, etc., and stuck the mail.

Against the north wall were a table and a rolltop desk, the latter near the northeast corner. With the desk was a matching swivel armchair. This second table was used for playing cards. Scattered about the room were several plain wooden chairs that could be pulled up to the table when a card game was in the offing.

Blinds hung in the windows, and on the south wall was a calendar. At other points on the walls were maps of Montana and of the world. The floor was bare.

Access to the loft was by means of a stairway attached to the west elevation of the structure. The loft was furnished with an iron bedstead, rocking chair, desk, and magazine rack. The floor was covered with matting. Mrs. Barry came out to this room to rest, relax, and read.

The structure was roofed with tarpaper. Over the doorway leading into the post office was a sign, black letters on a white background, which read "HILLSBORO POST OFFICE."[67]

c. Big Chicken House (Extant)

A log chicken house, its axis north and south, with a doorway in its south elevation, was north of the road and west of the post office. The west elevation of the 15- by 15-1/2-foot structure is dug into the side of the bank.[68]

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67. Ibid.

68. Ibid.

d. Hulbert's Shop and Dude Cabin (Extant)

(1) Fence and Gate

Immediately west of the post office was a pole fence, running north and south across the canyon. A swing pole gate provided passage through the fence. After passing through the gate, the road branched--the right fork proceeding up the canyon and the left passing east of Hulbert's Shop and on to the garage.

(2) Hulbert's Shop

Hulbert's Shop and the Dude Cabin were in the same 17- by 39-foot log building, with a wall separating the two. Hulbert's Shop occupied the east room. Entrance to the shop was gained through a double doorway in the south elevation. To the right of the doorway, on entering, was the anvil and anvil block. In the southeast corner was the blacksmith forge with a blower operated by a hand crank.

Against the east wall was a work bench with vise, grinders, drills, etc. Above and parallel to the bench was a power shaft with belts to operate the grinders. In the northeast corner was a stationary gasoline engine.

Along the north wall was a bench on which Hulbert kept wood-working and blacksmith tools such as drills, bits, etc.

There was another work bench against the west wall on which he kept his wrenches. Between this bench and the southwest corner of the shop was a bench and cabinet in which were kept several hundred dollars worth of tools and dies.

Against the south wall, between the southwest corner and double doorway, was the bench at which Eddie Hulbert sat when he worked in silver, making spurs, bits, rings, pins, etc. Fixed to this bench were two turntable vises. Here he also kept his hacksaws and the punches, chisels, wrenches, etc., used in working the silver into handsome items. Within easy reach of this bench was the forge in which he heated silver.

In the middle of the shop was a large table where Hulbert worked on wagon wheels and shrunk on tires. Overhead were racks on which he stored snowshoes, pitchforks, rakes, ice saws, etc.[69]

(3) Dude Cabin

Occupying the west room of this structure was the "Dude Cabin." The cabin was entered through a door in the west elevation.

Furnishings remembered included:

(a) a double iron bedstead with high headboard, positioned with its head against the east wall;
(b) a wardrobe positioned in the northeast corner and a washstand with accessories in the southeast corner. On the washstand were an ironstone pitcher and washbasin with roses. A rack for towels and washcloths was secured to the wall. A chamber pot, similar in pattern to the basin and pitcher, was stored in the washstand by day;
(c) a sofa against the south wall, in front of the window;
(d) a rocking chair in the southwest corner;
(e) a "pot-bellied" heating stove with isinglass front in the northwest corner;
(f) a library table and two chairs near the north elevation, midway between the stove and wardrobe;
(g) matting covering the floor, while curtains and drapes hung in the windows.[70]

e. The Barry House

A pole fence ran south from the wall separating the Blacksmithy and Dude Cabin. This fence was breached by a gate from which a flagstone walk extended westward through a second gate in another pole fence and onto the Barrys' front lawn. Along this second fence Mrs. Barry had planted honeysuckle, iris, lilacs, and roses.

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69. Ibid. Eddie Hulbert continued to live on the ranch after its sale by the St. Johns to Aldrich. Eddie then married, but he did not have long to live. While working in his beloved shop on July 21, 1960, he suffered a heart attack and died.

70. Ibid.

The sturdy log house, which burned in the winter of 1947-48, was rectangular with projecting wings. Fronting the house was a porch. In the north wing were two bedrooms, the one in front belonging to the Barrys and the other, the blue room, to the St. Johns. There were three rooms opening onto the front porch or central court. From north to south they were the living room, dining room, and kitchen. The sink was in the southeast corner of the kitchen, the range against the south wall, and a cupboard in the northwest corner. Two rooms and a screened porch were in the south wing of the house. In the southwest corner was the bathroom, with tub in the southeast corner, and between the bathroom and the porch was Bill Sargent's room.

Underneath the Barrys' bedroom was a cellar, entered through an outside door east of the house. In the years before the 1930's there was a frame summer kitchen. This structure, adjoining the log house on the west, was entered from the back door to the kitchen.

There were windows in all the doors and wallpaper in all the rooms. The house was roofed with green tarpaper.[71]

f. Backyard

In the backyard behind the house, between the stream and road paralleling the north wall of the canyon, were a number of structures, some of which are still extant. These included:

(1) Milk House (Extant)

A rock walled building, three feet above ground, with a dirt floor and slab and dirt roof, the milk house is located behind the house and near the creek. It is entered through a framed doorway in the east elevation. In the northwest corner was a table for straining milk, against the north wall was a cupboard for jars,

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71. Ibid.; personal interview, Mrs. St. John with Bearss, June 23, 1973. Bill Sargent left the ranch soon after Mrs. Barry's death in 1951, and moved to Glenrock, Wyoming, where he died.

and along the south wall were shelves. Water was piped into this structure and used for cooling jars of milk and cream, crocks of butter and lard, and sides of bacon and ham hanging from the roof.[72]

(2) Icehouse

A short distance west of the milk house was the icehouse, a frame building 12 by 21 feet. This structure, which was in very bad condition and needing repairs to its "roof, front, and siding," was removed by the National Park Service in 1970.

The Barrys cut their ice in the Bighorn River, and hoisted it from the floor of the canyon by use of a block and tackle secured to a spar pole, positioned at a point where the escarpment overlooked from the south the confluence of Trail Creek with the Bighorn. The ice was then moved by wagon up the trace paralleling the right bank of South Fork of Trail Creek to the icehouse.[73]

(3) Hulbert's Cabin (Extant)

This frame 14- by 18-1/2-foot cabin, with stoop porch, is northwest of the icehouse site. For many years it was home for Eddie Hulbert, the skilled Hillsboro blacksmith. The structure, which was painted white, is entered through a doorway in the west elevation. When Mrs. Hoffman cooked for the Barrys in 1916-17, the one-room cottage was furnished as follows: there were three single iron bedsteads with their heads against the north wall; against the south elevation, between the windows, was a dresser; in the southwest corner was a heating stove; in the northwest corner stood a washstand; and scattered about the room were several chairs.[74]

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72. Personal interview, Lee and Rose Hoffman with Bearss, June 29, 1973.

73. Ibid.

74. Ibid.

(4) Small Chicken House (Extant)

Northeast of Hulbert's Cabin is a 10- by 10-foot log chicken house.[75]

(5) Doghouse

The doghouse was north of the road and about halfway between the two chicken houses.[76]

(6) Clothesline

The clothesline, the north post of which still stands, ran north and south. The south post and crosspiece was about five yards west of the northwest corner of the icehouse.[77]

(7) Yard's West Fence

A woven wire fence bounded the yard on the west, extending from escarpment to escarpment. The backyard, like the front, was a lawn.[78]

g. Side Yard

In the side yard, between South Fork Trail Creek and the escarpment, several structures were found. These included:

(1) Bridge (Extant)

A bridge, with poles for sleepers and stringers, carried the path leading from the kitchen's back door across South Fork Trail Creek to the root cellar and privy.[79]

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75. Ibid.

76. Ibid.

77. Ibid.

78. Ibid.

79. Ibid.

(2) Root Cellar (Extant)

This 13- by 15-foot structure is dug into the south side of the canyon. Entered through a doorway in the north elevation, this building has a log and dirt roof. Against the south elevation are bins in which the Barrys stored potatoes and other root vegetables. Canned goods were stocked on shelves along the east and west walls.[80]

(3) Privy

The Barrys' privy, a frame two-holer, was about seven yards northeast of the root cellar and nearer the bridge. The privy was removed in the Service's cleanup of the area.[81]

(4) Buzz Saw

The Barry woodpile and circular buzz saw were between the privy and the west elevation of the one-story frame house the St. Johns added to and converted into their home in 1948.[82]

(5) Site of the St. Johns' House

Claude and Beverly St. John, in the spring of 1948, added to the three-room cabin (built of 3- by 10-inch planks) to replace the home destroyed by fire the previous winter. This house burned after the St. Johns sold their ranch to L. E. Aldrich and moved to Billings.[83]

h. Barns, Sheds, and Corrals

These structures were on the south side of the creek and east of the site of the St. John house.

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80. Ibid.

81. Ibid.

82. Ibid.

83. Ibid.; personal interview, Mrs. St. John with Bearss, June 23, 1973.

(1) Hay Shed

A frame two-story building, with a north-south axis, this was the westernmost structure in this complex. The back of the 16- by 90-foot shed was open at the eaves. By use of block and tackle, wagon loads of hay were rolled into the shed. The front of the shed, which faced east, was open. This structure was razed by National Park Service personnel in the 1970 cleanup of the area.[84]

(2) Log Storehouse

Close to the hay shed on the south was a two-story log storehouse. Access to the second floor, where the Barrys stored spare beds, dishes, etc., used in the dude ranching days, was gained by an outside stairway attached to the north elevation.[85]

(3) Log Barn

One of the oldest, if not the oldest, structures on the ranch was this barn. It was parallel to and about eight feet east of the hay shed. The north two-thirds of the structure was divided into four horse stalls, with mangers against the west wall. Over each manger was a window through which hay was pitched into the mangers. Access to this area was gained by two double doors in the east elevation. The southern one-third of the structure was occupied by two rooms: one served as a cow barn and the other as a saddle room and granary. The cow barn, on the north, had a single doorway in the east elevation and a manger against the west with a window through which hay was pitched. The saddle room-granary was entered through a doorway in the east elevation.[86]

(4) Machinery Shed

At right angles to the barn and paralleling the south side of the box canyon was a log shed in which the Barrys and St. Johns parked their wagons and farm machinery when not in use.

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84. Ibid.

85. Ibid.

86. Ibid.

This structure had a slab roof and was open in front.

In the east end of the shed was a stall where a stallion could be kept before servicing a mare.[87]

(5) Garage

Near the creek, on the opposite side of the quadrangle from the stallion stall, was a frame garage. There was a double doorway in the south elevation, while the west elevation was open.[88]

(6) Rectangular Corral

The barn and machinery shed constituted much of the south and west sides of a pole corral. A pole swinging gate was positioned between the southwest corner of the barn and the northeast corner of the shed. The south side of the corral was on a line with, and extended about 20 yards beyond, the southeast corner of the machinery shed. The east side of the corral paralleled the barn, with its northeast corner a short distance south of the creek. Midway between the corners was a pole gate. The pole fence, however, continued across South Fork Trail Creek to the swinging gate adjacent to the Hillsboro Post Office. The corral's north fence intersected the pole fence running from the corner of the Dude Cabin to the barn at a point several yards south of the creek. Near the midpoint in this line of the corral was a pole gate through which vehicles were driven into the garage. North of this gate a bridge spanned the watercourse.[89]

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87. Ibid.

88. Ibid.

89. Personal interview, Lee and Rose Hoffman with Bearss, June 29, 1973.

(7) Round Horse Corral and Chute

The subject pole corral abutted against the northeast section of the rectangular corral. Several panels of the two corrals were identical. In the center of the horse corral was a snubbing post, while adjacent to where it joined the bigger corral was a loading chute.[90]

i. Garden and Orchard

The garden was near the head of the box canyon. Nearby is the log cabin in which garden tools were stored. With irrigation the garden thrived, and the Barrys seasonally had a variety of fresh vegetables.

The Barry orchard was up the hollow which joins the canyon southeast of the rectangular corral.[91]

j. Power House

Electricity for the ranch was provided by a 32-volt Delco unit housed in a 7- by 16-foot frame power house. The power house was west of the root cellar, and was removed by the National Park Service in its 1970 cleanup of the area.[92]

k. Auntie Squire's Homestead

Dr. G. W. Barry's maiden aunt settled on the North Fork Trail Creek. She had a frame house built on a knoll between the road and the stream. The house faced the creek. During the year Mrs. Hoffman cooked at Cedarvale Dr. Barry's mother lived in this house with her sister. The two ladies frequently visited at Cedarvale. When the two ladies were in the East, the house was often occupied by dudes.

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90. Ibid.

91. Ibid.

92. Ibid.

The Squire house was demolished by the National Park Service when the road to Barry's Landing was improved.[93]

1. Hayfields

In the North Fork Trail Creek bottom east of Auntie Squire's, and in the South Fork bottom east and west of Cedarvale, were the Barry hayfields.[94]

J. Touring the Dryhead Country With the Hoffmans

1. From Lovell to the Devil Canyon Turnoff

On June 29, 1973, at the invitation of Mr. and Mrs. Lee Hoffman, I made the mail run with them from Lovell into the Dryhead Country. Mr. Hoffman makes this run twice a week, on Tuesdays and Fridays.

As Mr. Hoffman drove, he and his wife discussed the history of the area and its people. I took notes and asked questions. They told me that in the 8 miles between Frank Sykes' and Layout Creek there was no water and consequently no homesteaders.

Lee Hoffman, as a young man, had hauled cottonseed cake and salt from Lovell into Garvin Basin for Woodson Moss. His route north from the Devil Canyon turnoff was the one we drove. At Barry's, the cake and salt were taken across the Bighorn at the crossing below Chain Canyon and stored in the cabin on the flat east of the river.

2. Yellow Hill

This feature received its name because of the color of the soil. When it rained, the soil turned to gumbo, and many motorists got stuck here.

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93. Ibid.

94. Ibid.

3. Bad Pass Trail

This trail, used in turn by the Indians, Mountain Men, and ranchers, paralleled or coincided with the road. Mr. and Mrs. Hoffman pointed out numerous rock cairns marking the way. Homesteaders had used the Bad Pass Trail from the first, but as the years went by they had to make a number of changes, generally to provide easier grades for their teams and later for their trucks, cars, and jeeps. Many of these improvements were made in the 1920's when the power line was built.

4. Drift Fence

This fence, referred to as the "iron curtain," was built by the Bureau of Land Management to keep cattle from drifting in and out of areas covered by Taylor Grazing Permits.

5. "S" Hill

The road across this hill, which forms an "S," was built and maintained by Philip Snell and his family, Claude St. John, and Joe Smith.

6. Booz Canyon

While he was ranching the Garvin Basin before selling out to Woodson Moss and moving to Pass Creek in 1917, John Booz upset a wagon here and lost a keg of beer. To commemorate the occasion, the canyon was named in his honor.

On another occasion, Lee and Rose Hoffman stuck their car in the snow here and had to walk to Cedarvale.

7. Bar Hill and Canyon

Before construction of the drift fence, three bars across the road on this steep hill prevented livestock, especially cattle, from drifting south onto Bureau of Land Management range.

Lee and Rose Hoffman recalled that before the road was improved, they started up Bar Hill in Lee's four-horse wagon. Suddenly the linchpin broke and the reach pulled out. Lee shouted to Rose to

jump. Leaping off the wagon, Mrs. Hoffman put a rock under a rear wheel and disaster to the box and load of cottonseed cake was prevented. After Lee had calmed his team, they drove on to Cedarvale, riding on the front running gears.

8. Snell Hill

The road off Snell Hill into Layout Creek was recently improved by Elmo Crosby of Lovell, who operates agate quarries between Deadman and Dryhead. He did this to facilitate hauling rock.

Lee Hoffman recalled that he drove the first car, a Dodge, into the Dryhead Country. Mrs. Barry had gone out in a buckboard to catch a train east. On her return, at Dr. Barry's request, Lee met her at Kane and drove her to Cedarvale. Thereafter, whenever relatives were expected for a visit, Barry wrote the Hoffmans at Kane and asked them to meet the train and bring them up.

Most of the homesteaders, preferring the isolation, looked with a jaundiced eye upon the introduction of cars into the Dryhead Country.

9. Jasper (Jess) Faust's Homestead

The Hoffmans recalled that Faust, a bachelor, was Clint Hough's brother-in-law. A short, heavyset man, Faust raised horses and cattle. His log cabin and outbuildings, some of which are extant, are under the trees about 400 yards east of the road. Claude St. John, after buying Faust out in 1930, relocated the road from its former alignment by Faust's to its present location. Faust returned to his old home at Bridger, where he died.

10. White Hill

Like Yellow Hill, this feature received its name because of the color of the soil. The road, as it climbed the grade beyond North Fork Trail Creek, was formerly much steeper. Within the last several years the road has been relocated by Elmo Crosby to make it easier for his trucks to descend and pull the grade. The National Park Service, at present, does not maintain the road beyond the North Fork.

11. Caroline Lockhart (Wasson) Place

The Hoffmans recalled that Caroline Lockhart and her neighbors to the south, the Barrys and St. Johns, were not on the best of terms. Dr. Barry, accordingly, thinking of Caroline, named the spring west of her house "Bossy Spring."

Miss Lockhart, they recalled, divided her time between her Cody home and her Dryhead ranch. In the late 1930's she began expanding her ranching interests by buying out neighboring homesteads. She accelerated this policy during and after World War II until she owned more than 7,000 acres.

Miss Lockhart was a character with a number of idiosyncrasies. One that Mrs. Hoffman found intolerable was her pet eight-foot bullsnake. The snake stayed in the house and crawled out to greet and startle guests Miss Lockhart might be entertaining.

12. Cottonwood Creek

This is the stream heading northwest of Miss Lockhart's and flowing past the house. In the spring of the year, Cottonwood, because of elements in the soil, has a whitish cast.

13. First Dryhead School and Davis' Homestead

North of the road about 100 yards west of the Davis Creek crossing stood the first Dryhead School, built in 1916. A few foundation stones mark the site.

Joseph Davis, for whom Davis Creek is named, lived in a log cabin on the opposite side of the stream from the schoolhouse. Another homesteader, Joe Smith, lived farther up Davis Creek.

14. Eddie Hulbert's Corral and Caroline Lockhart's Landing Strip

East of the road on the high level ground, a mile beyond the Davis Creek crossing, was a landing strip laid out by Caroline Lockhart in the late 1940's to facilitate commuting between her ranch and Cody.

The corral on the flats east of the strip and west of Petes Canyon is on Eddie Hulbert's homestead. It was used by the Barrys and St. Johns, along with their neighbors, for corraling horses.

15. Mrs. Annerer's Grave and Annerer's House Site

Frank Annerer and his family lived in a cabin, no longer extant, between the grave site, 300 yards east of the road, and Annerer (Peach) Spring. Annerer worked for Seth Tripp whose ranch was on Deadman. Learning that in his absence his boss and wife were having an affair, Annerer killed his wife and mortally wounded Tripp.

Mrs. Annerer was buried near their cabin and Tripp, who died in Billings, is buried there.

16. Abar Place

The log cabin and corrals west of the road, at the crossing of Annerer Creek, belong to the Abar homestead. An Abar baby is buried in a grave north of the cabin.

17. Second Dryhead School

Trustees of School District 39, recognizing that most of the families with children lived north of Deadman, in the early 1920's had a new schoolhouse erected. It was about 50 yards east of the road and a like distance south of Deadman Creek. Like most rural one-room schools, it served as a community center. When the school was abandoned and District 39 merged with another in the 1940's, the building was torn down. The piano, which was also used for community dances, remained on the site, exposed to the elements, several months after the structure disappeared.

The foundation of the schoolhouse can be identified, and a dilapidated outbuilding remains to mark the site.

18. Seth Tripp's Homestead

The house and outbuildings west of the road and north of Deadman Creek were built by Seth Tripp, an early homesteader. After Tripp's death, his property was acquired from his heirs by G. L. Marchant. The Marchants lived here until the late 1940's.

19. Agate Flats

The flats north and south of Deadman Creek are currently being exploited by Elmo Crosby of Lovell. Crosby's trailer is parked on the flat east of the road and north of the stream.

While working as a cowboy for Caroline Lockhart in the 1940's and 1950's, Lee Hoffman rode across these flats many times. During this same period he helped Eddie Hulbert drill test holes in the seemingly endless search for quartz-bearing gold. Eddie, like Dr. Barry, was a promoter. Traces of gold were found but not in sufficient quantities to interest people with money to invest. Next, along with many others, they prospected the area for uranium in the 1950's. Traces were found and claims filed.

20. Battley Homestead

The log cabin erected by Frank Battley on his homestead in Section 29, Township 7 South, Range 29 East, is extant and visible from the Dryhead road. It is east of the road and north of Deadman.

ML RANCH

I. ADMINISTRATIVE DATA--ML RANCH

A. Name and Number of Structures

The ML Ranch complex consists of four structures: the bunkhouse, structure No. 12; the blacksmith shop, structure No. 13; the north cabin, structure No. 14; and the south cabin, structure No. 15. The subject structures are of Second Order of Significance.

B. Proposed Use of Structures

The exteriors of the subject structures will be restored to their appearance c. 1903. The interior of the bunkhouse should be restored and refurnished to reflect its use during this period. We agree with the Superintendent that protection will constitute a problem, but feel that the significance of the structure and local interest dictate that the bunkhouse be refurnished and manned seasonally.

The interiors of the other structures can be modified and rehabilitated to provide for a compatible usage. The corrals removed by the Service in its 1970 cleanup of the area will be rebuilt.

C. Justification for Such Use

The ML Ranch possesses local historical significance, and these structures provide a tangible link with the open range cattle industry which opened the Bighorn Basin to settlement by whites in the late 1870's. The restoration of these structures and the refurnishing of the ML bunkhouse will provide a focal point for interpreting the fascinating history of the Bighorn Basin and for introducing to the visitor, driving west on U.S. Highway Alternate 14, Bighorn Canyon National Recreation Area.

D. Provision for Operating Structures

The ML structures will be employed to interpret the story of open range ranching in the Bighorn Basin, and as such will be manned seasonally.

E. Cooperative Agreement, if any, Executed or Proposed for Operating Structures

No cooperative agreement will be required to operate the structures.

II. HISTORICAL DATA

A. Statement of Significance

The story of open range cattle ranching on the High Plains possesses great visitor interest. As the ML Ranch was typical of the great outfits of the 1870's and 1880's, the Service has an outstanding resource in these structures. These large ranches, typified by the ML, had a small tract of deeded land on which there was good water for a headquarters, while the cattle were grazed on the public domain. From the ranch headquarters, cowhands rode out on roundups lasting for many weeks.

In 1879 Henry Clay Lovell trailed the first ML herd north from western Kansas to the Bighorn Basin. A headquarters ranch was established on the west side of the Bighorn, about three miles above the mouth of Nowood Creek. In 1883 Lovell, to be nearer the Northern Pacific and Billings, established a cow camp on Willow Creek, in the Five Springs area. A bunkhouse, barn, and corrals were built, and in the following year the home ranch was moved from above Nowood Creek to this site.

Until the death of A. L. Mason in 1892, the ranch was operated as a partnership, and in some years ran as many as 25,000 head of cattle, making it the biggest outfit in the Basin. Lovell, after the settlement of Mason's estate, became sole owner of the spread. It passed into his son's hands on his death in 1903. Willard Lovell sold the ranch in 1909, but by then the ranch had become an institution and successive owners and the neighbors habitually referred to it as the ML Ranch.

B. Legal Description of Property and Chain of Title

It was not until 1888, five years after the establishment of the cow camp and four years after the ranch headquarters were relocated, that the owners of the ML secured legal title to the land on Willow and Five Springs Creeks.

On December 22, 1888, Anthony L. Mason of Jackson County, Missouri, deposited with the General Land Office a desert land certificate of registration from the Cheyenne Land Office for the

southwest quarter and the south one-half of the northwest quarter of Section 15; the north one-half of the northwest one-quarter of Section 22; and the north one-half of the northeast one-quarter of Section 21, in Township 56 North, Range 94 West of the Sixth Principal Meridian in Wyoming Territory, containing 400 acres.[1]

Four years after the death of Mason, his widow Anna, their single daughter Cornelia Mason, and their married daughters and their spouses, Mr. and Mrs. Oliver H. Dean of Jackson County, Missouri, and Mr. and Mrs. Clinton G. Nickells of Richland County, North Dakota, conveyed to Henry C. Lovell of Johnson County, Wyoming, the subject 400 acres. The Mason heirs, however, retained rights to any coal or valuable minerals that might be found on the land conveyed.[2]

On the death of Henry Clay Lovell in March 1903, the subject acreage, along with the rest of the ranch, was inherited by his son Willard, a minor.[3] Upon reaching his majority in 1907, Willard Lovell assumed responsibility for managing the ML Ranch.

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1. Big Horn County Patent Book 1, p. 6, Big Horn County Courthouse, Basin, Wyoming. The tracts on which the subject structures are located are underscored.

2. Big Horn County Deed Book 2, pp. 30-2, Big Horn County Courthouse, Basin, Wyoming. Many years later, on October 13, 1928, Joseph T. Brosius of Kane made an affidavit that he had been a resident of the area since December 22, 1888, and that he had "lived near and frequently saw" the subject 400 acres between "a date prior to December 22, 1888, and January 4, 1896." During that period none of the grantors enumerated on pages 30-2 of Deed Book 2 had resided on any part of the property conveyed by them to Henry Clay Lovell. Big Horn County Miscellaneous Book 20, p. 495, Big Horn County Courthouse, Basin, Wyoming.

3. Probated Will, Estate of H. C. Lovell, file 62, Big Horn County Courthouse, Basin, Wyoming.

Willard and Isabel Lovell on November 2, 1909, sold the ML Ranch to Christian and Peter Yagen of Billings, Montana, for "one dollar and other valuable considerations." Among the tracts conveyed were:

the Home Ranch consisting of the southwest one-quarter and south one-half of the northwest one-quarter of Section 15; the north one-half of the northwest one-quarter of Section 22; and the north one-half of the northeast one-fourth of Section 21, all in Township 56 North, Range 94 West, 400 acres.

The south one-half of the northwest one-quarter of Section 9, Township 56 North, Range 94 West, 80 acres.

The west one-half of the northeast one-quarter of Section 19, Township 56 North, Range 93 West, 80 acres.

The southeast one-quarter of the northeast one-quarter and the northwest one-half of the northeast one-quarter of Section 10, Township 55 North, Range 94 West, 80 acres.

The north one-half of the southwest one-quarter of Section 32, Township 56 North, Range 93 West, 80 acres.

The south one-half of the northwest one-quarter of Section 11, Township 55 North, Range 94 West, 80 acres.

The southeast one-quarter of the southeast one-quarter of Section 16 and the northeast one-quarter of the northwest one-quarter of Section 19, Township 56 North, Range 93 West, 80 acres.

The south one-half of the northeast one-quarter of Section 34, Township 56 North, Range 93 West, 80 acres.

The southwest one-quarter of the southeast one-quarter of Section 31, Township 56 North and Lots 3 and 4 in Section 6, Township 55 North, Range 93 West, 117 acres.

The south one-half of the northeast one-quarter of Section 33 and the southeast one-quarter of the southeast one-quarter of Section 31, Township 56 North, Range 93 West, 120 acres.

The west one-half of the southeast one-quarter of Section 27, Township 56 North, Range 93 West, 80 acres.

The northwest one-quarter of the northeast one-quarter and the south one-half of the northwest one-quarter of Section 34, Township 56 North, Range 93 West, 120 acres.

The southeast one-quarter of the northwest one-quarter of Section 1, Township 56 North, Range 94 West, 40 acres.

The south one-half of the northwest one-quarter of Section 35, Township 56 North, Range 93 West, 80 acres.

The southeast one-quarter of the northwest one-quarter of Section 2, Township 57 North, Range 94 West, 90 acres.

The south one-half of the northeast one-quarter of Section 35, Township 56 North, Range 93 West, 80 acres.

The west one-half of the southwest one-quarter of Section 25, and the east one-half of northeast one-quarter of Section 26, Township 53 North, Range 91 West, 160 acres.

Lot 1, the southeast one-quarter of the northeast one-quarter, and the east one-half of the northeast one-quarter of Section 4, and Lot 4, the southwest one-quarter of the northwest one-quarter and the west one-half of the southwest one-quarter of Section 3, all in Township 55 North, Range 94 West, 317.95 acres.

Lot 4 of Section 1 and Lot 1 of Section 2, Township 56 North, Range 94 West, 78.50 acres.

Included with the aforementioned 2,273.10 acres were these water rights:

that certain 87 acres appropriated from Five Springs Creek, through Five Springs Ditch No. 2, for land in Section 3, Township 55 North, Range 94 West;

that certain 133 acres appropriated from Five Springs Creek through Five Springs Ditch No. 2 for land in Sections 3 and 4, Township 55 North, Range 94 West;

that certain 220 acres appropriated from Willow Creek through Mason's Willow Creek Ditch No. 1, for land in Sections 15, 21, and 22, Township 56 North, Range 94 West;

that certain 90 acres appropriated from Willow Creek through Mason's Willow Creek Ditch No. 2, for land in Section 15, Township 56 North, Range 94 West;

that certain 220 acres appropriated from Five Springs Creek through the Lurline Barmoth Ditch, for land in Sections 15, 21, and 22, Township 56 North, Range 94 West;

that certain 40 acres appropriated from Trapper Creek through Willard Ditch, for land in Section 25, Township 53 North, Range 91 West; and

that certain 35 acres appropriated from Trapper Creek through High Line Ditch, for land in Section 26, Township 53 North, Range 93 West, also a 35-acre interest in the High Line Ditch in accordance with permit 1716.

Willard and Isabel Lovell, in conveying their ranch to the Yagen Brothers, "affirmed" that it was free of all encumbrances with exception of two mortgages, one dated March 1 and the other

July 10, 1909, held by the Bank of Commerce of Sheridan, Wyoming, to secure payment of a promissory note for $17,000.[4]

Christian and Laura Yagen and Peter and Margaret Yagen on February 27, 1917, sold the "Home Ranch" to the Spear Brothers Company of Wyoming, for one dollar and other valuable considerations.[5]

The Spear Brothers on January 28, 1922, sold to Paul Warfel of Kane for one dollar and other valuable considerations the ranch they had purchased from the Yagens five years before. The ML Ranch at this time was encumbered by a mortgage for $60,000 held by P. A. Tiechroew.[6] Paul and Lena Warfel immediately conveyed title to Christian and Peter Yagen for one dollar and other valuable considerations.

Four years later, on May 26, 1926, Lou Chapple secured a judgment in the Fifth District Court for Big Horn County against the Spear Brothers, a corporation; P. A. Tiechroew, trustee; Christian and Peter Yagen, bankers; J. Henry Niblee, receiver of the Yagen Brothers in Billings; Harry Hanson, receiver for the Yagen Brothers in Butte; and Paul and Lena Warfel for $63,650 and costs.

The court ordered the ranch sold, and on July 4, 1926, W. B. Snyder was appointed commissioner and charged with executing the sale. On July 31, at 10 o'clock, at the Big Horn County Courthouse in Basin, the ML Ranch was offered for sale.

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4. Big Horn County Deed Book 17, pp. 158-64, Big Horn County Courthouse, Basin, Wyoming. The mortgage executed by the Lovells on their ranch commanded an interest rate of ten percent per annum from August 28, 1909. Big Horn County Mortgage Book 11, pp. 286-88, Big Horn County Courthouse, Basin, Wyoming.

5. Big Horn County Deed Book 35, pp. 119-21, Big Horn County Courthouse, Basin, Wyoming.

6. Big Horn County Deed Book 48, pp. 108-09, Big Horn County Courthouse, Basin, Wyoming.

Lou Chapple of Billings was the highest and last bidder, and Snyder conveyed title to him.[7]

Chapple on October 28, 1928, sold the ML Ranch to Levi Sawyer for one dollar and other valuable considerations.[8]

The Sawyers (Levi and Rhoana) retained the ranch for more than 11 years. On February 5, 1940, they sold it to Milo Mills of Washakie County, their son-in-law, subject to a mortgage held by the State of Wyoming, the unpaid principal of which was $10,220. Among the tracts conveyed were Lots 2, 3, and 4, and the southeast quarter of the northwest quarter of Section 22 and Lot 48 resurvey of Township 56 North, Range 94 West. The resurveyed lots were the south one-half of the northwest quarter and the southwest one-half of Section 15; the north one-half of the southeast one-quarter of Section 21; and the north one-half of the northwest one-quarter of Section 22, all in Township 56 North, Range 94 West.[9]

Milo and Ireta Mills were absentee owners and continued to live in Washakie County. Fifteen months after the end of World War II, on December 12, 1946, they sold the ML Ranch to W. Lou Howe and his wife of Big Horn County. Included in the 1,237 acres conveyed were Lots 2, 3, and 4, and the southeast quarter of the northwest quarter of Section 22 and Lot 48 resurvey, all in Township 56 North, Range 94 West. The resurveyed lots were described under the original government survey as the south one-half of the northwest quarter and the southwest quarter of Section 15; the north one-half of the northeast quarter of Section 21; and the north one-half of the northwest quarter of Section 22, all in Township 56 North, Range 94 West.[10]

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7. Big Horn County Deed Book 55, pp. 324-26, Big Horn County Courthouse, Basin, Wyoming.

8. Big Horn County Deed Book 56, pp. 340-42, Big Horn County Courthouse, Basin, Wyoming.

9. Big Horn County Deed Book 66, pp. 313-314, Big Horn County Courthouse, Basin, Wyoming.

10. Big Horn County Deed Book 70, pp. 40-41, Big Horn County Courthouse, Basin, Wyoming.

Ten months later, on October 31, 1947, Lou and Lita Howe sold the ML Ranch to J. D. Bischoff for one dollar and other valuable considerations. Included in the 567.43 acres sold were Lots 2, 3, and 4, and the southeast quarter of the northwest quarter of Section 22, and Lot 48 resurvey of Township 56 North, Range 94 West. The resurveyed lots included the south one-half of the northwest quarter and the southwest one-quarter of Section 15; the north one-half of the northeast quarter of Section 21; and the north one-half of the northwest quarter of Section 22, all in Township 56 North, Range 94 West.

Also included in the sale were Lot 41 in Sections 3 and 4, Lot 5 in Section 34, Lots 6, 7, and 11 in Section 33, all in Townships 55 and 56 North, Range 94 West; and Lot 39 in Sections 3 and 10, and Lot 42 in Section 11, all in Township 55 North, Range 94 West.[11]

C. The "Home Ranch" Water Rights

Henry Clay Lovell on July 22, 1902, presented the Wyoming State Board of Control with proof of appropriation of water from Willow Creek through Mason's Willow Creek Ditch No. 2 for irrigation. Water had been turned into this ditch on November 17, 1886, and used to irrigate 90 acres (20 in the northeast one-quarter of the southwest one-quarter; 15 in the northwest quarter; 15 in the southeast one-quarter of the northwest one-quarter; and 40 in the southwest one-quarter of the northwest one-quarter) of Section 15, Township 56 North, Range 94 West.[12]

Two days later, on July 24, Lovell applied for an apportionment from Five Springs Creek through the Lurline Barmoth Ditch for irrigating 220 acres (105 acres in Section 15, 60 acres in Section 22, and 55 acres in Section 21) of the Home Ranch.

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11. Big Horn County Deed Book 79, p. 224, Big Horn County Courthouse, Basin, Wyoming.

12. Water Appropriation Book 1, p. 206, Big Horn County Courthouse, Basin, Wyoming.

The Board decided Lovell could draw sufficient water from Five Springs Creek to supplement his original apportionment from Willow Creek, through Willow Creek Ditch No. 1, as decreed by the Board, when the original supply was insufficient to provide the amount of water adjudicated to the Willow Creek Ditch. But, the Board continued, the supplemental appropriation and the original appropriation, when used in "conjunction, shall at no time exceed the maximum amount" of the appropriation from the Willow Creek Ditch.[13]

D. Henry Clay Lovell and the ML Ranch, 1883-1892

1. The ML Ranch Comes to the Bighorn Basin

Henry Clay Lovell was born on December 4, 1838, at Climax, Kalamazoo County, Michigan. His father, Enoch, was a farmer. At the age of 14 Lovell left home and headed for the southwest. He reportedly worked for several years as a section hand on the railroad. His son, Willard, in 1948 recalled:

> The first of his activities of which I know, was his engagement as the "Conductor" of a government Mail Train, which . . . operated wagons from Fort Dodge, Kansas, to the City of Mexico. It was a self sustaining outfit and was subject to attack by Indians and outlaws, and my father carried three bullet wounds and one knife wound which he told me he had acquired during that work. He then went into the cattle business in Northern Texas, the Indian territory, and Kansas during which time he met and became associated with a Kansas City-Missouri Capitalist, Mr. Anthony L. Mason, and entered into a partnership with him to move cattle to the north.[14]

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13. Ibid.

14. Ltr., Willard Lovell to John T. Fuller, Nov. 15, 1948, a copy of which is found in the Frances Burrell Collection; Seventh Census, State of Michigan, Kalamazoo County, NA. The enumerator for the Seventh Census, in September 1850, identified the family as Enoch Lovell, 50; Lutheria Lovell, the mother, 50; and three children, Susan 18, Henry C. 11, and Hattie 9. Susan, like her father, had been born in Vermont, while the two younger children had been born after the move to Michigan.

Mason had the money and Lovell the know-how, and the partnership was successful. In 1878 Lovell traveled north from his Crooked Creek, Kansas, cattle camp to reconnoiter the Wyoming range.[15] Lovell returned with a favorable report, and in 1879 he trailed a herd north to Wyoming. The following year, 1880, Lovell and his drovers entered the Bighorn Basin with two large herds from southern Kansas, and located on the west side of the Bighorn River, about three miles above the mouth of Nowood Creek. In 1882 Lovell trailed in 12,000 cattle from Oregon. He and Mason were now running almost 25,000 head. The same year, 1882, they established a second ranch on Shell Creek at the mouth of Trapper Creek.

In 1883 Mason and Lovell were hauled into court in Johnson County. Some of their cattle, it seems, had strayed over into Johnson County from Sweetwater County where their ranch headquarters was located. James M. Lobban, the Johnson County Treasurer, taxed the cattle grazing in Johnson County, and Mason and Lovell brought suit against the County Treasurer claiming that taxes on these cattle were paid in Sweetwater County. The case was heard on July 9, 1883, and the Judge found "complainants' complaint to be true and ordered that the defendant be enjoined from collecting the tax and declared the taxes claimed null and void."[16]

In 1883 Lovell and Mason took up land on the east side of the Bighorn at the mouths of Five Springs and Willow Creeks, and the next year removed the home ranch from Nowood Creek to Willow Creek. Al Kershner of Shell, who settled in the area in 1887, told W. E. Pearson, Mrs. Frances Burrell's father, that the ML bunkhouse on Willow Creek was one of "the oldest buildings in the Bighorn Basin." The Nowood property was sold to Sullivan and Kearney. By this move, Mason and Lovell had established their headquarters within 95 miles of Billings, the nearest shipping point on the Northern Pacific Railroad. The Trapper Creek Ranch

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15. The Crooked Creek camp was 55 miles south of Dodge City. Nyle H. Miller and Joseph W. Snell, Why the West was Wild: A Contemporary Look at the Antics of some Highly Publicized Kansas Cowtown Personalities (Topeka, 1963), pp. 333-37.

16. H. C. Lovell and A. L. Mason v. James M. Lobban, Treasurer, Johnson County, Civil Action No. 8, filed March 6, 1883, Johnson County Courthouse, Buffalo, Wyoming.

was retained for wintering saddle stock and became known as the "Horse Ranch."[17]

2. The ML Trails North to the Northern Pacific

Before extension of the Northern Pacific to and west of Billings, Bighorn Basin cattle destined for eastern markets had been trailed south to shipping points on the Union Pacific. This worked a hardship on cattlemen such as Mason and Lovell whose ranges were in the northern part of the Basin. The first shipment from the Basin over the Northern Pacific was made by Mason and Lovell in the late summer of 1883.[18]

One of the ML cowhands on this drive was Robert Rath, who had come south from the Yellowstone country the previous August to settle on the north side of the Shoshone near its confluence with the Bighorn. Rath went to work for the ML that winter.

Rath recalled that late the next summer Lovell sold to the Marquis de Mores 3,200 cattle at $45 a head. These cattle were to be trailed north through Pryor Gap to Custer Junction, the shipping point, in three herds of about 1,000 head each. When they

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17. Personal interview, Mrs. Burrell with Bearss, June 21, 1973; ltr., Willard Lovell to John T. Fuller, Nov. 15, 1948; Bill Scott, Pioneers of the Big Horn (Denver, 1966), p. 14; H. S. Ridgley, "History of the Early Cow Men," The Basin Republican, Dec. 16 and 23, 1910. O. W. McNay helped Lovell trail in a herd to the Bighorn Basin in 1882 from Washington Territory. Dan Lee Morse likewise reached the Basin that year with another of the ML's western cattle herds.

18. Charles Lindsey, The Big Horn Basin (Lincoln, 1940), p. 123.

started on the first drive, there were two wagons:

Riley Kane was on one of them as cook. Johnnie Goodall was foreman. Mexican Johnnie and I were two of several others who made up the outfit.

We got along very well until we reached the Crow Reservation. Here they protested our crossing their country with our herd until Lovell agreed to give them a lump jawed cow as toll for our permission to cross. We cowboys were ordered to cut the cow out of the herd, and the moment this old thin, lump jawed cow was out of the herd, a lot of young "bucks" who must have been the bravest or wildest of the tribe started in pursuit. These great warriors soon brought her down with arrows. The moment she was down they rode back to their tepees and the squaws all flocked out and swarmed over the carcass until it was dressed out, cut up and carried to camp. We fellows got a great thrill out of the Indian methods of slaughter.

We got along very well until we were loading the cattle, when the engineer blew his whistle and our cattle blew out of that corral at once. Some were so frightened they swam the Yellowstone River to an island. Everything was mad confusion for a long time. It took some real work to get those cattle once more located and even partly calmed. Those on the island were certainly in a very private and select place, but after we had repaired the loading corrals and had been successful in getting the others back, one of the boys made a successful landing on the island, via a good horse, and after once more getting them corralled we did load them this time but without any more whistling.

The second and third trips were made without incident. The lump jawed cow taken along each time as toll for crossing the Indian land was slaughtered by the braves and dressed as

beef for camp by the squaws just as before, except we had advertised the show well enough that every man of the outfit, who was in the outfit, was present each time.[19]

The $45 a head received by Mason and Lovell from the Marquis de Mores more than reimbursed them for the price of the 12,000 cattle purchased on the Pacific Coast in 1882.

3. Henry Clay Lovell--Cattleman

Rath recalled that when he went to work for the ML in the winter of 1882-83, Henry Clay Lovell was about ~~37~~ 43 years old. Lovell, he continued:

> was very fine company when alone with some one, but with a bunch he would never have anything to say. He was not really stingy, but he would not stand for anything being wasted. There were two or three incidents that were funny after they turned out not to be serious. The first was the time an old cow got after Lovell. He finally managed to get his coat off and got it on her horns, this was such a handicap to her vision, he got away. Then later 10 outlaw steers treed Lovell under a very low shed. It was so low they could not get under it, but they would not go away, so he was forced to claw a hole in the roof and that was how he escaped. His closest call was with a bull we had had down, and as we let him up, he made for Lovell. I was at the other end and grabbed the bull's tail. What a trip that was! I pulled back my very

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19. Personal interview, Robert Rath with N. E. Loveland, excerpts from WPA Manuscript, No. 356, files of Historical and Publications Division, Wyoming State Archives and Historical Department, Cheyenne, Wyo. Rath and O. W. McNay spent the winter of 1882-83 at the ML's Trapper Creek Ranch.

best, but, as I remember, that bull hit Lovell every jump until he cleared the fence. Lovell never seemed to feel that I restrained that bull as much as I really could, or should have.[20]

Another incident recalled by Rath involved the theft of personal property and livestock from the home ranch. "We had all been away from the home ranch for several days," Rath related:

> but when returning, and yet across the river from the place, we could see an outfit headed away from the ranch, and quite a long way off. After getting home and looking over things, we discovered that those we had noticed in the distance must have been the very ones who had stayed at the ranch, at least over night, and on investigating we found that many things we were certain of having left in certain places were quite noticeable by their absence. Lovell really got into a lather about this, and next morning he, Dan Colson, Clay Anderson and I were blood hounds on the trail.
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> The fugitives had one 4 horse wagon, 2 two horse wagons and 35 head of cattle. This sort of trail gang, you may think, would be easily caught, but they had several hours start on us and they had really traveled. They were on the east side of the Big Horn near Worland when we located them. We crossed over to the west side after we were quite sure of the way they would go. We were certain we had a lead on them when we got to Speed Stagner's place in the bottoms below where Thermopolis is. He was a squawman. We stayed the night with him and crossed the river the next morning to entrap the "Objects of our Affections." We rode along until we found some rugged country and after determining about the distance the wagons were apart and the 35 head of cattle were from the back wagon, we each chose a position, the proper

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20. Personal interview, Rath with Loveland, excerpts from WPA Manuscript, No. 356, files of Historical and Publications Div., Wyoming State Archives and Historical Dept., Cheyenne, Wyo.

estimated distance from each other, so that when we stepped out to "stick them up" we would do so at the same moment and each would be at the proper place to reach his man.

This worked as planned. I took the lead wagon, which had a fellow named Baker with wife and child in it. They were all so completely surprised that Baker was the only one who went for a gun, but his wife saved him. The cattle were being driven by a 16 year old girl. There were 4 men in the outfit and these we marched back down along the road, or rather I did until they refused to go a step farther, insisting they be permitted to talk with Lovell. We therefore waited for him, and a parley was soon on. They had stolen all of the grub on the ranch, 5 Stetson hats, all the clothing and 200 calf blabs. Blabs were devices which fastened in calves' noses and were supposed to be quite effective in weaning them. After a lot of dickering, Lovell agreed to settle for $250.00, which they were able to pay and were let go on their way. He gave Colson, Anderson and I $50.00 each, and nearly all the things stolen were his. We learned later that there was a reward of $300.00 on one of those fellows, so we would have been to the good to have taken them to the law after all.[21]

4. The ML Ranch and the Killer Winter of 1886-87

The ML Ranch, during the heyday of the open range before the killer winter of 1886-87, ran as many as 25,000 cattle. Its cattle ranged from Thermopolis northward onto the Crow Reservation. The winter of 1886-87 dealt a severe blow to the range cattle industry on the northern plains and in the Bighorn Basin. Losses were unprecedented. Lovell estimated that one-half the ML herd died of exposure and starvation. Another outfit whose identity was undisclosed shrank in valuation in two years from $250,000 to $75,000.

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21. Ibid.

But one winter with reverses such as experienced in 1886-87 could not in itself ruin the cattle barons. Indeed, Basin herds, with but few exceptions, rehabilitated themselves. The ML Ranch, as an experiment in 1888, began to take cattle up into the Bighorn Mountains for summer grazing. Heretofore, most cattlemen had held that cattle pastured on mountain grasses, which they found to be "green and washy," would not put "on solid fat and meat when grazed on it." Lovell learned that they were mistaken, and henceforth summer grazing in the mountains became popular.[22]

5. Henry Clay Lovell--Innovator

In 1890, to improve the quality of the herd, Lovell purchased a few choice Hereford bulls. He was willing to pay as much as $450 apiece for them. He also bought some prime Hereford heifers at $300 each. These were the first high-grade cattle to appear on the Basin range.[23]

To restock the range following liquidation of the partnership, Lovell in 1894 or 1895 trailed several thousand head of cattle in from eastern Washington. With him came Riley Kane and Mike Rohan. The town of Kane was named for the former, while Mike Rohan for a number of years was foreman of the ML. A predecessor as foreman was Joe Brosius. His wife recalled that while Joe was foreman, he "kept books and also made out the post office reports. . . . At that

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22. Edwin C. Bearss, Bighorn National Recreation Area-History Basic Data, 2 vols. (Washington, 1970), Vol. II, p. 375; Charles Rawlings, In Our Neck of the Woods (Sheridan, 1972), p. 141.

23. Shell (Wyoming) Forest Ranger Station File, EM, Atlas (X); Bearss, Bighorn Canyon Recreation Area, Vol. II, p. 375.

time there was only the post office building and a cook shack on the site. After the house was built, a housekeeper was hired, a Miss Ruble."[24]

The first alfalfa raised in the Bighorn Basin was on the ML home ranch. An old-timer, Harry Williams, recalled, "The ground being particularly adapted it produced wonderful growth. What a glorious sight the field revealed, the solid mass of green alfalfa set in endless miles of a virgin valley of salt sage, greasewood, and wild grass."[25]

6. Henry Clay Lovell--Family Man

Henry Clay Lovell was married in the early 1880's to Bertha Clara Collins, a Potosi, Missouri, schoolteacher. Lovell was old enough to be his bride's father. Since the ranches in the Bighorn Basin were little more than cow camps, Lovell in 1884 purchased several lots in Block 58 on north 27th Street in Billings. On this property he built a handsome frame house for his bride. The next year, on July 7, 1885, Bertha Lovell gave birth at Potosi to a son whom the proud parents named Willard Tatum Lovell.

Henry Lovell and Bertha soon parted. Her health failed after Willard's birth, and she died on Angel Island, California, on March 5, 1888. Willard was raised by his father's two "old maid" aunts, Susan and Hattie Lovell of Topeka, Kansas, and other family

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24. Ltr., Lovell to Fuller, Nov. 15, 1948; personal interview, Mrs. Joe Brosius with Frances Burrell, 1960, found in the Frances Burrell Collection.

25. Interview with Harry Williams, from the Western Range Industry Study in the Colorado State Museum Library, copy found in the Frances Burrell Collection.

friends. In the 1890's Willard lived for a time with the H. W. Munds of Billings, who later moved to Denver, Colorado.[26]

E. The Dissolution of the Partnership

Anthony L. Mason died in Kansas City, Missouri, on November 20, 1892, leaving as his heirs his widow Anna, two married daughters (Mesdames Frances Dean and Maude Graham), and a 13-year-old child Cornelia. When the estate was opened for probate on December 3, it was found that Mason had died intestate.

On the application of the heirs, the Jackson County Probate Court appointed W. H. Chick, W. J. Anderson, and J. Q. Watkins, Jr., to appraise the estate for Mesdames Mason and Dean, who had been named administrators. Under the then applicable Missouri law, the probate court did not have jurisdiction to make decrees of succession regarding real estate, although Missouri real property had to be inventoried. Real property owned by the decedent but not located in Missouri would not be inventoried. Consequently, when the appraisers submitted their inventory on February 20, 1893, they did not list any real estate or livestock owned by the Mason-Lovell partnership in Wyoming.[27]

On February 20, 1893, the administrators informed the court that the

> deceased also owned at the time of his death certain land in Wyoming and certain cattle in Wyoming and Montana as a member of the firm of Mason & Lovell but the value of

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26. Memo written by L. W. Lovell on the Lovell genealogy; notes extracted from the files of the Billings Post and Billings Herald for the period Sept. 1883-Jan. 1885 by Frances Burrell, found in the Frances Burrell Collection; ltr., Mrs. Burrell to Bearss, Oct. 9, 1973.

27. Ltr., Skates to Bearss, Aug. 10, 1973; Appraisement of Personal Estate in Estate of A. L. Mason, Feb. 20, 1893; Application of Anna M. Mason and O. H. Dean for letters of Administration, Dec. 3, 1892, Records of Estate of A. L. Mason, file 2759,

the interest of said deceased in said property has not yet been ascertained.[28]

When they filed their annual report for 1893 on May 25, 1894, the administrators reported:

> The estate is interested . . . in certain cattle in Wyoming now in possession and under control of H. C. Lovell, surviving partner of the firm of Mason & Lovell, under and by virtue of a certain contract entered into by and between said Lovell and the heirs and administrators of this estate. The number, value and nature of said cattle, the administrators have been unable to fully ascertain but from the sales of part of said cattle

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Jackson County Probate Court, Kansas City, Mo. Thomas J. Skates is staff counsel for this court. Mason was 67 years old at his death. The enumerator for the Tenth Census reported that in 1880 Mason, a 55-year-old dealer in real estate, was living in Kansas City with his 35-year-old wife and their daughters, Maude, age 14, and Cornelia, age six months. The family also had a maid, Anna Colby. Mason had been born in New York. Tenth Census, State of Missouri, Jackson County, NA.

28. Inventory, Certificate, and Affidavit in Estate of A. L. Mason, Feb. 20, 1893, file 2759, Jackson County Probate Court, Kansas City, Mo.

$38,734 had been received by the administrators from Lovell. During the same 12 months, the administrators had "paid out by way of advances to meet expenses and other charges in connection with said cattle" $9,500.[29]

On October 19, 1896, the administrators filed a supplemental inventory. Reference was made to "proceeds of sale of cattle owned by the firm of Mason & Lovell." Money received from this source represented "the interest of the deceased in the proceeds of sale of said cattle." After deducting monies advanced to Lovell to cover the estate's share of operating expenses, the administrators had divided the remainder among the heirs.[30]

As this is the last mention of the cattle and the Mason-Lovell partnership in the reports of the administrators, it can be assumed that by October 1896, the estate had divested itself of its interest in the ML Ranch.

F. Mail Service Comes to the Area

1. The Establishment of the Lovell Post Office

In November 1886, Josiah Cook of Fremont County, Wyoming, petitioned to have a post office established at his ranch in the northeast quarter of Section 10, Township 56 North, Range 96 West. On the application to Postmaster General William F. Vilas, Cook noted that the nearest post office was presently at Corbett, 46 miles to the southwest, while the nearest railroad was the Northern Pacific at Billings, 95 miles to the northeast.

Cook's application was granted, and on January 12, 1888, the post office was established. It was called Lovell to honor Henry Clay Lovell, who, besides signing the petition, had forwarded it

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29. Inventory, Certificate, and Affidavit in Estate of A. L. Mason, May 25, 1894, file 2759, Jackson County Probate Court, Kansas City, Mo.

30. Inventory, Certificate, and Affidavit in Estate of A. L. Mason, Oct. 19, 1896, file 2759, Jackson County Probate Court, Kansas City, Mo.

to his friends in Washington. Josiah Cook was named postmaster since the post office was in his ranch house. The mail, at first, was carried on horseback once a week from Corbett.[31]

Cook remained the Lovell postmaster until January 27, 1898, when he was replaced by William Staley. Like Cook, Staley kept the post office in his home. Henry Cockrell succeeded Staley as Lovell postmaster in April 1900, with Josiah Cook having another turn at the position from July 1900 to February 1901. After the Mormons arrived and the town of Lovell was established, Ira Waters was appointed postmaster on February 15, 1901, and maintained the post office in his general store.[32]

2. The ML Ranch as the Kane Post Office

Henry Clay Lovell on May 10, 1894, submitted an application to establish a post office at his ranch headquarters to be called Kane. The application was endorsed by Josiah Cook, the Lovell postmaster. Lovell's application was approved by Postmaster General Wilson S. Bissell, and on March 15, 1895, the Kane post Office was established with Lovell as postmaster.[33]

Kane was serviced by the Sheridan-Otto mail route, which Lovell knew would be impassable in the winter. He accordingly wrote Governor W. A. Richards of Wyoming on September 23, 1895, regarding this problem. He pointed out that service over this route had started in August 1894, but had to be suspended from December until April because of deep snow in the mountains. Having ranched in the Bighorn Basin since 1880, Lovell reported from experience that the Sheridan-Otto route, as it crossed Granite Pass 8,950 feet above sea level, would always be "impracticable" during the winter.

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31. Records of the Post Office Department, Bureau of the 4th Assistant Postmaster General, Division of Topography, Report of State Locations, Wyoming, NA, RG 28; Fremont Clipper, Feb. 23 and Sept. 4, 1888; ltr., Willard Lovell to John T. Fuller, Nov. 15, 1948, found in the Frances Burrell Collection.

32. Ibid.; Records of Appointments as Postmasters, NA, RG 28.

33. Records of Appointments as Postmasters, NA, RG 28.

To service Kane, he desired establishment of a route which could tap the Billings-Lovell route at Bean, Montana. From Bean, the new route would run down Crooked Creek, cross the Bighorn below the mouth of the Stinkingwater, stop at Kane, and proceed on to Hyattville by way of Odessa and Shell Creek. At Hyattville, it would connect with the Lost Creek-Casper route.

Already, Lovell continued, there were 15 settlers on Crooked Creek who had to travel 18 miles to pick up their mail, and they had applied for a post office in their community. On Crooked Creek, he reported, was the "best body of land of its size I know of in Wyoming, and [it] will be very smartly taken."[34]

On June 4, 1903, three months after Lovell's death, Lettie Ruble was named Kane postmaster. The post office was discontinued on March 18, 1905, when Lettie married and moved off the ranch. It was re-established three weeks later with Isabel Lovell, Willard's bride, as postmaster. On May 28, 1906, the Kane post office was redesignated Watson to differentiate it from the community of Kane that was growing up around the depot across the Bighorn River. On March 31, 1908, the post office was discontinued at the ML Ranch and the patrons directed to pick up their mail at Ionia. Eighteen months later a post office was established at Kane, on the railroad, with Lena A. Brown as postmaster.[35]

G. The ML Ranch Under the Executors

1. The Appraisal of the Estate

Henry Clay Lovell died in Portland, Oregon, of "chronic disease of the heart" on March 2, 1903, and the body was brought to Billings for burial. Lovell's heirs in May petitioned the Fourth District Court of Big Horn County to probate the will. At his death, it was pointed out, Lovell had been owner of "4,680 acres of grazing land in Big Horn County, Wyo., of the probable value of $30,000, about 1,600 head of livestock and calves valued at

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34. Lovell to Richards, Sept. 23, 1895, Governor's Correspondence, Ltrs. Recd., copy found in collection of Mrs. Frances Burrell.

35. Records of Appointments as Postmasters NA, RG 28; "Paper given before the Big Horn County Historical Society" by Anna Brown, found in the Frances Burrell Collection.

$40,000, and 30 head of horses valued at $1,000, farming implements and household goods and other personal property worth about $2,000," with a total value of approximately $73,000.[36]

On August 12, 1902, eight months before his death, Lovell had drawn up a will. By terms of the will, which was probated on May 15, 1903, in Basin, Wyoming, he bequeathed to his sister Hattie of Topeka, Kansas, a sum of $172 per year during her life and to his sister Susan of the same address $28 per year. The reason for this difference was that Susan received a pension of $144 per year from the United States Government.

Lovell conveyed to his "faithful housekeeper Lettie Ruble, age 30, of Kane $1,000 and direct that she be employed as a housekeeper on my ranch as long as she desires to remain there at a salary of $30 per month, her current salary, and that she shall be under orders to no one."

The remainder of his estate, Lovell bequeathed to his son Willard, age 18. Hiram and Henry Kollar of Kansas City, Missouri, were named executors of the will and guardians of the estate of Willard Lovell, without bond, during his minority.[37]

After the reading of the will, the District Court directed Michael Rohan, Joseph Brosius, and J. H. Smith to appraise the property and notify the creditors to present their claims against the estate to the executors at their office, 203 Hall Building, Kansas City, Missouri.[38]

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36. Petition for Probate of Will, undated, file 62, HCL Estate, Big Horn County Courthouse, Basin, Wyo.

37. H. C. Lovell's Will, signed at Billings on August 12, 1902, and witnessed by W. M. Johnston and G. A. Griggs, H. C. Lowell, Probated Estate, file 62, Big Horn County Courthouse, Basin, Wyo.

38. Ibid.

Three days later, on May 18, the trio reported that the estate consisted of the following real estate:

The home ranch which included the southwest quarter and south one-half of the northwest quarter of Section 15; the north one-half of the northwest quarter of Section 22; and the south one-half of the northeast quarter of Section 21, Township 56 North, Range 94 West, 400 acres, valued at $10 per acre $4,000.00

Lot 1 the southeast one-fourth of the northeast quarter and the east one-half of the southeast one-quarter of Section 4; Lot 4 the southwest one-quarter of the northeast one-quarter; and the west one-half of the southwest one-quarter of Section 3, Township 55 North, Range 94 West, 317.95 acres, valued at $8 per acre $2,543.60

West one-half of southwest one-quarter Section 25, and east one-half of southeast quarter Section 26, Township 53 North, Range 91 West, 160 acres, valued at $8 per acre $1,280.20

Southeast one-quarter of northwest one-quarter, Section 1, Township 56 North, Range 94 West, 40 acres at $1.25 per acre . . . . . $ 50.00

South one-half of northwest one-quarter of Section 24, Township 56 North, Range 94 West, 40 acres at $1.25 per acre . . . . . $ 50.00

Lot 1 of Section 2 and Lot 4 of Section 1, Township 56 North, Range 94 West, 78.05 acres, valued at $5 per acre . . . . . $ 390.25

Southeast one-quarter of northeast one-quarter and northwest one-quarter of northeast one-quarter of Section 10, Township 55 North, Range 94 West, 80 acres, valued at $1.25 per acre . . . . . $ 100.00

South one-half of northeast one-quarter of Section 33 and southeast one-quarter of southwest one-quarter of Section 31, Township 56 North, Range 93 West, 120 acres, valued at $1.25 per acre . . $ 150.00

South one-half of northwest one-quarter of Section 35, Township 56 North, Range 93 West, 80 acres, valued at $1.25 per acre . . . . . $ 100.00

South one-half of northeast one-quarter of Section 35, Township 56 North, Range 93 West, 80 acres, valued at $1.25 per acre . . . . . $ 100.00

South one-half of northwest one-quarter of Section 11, Township 55 North, Range 94 West, 80 acres, valued at $1.25 per acre . . . . . $ 100.00

South one-half of northeast one-quarter of Section 34, Township 56 North, Range 93 West, 80 acres, valued at $1.25 per acre . . . . . $ 100.00

Northeast one-quarter of northeast one-quarter and south one-half of northwest one quarter of Section 34, Township 56 North, Range 93 West, 120 acres, valued at $1.25 per acre . . . . . $ 150.00

North one-half of southeast one-quarter of Section 32, Township 56 North, Range 93 West, 80 acres, valued at $1.25 per acre . . . . . $ 100.00

Southwest one-quarter of southeast one-quarter of Section 31, Township 56 North, and Lots 4 and 5 of Section Six, Township 55 North, Range 93 West, 117.10 acres, valued at $1.25 per acre . . . . . $ 146.37

West one-half of southeast one-quarter, Section 27, Township 56 North, Range 93 West, 80 acres, valued at $1.25 per acre . . . . . $ 100.00

Total value of real estate $9,510.22

The appraisers valued the deceased's personal property at:

650	cows, three years old and over	@ $20	$13,000.00
225	cows, two years old	@ $16	3,600.00
490	yearling steers and heifers	@ $12	5,880.00
18	grade bulls	@ $18	324.00
11	head of work horses	@ $40	440.00
10	head of saddle horses	@ $15	150.00
3	range mares	@ $12	36.00
2	hogs	@ $5	10.00
	Household and office furniture		362.50
	Supplies and hound		80.00
1	hay derrick		25.00
2	hay rakes		14.00
2	mowing machines		40.00

1 binder	10.00
6 sets of double harness	75.00
1 threshing machine	25.00
3 plows	7.50
1 fanning mill	5.60
2 freight wagons	25.00
1 hay stacker	20.00
3 sweep rakes	7.50
1 blacksmith outfit	20.00
1 disk harrow	7.50
1 smoothing harrow	3.00
1 buckboard and 1 spring wagon	50.00
1 grindstone	4.00
1 wood saw	5.00
1 dozen pitchforks	3.00
4 long handled shovels	8.00
4 log chains	4.00
1 riding saddle	10.00
Personal estate	$24,246.00
Real estate	$ 9,501.22
Total	$33,766.22[39]

On May 22, 1903, Executor Henry Kollar acknowledged claims against the estate for $18,107.67 by the Yellowstone National Bank of Billings and one for $658.61 for labor by Thomas Liekert.[40]

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39. Report of Appraisers, May 18, 1903, HCL, Probated Estate, Big Horn County Courthouse, Basin, Wyo.

40. Report of Executors, May 22, 1903, HCL, Probated Estate, Big Horn County Courthouse, Basin, Wyo. Twelve thousand five hundred dollars of the debt was represented by four notes signed by Henry Clay Lovell between February 10 and June 12, 1902, commanding ten percent interest and due in one year. These notes were unsecured and backed by Lovell's word.

2. Kollar & Kollar as Executors

As required by law, the executors made reports every six months as to the condition of the estate. On December 4, 1903, the executors submitted their first report to the District Court. The principal income had been derived from sale of 404 cattle (242 steers, 151 cows, and 11 bulls) for $9,843.88 at the Omaha stockyards on September 15. Disbursements during this period, the principal one having been $2,400 to J. A. Funkhouser for 24 registered Hereford bulls, totaled $8,609.42. Since the time Kollar & Kollar had become the executors, ranch hands had branded 549 calves (286-steer and 263-heifer), and the number of cattle on the range now numbered 1,552 as against 1,383 on May 18.[41]

On April 22, 1904, the Kollars petitioned the court to permit them to resign as executors because of the great distance between their Kansas City office and the ranch. Consequently, they were unable to give that "personal attention to its management which it should have."[42]

Apprised of what was to occur, Willard Lovell, on the 21st, had petitioned the court to name W. T. Whaley, a Big Horn County attorney and rancher, as executor to replace Kollar & Kollar. The Fourth District Court was agreeable and, on the 22d, acted accordingly.[43]

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41. Report of Executors, Dec. 4, 1903, and April 22, 1904, HCL, Probated Estate, Big Horn County Courthouse, Basin, Wyo. Among the labor force employed at the ranch during this period were A. A. David, Harvey Barnes, S. Roby, Yzana David, Mike Rohan, Bela Carter, Frank Smith, Heber Tippets, H. C. Leshner, Lettie Ruble, T. M. Pearson, and Emory Allison.

42. Report of Executors, April 22, 1904, HCL, Probated Estate, Big Horn County Courthouse, Basin, Wyo.

43. Lovell to Court, April 21, 1904, HCL, Probated Estate, Big Horn County Courthouse, Basin, Wyo.

3. W. T. Whaley as Executor

On October 19, 1904, Whaley filed his first report as executor. Since his appointment, he had seen that hay and other crops were cultivated, and there was currently on hand about 1,000 tons of hay and some grain.

He had also found the estate "very largely indebted to the Yellowstone National Bank of Billings to a sum of $20,000 at 10 percent interest." Under his supervision 200 beef cattle and 184 yearlings had been marketed at $22 per head, with the proceeds amounting to $8,234.60.

Expenditures of running the cattle and ranch, putting up hay, and harvesting grain had been $3,348, which he had been compelled to borrow from the Bank of Commerce in Sheridan. After reviewing the report, the District Court authorized Whaley to pay to the Yellowstone National Bank $3,500 to be applied to the long-standing obligations of the estate.[44]

On April 24, 1905, Whaley notified the court that the cattle had been pastured during the fall and winter on the open range. It had been necessary, however, to bring some of them down to the home ranch, where they were fed hay and grain stacked for that purpose. The money borrowed from the Bank of Commerce to finance day-to-day operations had been repaid. Efforts to reduce or liquidate the notes held by the Yellowstone National Bank were frustrated by the high interest rate and now totaled $19,334.

The bank was charging 12 percent, and believing this usurious, Whaley had remitted the interest on the indebtedness due the bank from November 3, 1903, to date at 8 percent, and had notified Col. A. L. Babcock, the bank president, that this was the legal

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44. Report of Executor, Oct. 19, 1904, HCL, Probated Estate, Big Horn County Courthouse, Basin, Wyo. Employees during this period were Mike Rohan, James G. Tadlock, Robert Johnson, Yzana David, Paul Lewis, Owen Spence, R. B. Moncur, Arthur Smith, and Lisle S. Durfee.

proper rate. At the same time he asked the court to determine the proper rate of interest due the bank.

Unless a lower rate than the one charged by Yellowstone National was allowed, he foresaw the interest rate and cost of operating the ranch resulting in "a final sacrifice of all the . . . property to meet the indebtedness," leaving nothing for the heirs.

As another possible escape from the impasse, he recommended sale of the cattle, if a good price could be secured, with the proceeds used to liquidate the indebtedness.[45]

The court was unwilling to sanction the executor's proposal, and during the next six months the situation continued as before. When Whaley made his report in October 1905, he informed the court that during the preceding 12 months, he had marketed cattle to the value of $7,918.68 and had expended $4,423.41 in administration of the property. He had on hand $3,722.05 to be credited to the estate.

Business had been good, and he wished to report that "owing to changed conditions in the vicinity of the ranch and the proposed construction of a railroad nearby which would increase the value of the real estate, some of it could be sold at an advantage."[46]

Nothing came of the proposal to sell land. When he filed his semi-annual report on May 1, 1906, Executor Whaley advised the court that the "ranch has been given over to raising such crops as are necessary to feed the cattle through the winters, and that

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45. Report of Executor, April 24, 1905, HCL, Probated Estate, Big Horn County Courthouse, Basin, Wyo.

46. Report of Executor, Oct. 18, 1905, HCL, Probated Estate, Big Horn County Courthouse, Basin, Wyo. Employed at the ranch during the past year had been T. M. Pearson, Owen Spence, Ephraim Frye, B. M. Howe, Lettie Ruble, James G. Tadlock, Will Maurer, Sam Sharon, E. B. Short, and Mrs. S. B. Parkins.

alfalfa is the chief product." The quantity of hay cut and stacked in 1905 had been sufficient to feed the cattle through the winter. But, to be on the safe side, additional acreage would be plowed and seeded in alfalfa or another good forage crop. A garden was also maintained on the irrigated land at the home ranch, in which vegetables were grown for the hands.

His efforts continued to be directed toward increasing the value of the cattle and toward securing the highest possible sale price. In South Omaha, on December 6, he had marketed two consignments of cattle, one consisting of 57 yearling steers and heifers and the other of 48 cows, for which the estate had received $2,189.39. From time to time he had taken advantage of the increased demand locally for dressed beef by the railroaders and had sold them older cows. These animals had brought as much as 10 to 12 percent more per head than those shipped to Omaha. On April 5 he had sold 10 slaughter cows to a local butcher for $30 a head.

During calf branding in 1905, he had the hands reserve a number of the best males for bulls. He had found a ready market for these at $35 a head, realizing about $10 to $15 more per head than he could have if they had been sold as yearling feeders. All these sales had been for cash, except for one sold to G. W. Kershner and two to W. G. Leavett.

The number of calves branded in 1905 had been 25 percent greater than in 1904, and the loss from death 50 percent less.

Once again Executor Whaley called the court's attention to the notes held by the Yellowstone National Bank. These were long past due, and Colonel Babcock was desirous of having the "debt placed in a form which will be less open to criticism of the National Bank examiners." Colonel Babcock at no time had expressed a desire to recall the loan. But at the high interest rate, 10 percent, it had been impossible to reduce the principal. Heretofore, all money received by the executor over and above operating expenses had been applied to paying the interest and reducing the overdraft. At present, the estate owed about $18,500 to the bank.

In addition, the cost of hiring hands had increased. The prevailing wage for ranch work was $35 per month, plus board. With the increasing demand for laborers on the railroad, fears were voiced that ranch wages would go higher. So far, the executor had been able to employ "plenty of good men" at the current rate, but if it became necessary to pay higher wages, he desired the required authority to do so.

Having been given the go-ahead by the court, Whaley had advertised the "Home Ranch" for sale, and he hoped to find a buyer before the end of the year. If sold, it would be for a sum sufficient to liquidate the debt to Colonel Babcock's bank. This action, he believed, was justified, as the home ranch was a "very desirable piece of property consisting of 400 acres of deeded land, the greater part of which is under cultivation and irrigation. It is well improved, well fenced, and very productive, and the location is very good for anyone who desires to invest with the intention of raising stock."[47]

Willard Lowell reached his majority before Executor Whaley filed his next semi-annual report. Notifying the court of this on October 26, 1906, Whaley observed that for the past three years Willard had been assisting with management of the estate and was accordingly familiar with its operation and competent to administer it. Whaley therefore asked to be relieved of his responsibilities as executor.

Since May there had been little change in the estate, and the cattle and ranch were in good condition. About 1,500 calves had been branded during the summer. From the sale of cattle, Whaley had received $7,937.92. In the interim, to secure operating capital, he had taken out several loans from the State Loan and Trust of Basin. To guard against trespassers, it had been necessary to secure an injunction against Joseph B. Crosby, a Lovell sheepman. Crosby had maliciously and repeatedly driven sheep across the estate's range.

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47. Report of Executor, May 1, 1906, HCL, Probated Estate, Big Horn County Courthouse, Basin, Wyo.

The debt to the Yellowstone National Bank continued to plague the estate. Colonel Babcock, however, had informed Whaley that the bank was willing to accept a mortgage on the home ranch and cattle, if the property were "distributed" by the court to Willard Lovell. Whaley had also learned that Willard had been promised a loan from another bank upon the aforementioned property sufficient to pay off the estate's indebtedness, at a lower rate of interest than Colonel Babcock claimed.[48]

4. Willard Lovell Becomes Executor

The District Court was not yet ready to act, and another six months passed before it accepted W. T. Whaley's resignation as executor. Before doing so, it entertained a petition from Willard Lovell on April 17, 1907, advising that he was "now over 21 and practically the sole legatee under" the will of his father, the only other legatees being Susan and Hattie Lovell and Lettie May Frye, nee Ruble, of Republic, Washington.

He reported that the debt of the estate, except for the $19,774.22 owed the Yellowstone National Bank, had been paid. Interest on that note accumulated at the rate of $3.71 per day. "Mr. Whaley," he continued, had made arrangements "to meet and pay the indebtedness out of the property herein prayed to be distributed."

Lovell desired to have all the estate distributed to him, except for the 400 acres constituting the home ranch (the southwest quarter and the south one-half of the northwest one-quarter of Section 15; the north one-half of the northwest one-quarter of Section 22; and the north one-half of the northeast one-quarter of Section 21, all in Township 56 North, Range 94 West), together with all water rights and water thereon, having a value of $8,000;

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48. Report of Executor, Oct. 26, 1906, HCL, Probated Estate, Big Horn County Courthouse, Basin, Wyo.; Civil Cases 297 and 432, W. T. Whaley v. Joseph B. Crosby, and W. T. Lovell v. J. B. Crosby, District Court, Big Horn County, Wyo. Employees during this period were Sam and Gott Sheren, T. M. Pearson, Clifton Whaley, and Jay P. Hesler.

and a dwelling house and two lots at 1267 Lane Street, Topeka, Kansas, used by Susan and Hattie Lovell without rent.

He believed the aforementioned land, which he desired to remain the property of the estate and not be distributed, was of sufficient value "to protect all possible creditors and to guarantee the payment of all further expenses of administration," and the payment of the legacies to the other heirs.

The court was advised that young Lovell had made arrangements with the Sheridan Bank of Commerce for a loan of $20,000 at 9 percent, and had drawn a mortgage to secure the same upon the real estate hereinafter described. The note and chattel mortgage had been deposited in escrow with the Bank of Commerce to take effect as soon as the court entered its decree of distribution.

It had been agreed by the Bank of Commerce and Lovell that out of the $20,000, a sufficient sum would be earmarked to pay in full the claim against the estate held by the Yellowstone National Bank of $19,774.22, although that bank claimed the sum to be $21,618.50. The difference was explained by Colonel Babcock's claim that he had a right to charge 12 percent interest per annum compounded each month of Henry Clay Lovell's overdraft. Willard Lovell held that the Yellowstone National Bank was only entitled to 8 percent interest on the subject overdraft.

The personal property young Lovell desired distributed consisted of all the cattle (about 1,000 head) belonging to the estate of the deceased and branded "M—" and "H" or either of said brands; all the horses belonging to the estate, about 20; all hay, grain, and other stock feed; and $1,201.19 deposited with the State Loan and Trust Company of Basin. In addition to the home ranch, the chattel mortgage filed with the Bank of Commerce included the livestock.[49]

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49. Petition of W. T. Lovell, April 17, 1907, HCL, Probated Estate, Big Horn County Courthouse, Basin, Wyo. Employed on the ranch since the last report were W. A. Gillam, G. W. Gillam, Grace Gillam (cook), Emery Allison, Mike Rohan, Joe Smith, Gay Wyman, Jacob David, James Miner, and Leo Smith.

The District Court two days later, having reviewed the documents, decreed that "the petition of Willard T. Lovell for partial distribution be and hereby is allowed and granted." Decreed to Lovell in fee simple was all the Wyoming real estate, except the 400-acre home ranch, 1,000 head of cattle, 20 horses, the hay and grain, and $1,201.19. The home ranch, together with all water and water rights thereto belonging, about $300 in farm implements, and the house at 1267 Lane Street, Topeka, was "distributed and set aside and decreed to Willard T. Lovell under said will."

After accepting Whaley's resignation and accounts, the court named Willard Lovell administrator of his father's estate, and he was bonded for $2,000.[50]

Lovell thereupon signed a paper certifying that he had received from Whaley the following property remaining in his hands as executor: $1,201.19 in cash, the 400-acre home ranch, and the house and lots at 1267 Lane Street. Colonel Babcock at the same time certified that his bank had received from Willard Lovell $20,093.83 "in full settlement of the claim of $18,107.67, with interest against the estate of Henry C. Lovell, filed November 16, 1903."[51]

Willard Lovell made his first report to the court as executor on October 22, 1907. The court was informed that Hattie and Susan Lovell were agreeable to accepting a fee simple title to the 1267 Lane Street property "in full satisfaction of their claims" against the estate of their brother. As the only other interested party, he was "willing to consent to a decree of the Court, decreeing" the subject property to them.

Since becoming administrator, he had cultivated the land belonging to the estate and had put up 200 tons of hay, while keeping the improvements in a good state of repair.[52]

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50. Decree of District Court, April 19, 1907, HCL, Probated Estate, Big Horn County Courthouse, Basin, Wyo.

51. Certificates filed by Colonel Babcock and Willard Lovell with the District Court on April 19, 1907, HCL, Probated Estate, Big Horn County Courthouse, Basin, Wyo.

52. Report of W. T. Lovell, Oct. 22, 1907, HCL, Probated Estate, Big Horn County Courthouse, Basin, Wyo. After becoming

Acting on Lovell's petition, the court on November 4, 1907, decreed the Topeka property to his two aunts.[53]

Thirteen months later, on December 22, 1908, Willard Lovell informed the court that the estate was free of debt except for: (a) the taxes for 1908 ($333.16); (b) the $1,000 legacy due Lettie May Frye; (c) the $500 owed Henry Kollar for services as executor; and (d) the fees and charges owed his lawyers, Metz, Sackett & Metz. Continuing, he reported that he had made arrangements with the Bank of Commerce for a loan to be secured on the home ranch as soon as it was decreed to him, the sole heir, sufficient to cover all claims against the estate.

He accordingly petitioned the court for an order "approving his acts as administrator," and decreeing title to him of the 400-acre home ranch, upon his depositing with the clerk of the court a sum to be fixed by the judge, covering all sums found by the court due Lettie May Frye, Henry Kollar, and Metz, Sackett & Metz.[54]

Acting immediately, the court decreed that Willard T. Lovell was authorized to make a loan of $17,000 or more upon the home ranch, and to secure the loan by a first mortgage deed thereon. Proceeds of the loan were to be applied to the heretofore mentioned claims against the estate. "Upon and at the time of the taking effect of the said mortgage and loan and payment of

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administrator, Lovell had discovered a deed to the southeast quarter of the northeast quarter of Section 2, Township 57 North, Range 94 West, which had not been reported to the court when the estate was inventoried and appraised in 1903.

53. Court Decree, Nov. 3, 1907, HCL, Probated Estate, Big Horn County Courthouse, Basin, Wyo.

54. W. T. Lovell's Petition, Dec. 22, 1908, HCL, Probated Estate, Big Horn County Courthouse, Basin, Wyo.

claims, . . . all the remaining property of the estate shall be decreed to Willard T. Lovell," including the 400-acre home ranch, "together with all ditches, water rights, easements, etc."[55]

The last claim was paid on January 5, 1910, when Lettie May Frye certified that she had received from Anson Higby of Basin $1,060 "in full payment of all claims against the estate of Henry Clay Lovell."[56]

H. The Lovells Sell the Ranch

Willard Lovell and his wife, the former Isabel Wyman of Trapper Creek, held fee simple title to the ML Ranch for only 11 months, from December 1908 to November 1909. With the ranch heavily mortgaged to the Sheridan Bank of Commerce, they sold it to Christian and Peter Yagen of Billings on November 2 for "one dollar and other valuable considerations." Having disposed of his inheritance, Willard Lovell moved his family to Billings.[57]

I. The ML Ranch from 1909 to 1922

1. The Rise of the Yagen Brothers

The Yagen brothers, the new owners of the ML, were born in Kloster, Switzerland, the sons of Conradin and Emerita Yagen. Christian, who was educated as a teacher, emigrated to the United States in 1879 to join an elder brother and sister in Bismarck, North Dakota. Here he learned the baker's trade, and in 1880 sent for his younger brother Peter. This was the beginning of the Yagen Brothers partnership. Accompanied by their sister, Christian and Peter headed west on the Northern Pacific

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55. Court Decree, Dec. 22, 1908, HCL, Probated Estate, Big Horn County Courthouse, Basin, Wyo.

56. Lettie Ruble Frye to Court, Jan. 5, 1910, HCL, Probated Estate, Big Horn County Courthouse, Basin, Wyo. Mrs. Frye and her husband were now living in Twin Falls, Idaho.

57. Big Horn County Deed Book 17, pp. 158-69, Big Horn County Courthouse, Basin, Wyo.; ltr., Henry C. Lovell to Mrs. Burrell, June 25, 1965, found in the Frances Burrell Collection.

and bought a restaurant in Glendive, Montana, the railroad's eastern terminus. Later they moved to the Terry station, where they managed the section house, selling buffalo meat, cranberries, and bread for seventy-five cents a plate.

By 1882 the thrifty trio had accumulated a savings of $3,000, and Peter traveled west to Billings to survey the opportunities. He was soon joined by Christian and his sister. The railroad had arrived and business was booming. They invested in a bakery, and it prospered until the railroad construction crews moved farther west up the Yellowstone Valley. Loss of business and other reverses found the Yagens minus their original investment and $400 in debt.

They struggled on, however, baking and peddling their wares (five dollars was a good day's effort) door-to-door. Christian took the last two dollars and went to Livingston to cook for the railroaders, and Peter worked in the Billings section house, until they could accumulate sufficient money to buy another bakery on credit. Times improved, and in 1886 they bought a small hotel. They now diversified and began to stock groceries. In 1890 they built a stone-faced two-story building on Minnesota Avenue, and in 1893 began handling hardware, in 1894 drygoods, and in 1900 farm implements. The sister, in 1895, sold her interest to Yagen Brothers and returned to Switzerland.

Yagen Brothers in 1900 opened Billings' first savings bank, and by 1904 they had banks in Anaconda, Butte, and Gardiner. They now became interested in real estate and ranching.[58]

2. The Yagen Brothers and the ML Ranch

The Yagen Brothers owned the ranch for eight years, from 1909 to 1917. Having multiple interests, they employed foremen to manage the ML. Like the Lovells, the Yagens employed the home ranch as a headquarters where they raised alfalfa and hay to feed their stock during the hardest part of the winter. The cattle and sheep were driven up into the Bighorn Mountains as soon as the

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58. Billings Gazette, Aug. 5, 1935, and Sept. 20, 1960; undated clipping from Billings Gazette found in local history clipping file, Billings Public Library.

grass turned green in June and were pastured there until snow compelled a return to the Basin in the autumn. Ben Harwood of Billings recalls working for the ML Ranch several summers while on vacation from his studies at Yale. Most of his time was spent at the cow camp up in the Bighorns, near Medicine Mountain.[59]

The manager lived in the big house at the home ranch, while the hired hands slept in the bunkhouse. Except during the winter, there were few cowhands around. In the summer, a haying crew, a chore boy, and the cook (if a male) occupied the bunkhouse.[60]

3. The Spear Brothers--Cattlemen

The Yagen Brothers, in February 1917, sold the ML Ranch to the Spear Brothers, Willis and Charles. Willis Spear was one of the influential cattlemen of the early twentieth century and is a member of the Cowboy Hall of Fame at Oklahoma City. Born in Missouri, he moved to Evanston, Wyoming Territory, with his parents in 1874. After one year in Wyoming, the Spears headed for Montana, settling near Philipsburg. In 1883 Willis headed southeast with 100 head of cattle and 15 horses and took up land at Big Horn in Johnson County, Wyoming. This was on the opposite side of the Bighorn Mountains from the Basin. Like Mason and Lovell, Spear prospered. In the 1890's he trailed cattle in from Oregon. By 1912 Willis Spear was running more than 50,000 cattle on his four ranches east of the Bighorns and on land he leased from the Crow and Cheyenne Indians.[61]

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59. Telephone interview, Harwood with Bearss, July 26, 1973.

60. Ibid.

61. Telephone interview, Elise Spear Byron with Bearss, Aug. 14, 1973. Mrs. Byron, a daughter of Willis Spear, lives in Sheridan, Wyoming.

Charles Spear also came west with the family, and while at Evanston he lived the "life of the plainsman and gained health, strength and experience." He then moved north into Montana, and at Custer in 1886 he married Frances Gruwell. Four years later they located in Billings, where Spear entered into a partnership and founded a grocery business, Donovant & Spear. At the end of ten years, the partnership was dissolved and Spear became a partner in the insurance firm of Spear & White. In 1902 Spear sold his interest and helped organize the Billings State Bank. Starting as cashier, Spear became president in 1914, three years before Spear Brothers acquired the ML Ranch.[62]

When the Spear Brothers bought the ML, Charles became its manager, while Willis, or Doc as he was called, continued to focus his attention on his operations east of the Bighorns. Bill Scott recalled that Charlie "was one of the finest fellows that you would meet in a day's ride on a grain-fed horse. But he was too nice a fellow to handle a cow outfit in those days."

After the first year, during which they had a poor calf crop, Charles Spear decided to sell the cattle and concentrate on sheep. The Spear Brothers continued to own and operate the ML until 1922, when they sold to Paul Warfel.[63]

J. The ML Structures and Furnishings

1. Interview with Frank Smith

a. Smith Recalls His Days on the ML

On June 28, 1973, the writer interviewed Frank Smith, who had gone to work for the ML spread in 1900 at the age of 15, at his home in Basin, Wyoming. Smith had arrived in the area six years before, his father (John Smith) having taken up a homestead on the

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62. Undated clipping from Billings Gazette, found in local history clipping file, Billings Public Library.

63. Scott, True Stories, pp. 29, 66.

west side of the Bighorn River, near the future site of Kane. His father subsequently established and operated the Kane ferry. Frank, himself, ran the ferry from 1915-17.

Mr. Smith recalled that the winter of 1898-99, the year before he went to work for Henry Clay Lovell, was severe. Lovell lost a number of cattle. Despite the lessons learned from the killer winter of 1887-88, he had not raised enough alfalfa on his irrigated Home and Trapper Creek ranches to see him through a hard winter.

Smith recalled that Henry Clay Lovell had a number of idiosyncrasies. One of these was that when he hired a hand, he always asked two questions: "Do you smoke?" and "Do you wear suspenders?" If a man answered yes to the former and no to the latter, Lovell would not hire him, for as he told Smith, "You would spend most of your time rolling cigarettes and the rest of it pulling up your pants."

Lovell furnished his men their horses, but they had to provide their own saddles, bridles, and blankets. Mike Rohan was foreman during the years Smith worked for the ML. Mike was a heavy drinker and eventually committed suicide.

Until the railroad was extended to Lovell and Kane, the cattle were trailed to Billings by the ML cowboys. At Billings, they were either sold to buyers or shipped to commission houses at Omaha or other midwestern markets. Smith recalled that it took ten days to trail the cattle from the Lovell range east of the Bighorn, to Billings. To secure permission from the Crow to cross the reservation, Henry Clay Lovell always had several "big jawed steers" to exchange for passage.

Although the big frame house had been built by 1900, Mr. Lovell, when at the ranch, slept in the west cabin of the bunkhouse. Lettie Ruble, who doubled as cook and Mr. Lovell's housekeeper, lived in the house. Willard, when not away at school or visiting his aunts in Topeka, likewise stayed in the house. Frank Smith expressed the opinion that Willard was not cut out to be a rancher, taking after his mother rather than his father.

After the Yagen Brothers acquired the ranch from Willard and his wife in 1909, they began to run sheep as well as cattle. The Yagens' foreman, Dan McDonald, lived in the big house, as

had Willard Lovell, his wife, and children. By the time the Spear Brothers had purchased the ranch, Smith had moved to Shell Creek and was no longer intimately connected with the area.

b. Frank Smith Describes the Structures

Frank Smith recalled for me the extant buildings as they were in the first years of this century:

(1) The Bunkhouse

East Cabin

This room was used as quarters for the cowhands and was entered through a doorway in the west elevation. At the east end of this room was a mud and willow fireplace. The men slept in double-pole bunks, built against the interior walls.

East Shed

Mr. Smith was unable to recall the purpose of this structure.

Middle Cabin

Entered through doorways opening into the east, west, and south elevations, this structure was the cook shack and messroom. Among furnishings recalled were a cookstove, table, chairs, and shelves.

Before Smith went to work for the ML, there had been a black cook.

West Shed

Mr. Smith remembered this shed but was unable to recall its use.

West Cabin

Until Mr. Lovell's death in March 1903, this structure was his office and sleeping quarters. There was a plank floor in this cabin. Furnishings recalled by Smith included: a double brass bedstead, rolltop desk and chair, stove, and combination washstand and bureau.

After the death of his father, Mr. Smith recalls, Willard cleared out the office. The furnishings and accessories were piled outside, and the hands allowed to salvage what they wished. Smith secured Mr. Lovell's shotgun, for which he paid Willard five dollars.

The bunkhouse roof was split slab and dirt.

(2) Blacksmith Shop

The log structure southwest of the bunkhouse was the blacksmithy

(3) South Cabin in Orchard

Although he recalled this 18- by 18-foot structure, Mr. Smith was unable to remember its use.

(4) North Log Cabin

This 16- by 18-foot cabin predated the house, Mr. Smith told the writer, but he could not remember its use.

(5) Structures no Longer Standing

In discussing structures no longer extant, Mr. Smith recalled:

Barn and Corrals

The log barn was southeast of the blacksmith shop. Its axis was east and west, the doorways were in the south elevation, and its roof was composed of slabs and hay. Enclosing the barn were extensive pole corrals.

Well and Willow Creek Ditch

Several hundred yards north of the bunkhouse was the Willow Creek Ditch, while in the same direction, but nearer, was a well.

2. Interview With Edna Strong Anderson

a. Edna Strong Anderson--Mail Carrier

On August 4, 1969, Edna Strong Anderson was interviewed at the Big Horn County Nursing Home by Frances Burrell. Like her sister, Bessie Strong Tillett, Edna had a mail route. This route was from Lovell to the Kane post office, which in the early years of the twentieth century was at the ML Ranch.

Edna reached the ranch at 11 A.M. and remained until 3:30, when she headed back to Lovell. She "used a regular Pony Express mail bag that sat on the back of the saddle, big hasp, rivets all around and a padlock." This bag was made of cowhide.

b. Recollections of the Bunkhouse and Lovell's Office

Edna recalled that when she first carried the mail, Henry Clay Lovell was alive and the one and one-half story frame house was standing. The bunkhouse was occupied by ML cowboys. Edna was only in the bunkhouse once [Mr. Lovell being from the "south didn't believe in young girls monkeying around where there were only men"], but she remembered that it had a kitchen and dining room.

Edna Strong Anderson recalled that Mr. Lovell's office was in "a little log building." It was furnished with "a writing desk, chair, safe, and a rocking chair with cushions." If Mr. Lovell were in a good humor when Edna arrived with the mail, he would call, "Sit down there and tell me the news." If he were busy, he would exclaim, "You run out to the big house to Lettie."

3. Watson Wyman Recalls the Structures

Watson Wyman, Willard Lovell's brother-in-law, first saw the ranch headquarters in June 1905, when he was 13 years old. Existing at that time were the bunkhouse, the barns and corrals, the one and one-half story frame house, a windmill, and several minor log structures.

Writing Frances Burrell in 1969, Wyman drew a sketch map citing the principal structures. He located the sleeping quarters in the east wing of the bunkhouse and the office in the west room.

The corrals and barns were south of the bunkhouse, and the windmill and big house to the northeast. The windmill was southwest of the house.[64]

4. Interviews With W. Lou Howe

a. Lou Howe Recalls His Years on the Range

W. Lou Howe was a youngster when his parents moved from Utah to the Bighorn Basin in 1901. The Howes homesteaded on the Stinkingwater several miles east of Lovell. About 12 to 18 months before Willard Lovell sold out to Yagen Brothers in 1909, Lou went to work at the ML as a cook.

He was also acquainted with W. T. Whaley, who had been executor of the Lovell estate from 1904 until 1907. Whaley, a rawboned Texan, had been heard to say, in front of the hands, that Willard was "bound to lose everything." Whaley's forecast came true sooner than anyone expected.

After Lovell and his wife disposed of the ranch, Lou Howe stayed on and worked for the Yagen Brothers. Being merchants and bankers, the brothers lived in Billings and hired Dan McDonald to run the ranch for them. McDonald, who was married to a daughter of L. W. Bever, owner of the Kane General Store, lived in the big house during the years he was foreman. McDonald ran the spread for the Yagens until 1912, when he was replaced by George Clarke, Christian Yagen's brother-in-law. The Clarkes, like the McDonalds, lived in the house built by Henry Clay Lovell.

The Yagen Brothers were interested in the ranch, and during the years it was in their ownership a number of improvements were made. One of these, recalled by Howe, was construction of a frame barn. The most important change, though, Lou Howe recalls, was the introduction of sheep onto the ML range. McDonald was a good sheepman, and the number of sheep on the range soon far exceeded that of cattle, which averaged about 700. In some years the Yagens had as many as four bands of sheep.

Lou Howe was working on the ranch in February 1917 when the Yagen Brothers sold out to the Spears, Charlie and Doc.

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64. Ltr., Watson Wyman to Frances Burrell, Sept. 1969, found in the Frances Burrell Collection.

Like the Yagens, the Spears ran both sheep and cattle on the ML range. George Clarke, finding that Charlie Spear was "too nice a fellow to handle a cow outfit," soon quit as foreman, to be succeeded by Jim Wasson from the Dryhead Country.

The United States declared war on Germany in April 1917, and Lou Howe left the ranch for the army. Both he and his brother, Forest, served in France with the 91st Infantry Division and were wounded in the Meuse-Argonne offensive.

Besides his years on the ML Ranch, Lou Howe worked as a cowboy for seven years for the Basin Cattle Company. This spread, which ran its cattle in Garvin Basin, was managed by Johnny Booz in partnership with Tom Snidow of Billings. Although Booz was a colorful character, with a reputation for being difficult to please, Howe got along with him. On one occasion Booz sent Howe to Parkman, Wyoming, to settle his account for over $1,300 with the store. Since he did not have a check, Booz wrote out one on a grocery sack and told Howe "to give it to Polly at Parkman."

While working for Booz, Howe ran afoul of Dr. Barry, who was belligerent when drinking. Enroute from Lovell to Garvin Basin, Howe decided to stop at Hillsboro to see if he had any mail. As he rode toward the post office, he encountered Barry and an employee named Malcolm at the wooden swing gate. Barry was drunk and armed. Pointing his rifle at Howe, Barry told him not to go through his place. Knowing Barry's reputation, Howe turned his horse around and reached Garvin's Crossing by way of North Fork Trail Creek.

Mrs. Barry, whom he liked and respected, on learning of her husband's conduct, sent Howe's mail across to Garvin Basin and apologized for her husband's actions.

Lou Howe and his wife purchased the ML Ranch from the Millses in December 1946. He owned for less than one year the ranch where he had cooked for the hard-riding ML cowboys 40 years before. On October 31, 1947, Lou and Lita Howe sold their ranch to J. D. Bischoff and moved to Billings.[65]

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65. Personal interview, Lou Howe with Bearss, June 25 and 29, 1973.

b. Lou Howe Describes the Structures

Lou Howe possesses a keen memory. On June 25 and 29, 1973, he discussed with the writer his recollections of the four extant log buildings and their furnishing at the time he went to work on the ML for Willard Lovell in 1907 or 1908.

(1) The Bunkhouse

East Cabin

Lou Howe recalled that this cabin, which was entered through a doorway in the west elevation, was the hands' sleeping quarters. Along the north and south walls were pole bunks on which the men positioned their bedrolls. At the east end of the room was a "mud and willow" fireplace. The floor was dirt.

East Shed

This structure, in which salt for the cattle was stored, also had a dirt floor.

Middle Cabin

This structure, serving as the cookhouse and mess hall, was entered by doorways in its east, west, and south elevations. A log partition, in which there was a doorway, divided the interior of the structure into two rooms. In the east room, much the larger, were the cooking range, dining table, benches, and washstand. The wood cooking range was in the northeast corner, and while standing in front of the stove Howe looked out the north window. Howe recalls the stove having a large oven and an ash pan.

The rectangular board table, at which the men ate, was in the middle of the room, with its axis running east and west. When they sat down to eat, it was on benches of rough-hewn lumber. Positioned on the washstand, in the southeast corner, were a galvanized bucket and wash basin, and an ironstone soap dish. A face towel hung from a nail.

The smaller west room contained a cupboard in which Howe stored the eating utensils (tin plates, ironstone cups and saucers, cheap metal knives, forks, and spoons) and his skillets, pots, pans, and coffeepot.

This cabin, unlike the one to the west, had a dirt floor.

West Shed

This structure was used for storage and had a dirt floor.

West Cabin

Unlike the other cabins, this one had a plank floor. There was only one doorway, placed in the east elevation. When Lou Howe cooked at the ML Ranch, he bunked in this cabin, sleeping on an iron bedstead in the southwest corner. In the northeast corner there was a pot-bellied heating stove. Howe kept his clothes in apple boxes fixed up as a bureau. Along the walls were shelves hewed from green cottonwood in which were stored staples used in preparing the men's meals.

Subsequently, this cabin was used by the United States Forest Service as the Five Springs Ranger Station.

The roof of the bunkhouse was slabs covered with six to eight inches of dirt.

Lou Howe recalls that the lights in the windows were small.

(2) Blacksmith Shop

During the years Lou Howe worked for Willard Lovell and the Yagen Brothers, this building was used as a granary.

(3) South Cabin in Orchard

Mr. Howe recalled that this structure was quarters for one of the hired men. If a man and wife were both on the payroll they lived in this cabin.

(4) North Log Cabin

This structure was used for storage, according to Mr. Howe.

(5) Cistern

Water taken from the Willow Creek Ditch was not good for "one's system." Some of the older cowboys told Lou Howe that "bad water" from this ditch was what killed Henry Clay Lovell. After he married Isabel Wyman, Willard Lovell hired Jim Bradley to build a cistern on the hill southeast of the house. Bradley botched the job and the cistern always leaked.

(6) Structures No Longer Standing

In describing structures no longer extant, Mr. Howe recalled:

Barns and Corrals

A short distance southeast of the blacksmith shop were the ML corrals. When he went to work for Willard Lovell, there was a log horse barn south of the bunkhouse. This building faced south, had mangers against the north wall, and was roofed with slabs and hay.

After the Yagen brothers acquired the ranch, they built a large frame barn near the old log structure.

The Henry Clay Lovell House

Lou Howe had been told that lumber for the Lovell house had been hauled to the site from Billings and Bridger on wagons pulled by six horses.

5. Interview With Mrs. M. A. Jolly

Mrs. M. A. Jolly, as a child, visited the ML Ranch in 1907 or 1908, while Willard and Isabel Lovell were in residence. She recalled that it was here she saw her "first inside bathroom."

She remembers that the stairway was carpeted, the house "elegantly furnished," and that the Lovells slept upstairs.[66]

6. Interview With Mrs. Lee Hoffman

Mrs. Hoffman had cooked at the ML while it was owned by the Spears. On June 21, 1973, she described to me the floor plan of the Lovell house.

Mrs. Hoffman recalled that the front doorway to the house was in its east elevation. Opening the front door, one entered the house through a central hall. To the right (north) there was a doorway opening off the hall into an office, and to the left (south) one opening into the living room. There was a set of double doors in the west elevation of the living room, opening into the dining room. A second doorway led from the dining room into the central hall, and a third into the kitchen. The kitchen was in an ell, and could be also entered through a doorway in its north elevation. At the west end of the kitchen was a flight of steps descending into the basement.

On the north side of the central hall, in addition to the office, were two bedrooms and a bathroom. The bathroom was between the bedrooms.

A stairway led upstairs, where there were more bedrooms.[67]

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66. Personal interview, Mrs. Jolly with Bearss, June 22, 1973. Isabel Lovell, Mrs. Jolly recalled, was a Wyman. Her parents were from Trapper Creek Lodge. Among the prominent guests of the lodge had been Owen Wister, author of The Virginian.

67. Personal interview, Mrs. Hoffman with Bearss, June 21, 1973.

7. Interview With Mrs. Paul Warfel

a. The Warfels and the Ranch

On June 29, 1973, I interviewed Mrs. Paul Warfel, who lived on the ML Ranch from 1922 until 1926, at her home in Lovell. Her husband, she recalled, first shared management with W. V. Johnson, a Spear son-in-law.

b. Mrs. Warfel Describes the Extant Structures

(1) The Bunkhouse

East Cabin

The Warfels used this room as a smokehouse for cutting up and curing meat. Although the "mud chimney" was still standing and attached to the east elevation, a big stove had been positioned in the room to render lard. This room was entered through a doorway in the west elevation.

East Shed

This shed was used as a garage.

Middle Cabin

By the early 1920's, the Warfels were raising sugar beets on their irrigated acreage. Mexicans were employed to work the beets and were quartered in this cabin, which was divided by a partition into two rooms, the east one being much the larger. Mrs. Warfel recalled doors opening from the middle cabin into the east and west sheds.

West Shed

This shed was used as a harness room.

West Cabin

This cabin was used as a bunkhouse, and unlike the others, had a plank floor. There were two doorways opening into this cabin, one in the south elevation and the other from the west shed.

Mrs. Warfel recalls that the roof of the bunkhouse was slab and dirt.

(2) Blacksmith Shop

The Warfels used this structure as a chicken house.

(3) South Cabin in Orchard

Mrs. Warfel believes this structure was located on this site after they moved from the ML Ranch in 1926.

(4) North Log Cabin

Mrs. Warfel was unable to recall this structure and believes it was moved onto the site subsequent to 1926.

(5) Cistern on Hill Southeast of House Site

Water for use in the big house built by Henry Clay Lovell was stored in this cistern.

(6) Structures No Longer Extant

Henry Clay Lovell House

This large one and a half story structure stood in the grove of cottonwoods. It was standing in 1926 when the Warfels moved off the ranch. Mrs. Warfel believes it burned in the 1930's, while the Snyders owned the property. The house, she recalls, had carbide lights.

Barn and Corrals

A big frame barn and pole corrals were south of the bunkhouse and southeast of the log chicken house (blacksmithy).

APPENDIX A

1900 Census of the Dryhead Country

No. of Dwelling	No. of Family	Name	Relation	Race	Sex	Month	Year	Age	Marital State	No. Years Married	No. Children Mother Of	Children Living	Place of Birth	Place of Birth of Father	Place of Birth of Mother	Year of Immigration Years in USA Where Naturalized	Occupation	Months unemployed	Read	Write	Speaks English	Owner/Renter	Farm/Home
77	77	Ewing, Erastus T.	Head	W	M	Aug.	1846	53	M	28			Tenn.	Tenn.	Va.	X X X	Farmer	0	X	X	X	0	F
		Ewing, Dora A.	Wife	W	F	Sep.	1854	45	M	28	5	4	Mich.	Mich.	Mich.	X X X			X	X	X		
		Ewing, Erastus R.	Son	W	M	Mar.	1874	26	S				Calif.	Tenn.	Mich.	X X X	Farm Labor	0	X	X	X		
		Ewing, Lee W.	Son	W	M	Oct.	1882	17	S				Mont.	Tenn.	Mich.	X X X	Farm Labor	0	X	X	X		
		Ewing, Grace M.	Dau.	W	F	Jun.	1884	15	S				Mont.	Tenn.	Mich.	X X X			X	X	X		
76	76	Hannon, Lincon	Head	W	M	Mar.	1865	35	M				Tenn.	Tenn.	Tenn.	X X X	Farmer	0	X	X	X	0	F
		Hannon, Alice R.	Wife	W	F	Mar.	1870	30	M		2	2	Tenn.	Tenn.	Va.	X X X			X	X	X		
		Hannon, Julia	Dau.	W	F	Apr.	1895	5	S				Mont.	Tenn.	Tenn.	X X X							
		Hannon, Thomas M.	Son	W	M	May	1900	1/12	S				Mont.	Tenn.	Tenn.	X X X							
75	75	Davis, Joseph	Head	W	M	Mar.	1852	48	S				England	England	England	1876 24 Ka.	Miner	0	X	X	X	0	H
72	72	Mogen, Hauff	Head	W	M		1872	28	S				Minn.	X	X	X X X	Farmer	0	X	X	X	0	F
		Griswold, Louis	Boarder	W	M	Mar.	1844	56	S				Ohio	Ohio	Ohio	X X X	R.R. Grader	2	X	X	X		
73	73	Bent, Samuel	Head	W	M	Dec.	1881	18	M				Me.	Me.	Me.	X X X	Farmer	4	X	X	X	0	F
		Bent, Mary	Wife	W	F	Mar.	1883	17	M				Iowa	Ohio	Ohio	X X X			X	X	X		
		Bent, Delbert	Brother	W	M	May	1873	26	S				Me.	Me.	Me.	X X X	Farm Labor	0	X	X	X		
74	74	Inchero, Albert E.	Head	W	M	Nov.	1873	26	S				Ohio	Ohio	Ohio	X X X	Farm Labor	0	X	X	X	0	H

APPENDIX A

1900 Census of the Dryhead Country

No. of Dwelling	No. of Family	Name	Relation	Race	Sex	Month	Year	Age	Marital State	No. Years Married	No. Children Mother Of	Children Living	Place of Birth	Place of Birth of Father	Place of Birth of Mother	Year of Immigration Years in USA Where Naturalized	Occupation	Months unemployed	Read	Write	Speaks English	Owner/Renter	Farm/Home
77	77	Ewing, Erastus T.	Head	W	M	Aug.	1846	53	M	28			Tenn.	Tenn.	Va.	X X X	Farmer	0	X	X	X	O	F
		Ewing, Dora A.	Wife	W	F	Sep.	1854	45	M	28	5	4	Mich.	Mich.	Mich.	X X X			X	X	X		
		Ewing, Erastus R.	Son	W	M	Mar.	1874	26	S				Calif.	Tenn.	Mich.	X X X	Farm Labor	0	X	X	X		
		Ewing, Lee W.	Son	W	M	Oct.	1882	17	S				Mont.	Tenn.	Mich.	X X X	Farm Labor	0	X	X	X		
		Ewing, Grace M.	Dau.	W	F	Jun.	1884	15	S				Mont.	Tenn.	Mich.	X X X			X	X	X		
76	76	Hannon, Lincon	Head	W	M	Mar.	1865	35	M				Tenn.	Tenn.	Tenn.	X X X	Farmer	0	X	X	X	O	F
		Hannon, Alice R.	Wife	W	F	Mar.	1870	30	M		2	2	Tenn.	Tenn.	Va.	X X X			X	X	X		
		Hannon, Julia	Dau.	W	F	Apr.	1895	5	S				Mont.	Tenn.	Tenn.	X X X							
		Hannon, Thomas M.	Son	W	M	May	1900	1/12	S				Mont.	Tenn.	Tenn.	X X X							
75	75	Davis, Joseph	Head	W	M	Mar.	1852	48	S				England	England	England	1876 24 Ka.	Miner	0	X	X	X	O	H
72	72	Mogen, Hauff	Head	W	M		1872	28	S				Minn.	X	X	X X X	Farmer	0	X	X	X	O	F
		Griswold, Louis	Boarder	W	M	Mar.	1844	56	S				Ohio	Ohio	Ohio	X X X	R.R. Grader	2	X	X	X		
73	73	Bent, Samuel	Head	W	M	Dec.	1881	k8	M				Me.	Me.	Me.	X X X	Farmer	4	X	X	X	O	F
		Bent, Mary	Wife	W	F	Mar.	1883	17	M				Iowa	Ohio	Ohio	X X X			X	X	X		
		Bent, Delbert	Brother	W	M	May	1873	26	S				Me.	Me.	Me.	X X X	Farm Labor	0	X	X	X		
74	74	Inchero, Albert E.	Head	W	M	Nov.	1873	26	S				Ohio	Ohio	Ohio	X X X	Farm Labor	0	X	X	X	O	H

APPENDIX B

The Dryhead School District

On October 16, 1916, a number of families having settled in the Dryhead Country, the Carbon County School Board divided the Pryor School District. A new district, No. 39, was established embracing the Dryhead Country. The boundary of the new district was to begin at the northwest corner of the Wells Ranch; then with the west and south property lines of the ranch continuing south to the east line of the Custer National Forest; then south with the boundary of the Forest Reserve to the northeast corner of Township 9 South, Range 27 East; then with the township line south to the Montana-Wyoming boundary; then east to the Bighorn River; then north with the Bighorn River to the Crow Indian Reservation line; and then west with the reservation line to the place of beginning.

A schoolhouse for the newly constituted district was constructed a short distance west of where the Dryhead road crossed Davis Creek, and between the creek and the road. A few foundation stones north of the road are all that remain of the first Dryhead School.

Trustees for the new school were C. Y. Hough and Claude St. John, and Merle Fearis taught the 1916-17 term.

In the early 1920's, the Dryhead School was relocated to Deadman Creek, where it was closer to the area's center of population. The frame structure was located south of the creek and east of the house and outbuildings occupied by the G. L. Marchant family. The schoolhouse also served as a community center, with dances frequently held there on Saturday nights. When the school was abandoned and the building moved, the piano, used for the dances, stood forlornly on the site for several months before it, too, disappeared. All that remains to mark the site of the second Dryhead School is the tumbledown debris of one of the outbuildings.

Clerks, Trustees, and Teachers, 1916-1950

1916-17

Trustees -- C. Y. Hough and Claude St. John
Teacher -- Merle Fearis

1917-18

Clerk -- Lem Chesmore
Trustees -- C. L. Hammond, Frank Annerer (resigned), Walter Parsons, and J. E. Cothron
Teacher -- Merle Fearis

1918-19

Clerk -- J. N. Ellis
Trustees -- Frank Battley, C. L. Hammond, and Walter Parsons
Teacher -- Merle Fearis

1919-20

Clerk -- J. N. Ellis
Trustees -- Frank Battley, Walter Parsons, and Bert Mellick
Teacher -- Agnes O'Neil

1920-21

Clerk -- J. N. Ellis
Trustees -- Bert Mellick, Frank Battley, and Emily Ellis
Teacher -- Catherine Parks

1921-22

Clerk -- J. N. Ellis
Trustees -- Emily Ellis, Bert Mellick, and Josephine Caldwell
Teacher -- Lenor Muir

1922-23

Clerk -- J. N. Ellis
Trustees -- Bert Mellick, Josephine Caldwell, and James V. Durr
Teacher -- Mary F. McCammon

1923-24

Clerk -- J. N. Ellis
Trustees -- Josephine Caldwell (moved), James Durr, C. L. Hammond, and Charles Billings
Teachers -- Mrs. Fidela (resigned), Page Morrow (resigned), and Lauretlee Wisner

1924-25

Clerk -- Bert Mellick
Trustees -- James Durr, C. L. Hammond, and Ervin Howard
Teacher -- Eugenia G. Burke

1925-26

Clerk -- Lois Battley
Trustees -- C. L. Hammond, Ervin Howard, and Frank Battley
Teacher -- Clara Schwendemann

1926-27

Clerk -- Lois Battley
Trustees -- Frank Battley, Jasper Faust, and Ervin Howard
Teachers -- Frances Gormley (resigned), and Nellie Schmidt

1927-28

Clerk -- Lois Battley
Trustees -- Frank Battley, Jasper Faust, and Ervin Howard
Teacher -- Nellie Schmidt

1929-30

Clerk -- Elizabeth Marchant
Trustees -- Jasper Faust, Ervin Howard, and Bert Mellick
Teacher -- Nellie Schmidt

1930-31

Clerk -- Elizabeth Marchant
Trustees -- G. L. Marchant, C. L. Hammond, and Philip Snell
Teacher -- Lucy Quinn

1931-32

Clerk -- Elizabeth Marchant
Trustees -- Philip Snell, Ervin Howard, and C. L. Hammond
Teacher -- Mrs. Lucy Marchant

1932-33

Clerk -- Elizabeth Marchant
Trustees -- Philip Snell, Ervin Howard, and C. L. Hammond
Teacher -- Marion Tillman

1933-34

Clerk -- Elizabeth Marchant
Trustees -- Philip Snell, Ervin Howard, and C. L. Hammond
Teacher -- Faye Harrington

1934-35

Clerk -- Elizabeth Marchant
Trustees -- Philip Snell, Ervin Howard, and C. L. Hammond
Teacher -- Mildred Wilson

1935-36

Clerk -- Mrs. Evea Hammond
Trustees -- C. L. Hammond, Philip Snell, and Jesse Hoagland
Teachers -- Rosamond Dour (resigned) and May Harrington

1936-37 (Snell Private School)

Clerk -- Mrs. Evea Hammond
Trustees -- C. L. Hammond, Philip Snell, and Mrs. Gene Mach
Teacher -- Mary Della Buitenvell

1937-38

Clerk -- Mrs. Evea Hammond
Trustees -- C. L. Hammond, Philip Snell, and Mrs. Gene Mach
Teacher -- Freda Colwell

1938-39

Clerk -- Mrs. Evea Hammond
Trustees -- Philip Snell, C. L. Hammond, and Mrs. Gene Mach
Teachers -- Flavia Hanson (resigned) and DeLorman Burk

1939-40

Clerk -- Mrs. Evea Hammond
Trustees -- Philip Snell, C. L. Hammond, and Mrs. Gene Mach
Teachers -- DeLorman Burk (resigned) and Margaret Cruikshank

1940 (Summer School)

Clerk -- Mrs. Evea Hammond
Trustees -- C. L. Hammond (chairman), Joe Smith, and Philip Snell
Teacher -- Robert Abbott

1941 (Summer School)

Clerk -- Mrs. Evea Hammond
Trustees -- C. L. Hammond (chairman), Joe Smith, and Philip Snell
Teacher -- Mrs. Frances Madson

1942 (Summer School)

Clerk -- Mrs. Evea Hammond
Trustees -- Mrs. Ruth Webster (chairman), C. L. Hammond, and Joe Smith
Teacher -- Kathryn Wall

1943-44

Clerk -- Mrs. Evea Hammond
Trustees -- Joe Smith (chairman), Jennie Abbott, and Roy Hammond
Teachers -- Elsie Howe (resigned) and Austin Grant

1944-45

Clerk -- Mrs. Evea Hammond
Trustees -- Joe Smith (chairman), Philip Snell, and Roy Hammond
Teacher -- Lee Newkirk

1945-46 (Snell Private School)

Clerk -- Mrs. Evea Hammond
Trustees -- Roy Hammond (chairman), Philip Snell, and W. L. Howe
Teacher -- Mrs. Edith P. Cribbs

1946-47 (Snell Private School)

Clerk -- Mrs. Evea Hammond
Trustees -- Roy Hammond (chairman), Joe Smith, and Philip Snell
Teacher -- Harvey A. Barron

No school in 1947-50, and on July 6, 1950, School District No. 39 (Dryhead) was consolidated with School District No. 16 (Piney Creek).

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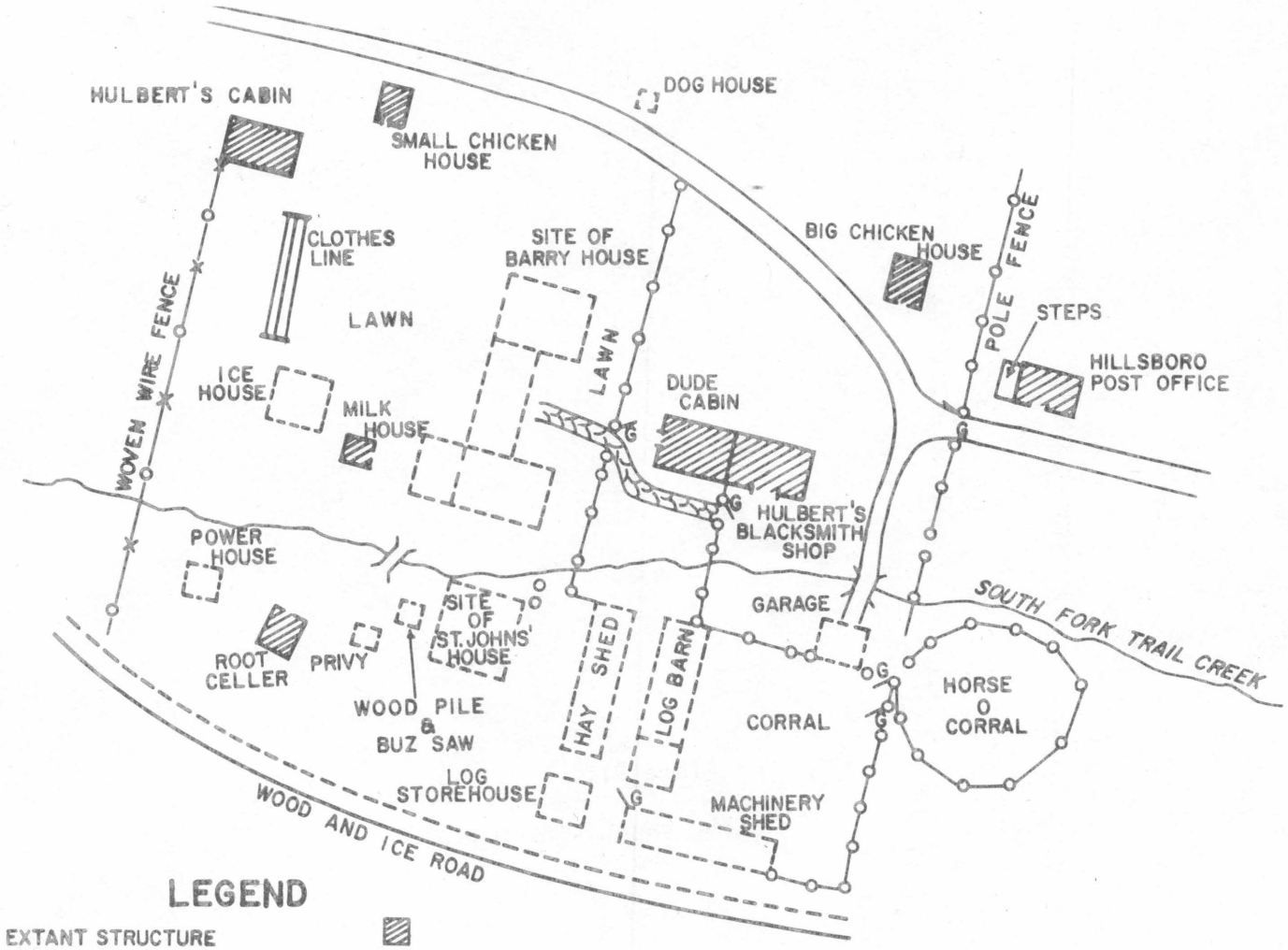
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PLATES

Plate 1.

Hillsboro: Plan of Core Area.



LEGEND

EXTANT STRUCTURE

SITE OF STRUCTURE

POLE FENCE AND CORRAL

WOVEN WIRE FENCE

GATE

BRIDGE

N

PLATE I

HISTORICAL BASE MAP

HILLSBORO

PLAN OF CORE-AREA

BIGHORN CANYON NATIONAL RECREATION AREA

Plate 2.

ML Ranch Line Map.

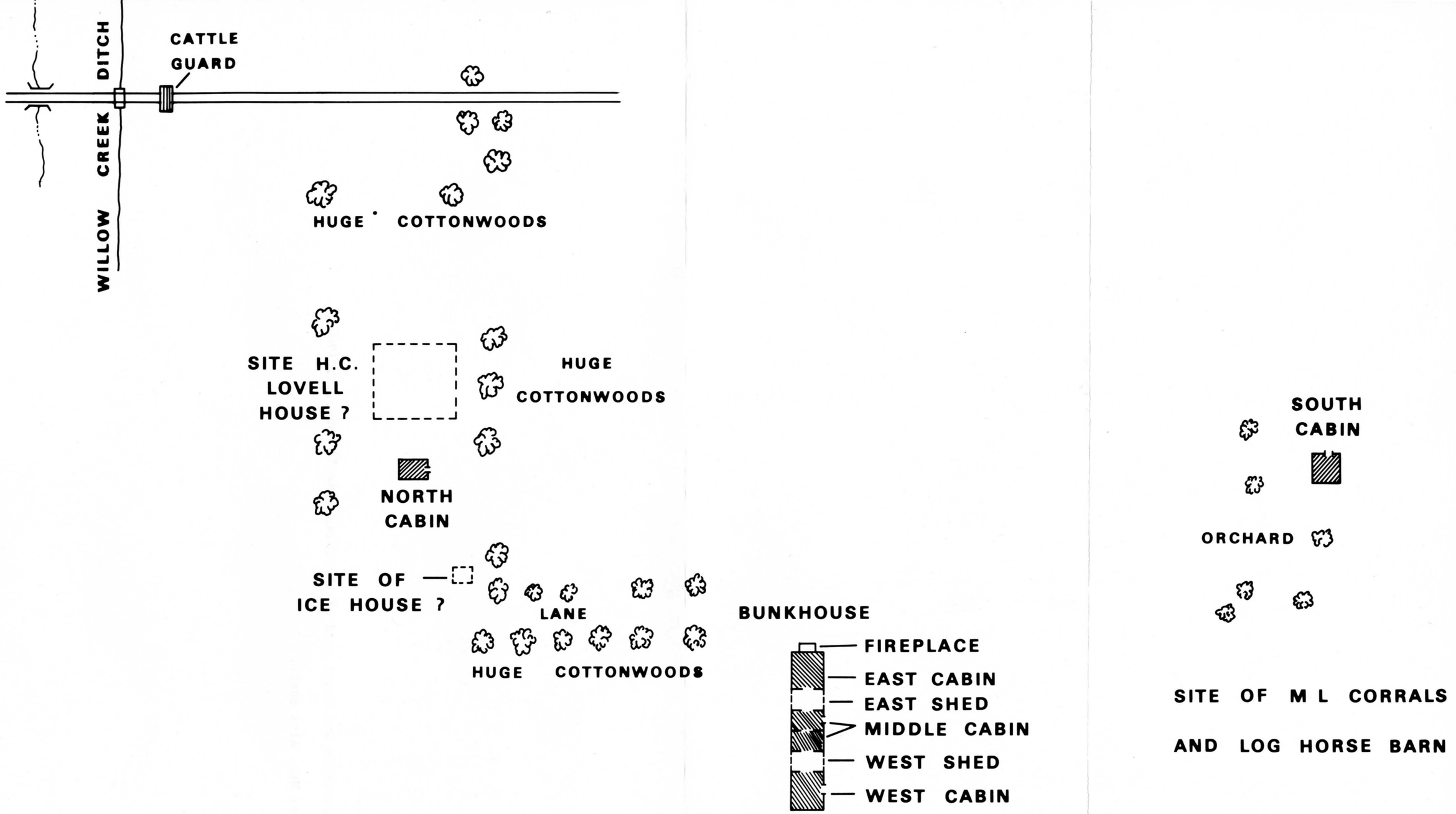


PLATE II

HISTORICAL BASE MAP

ML RANCH LINE MAP

BIGHORN CANYON NATIONAL RECREATION AREA

Plate 3.

East elevation and front yard of the Ewing (Snell) house, c. 1940.

Courtesy Mrs. Alma Snell.

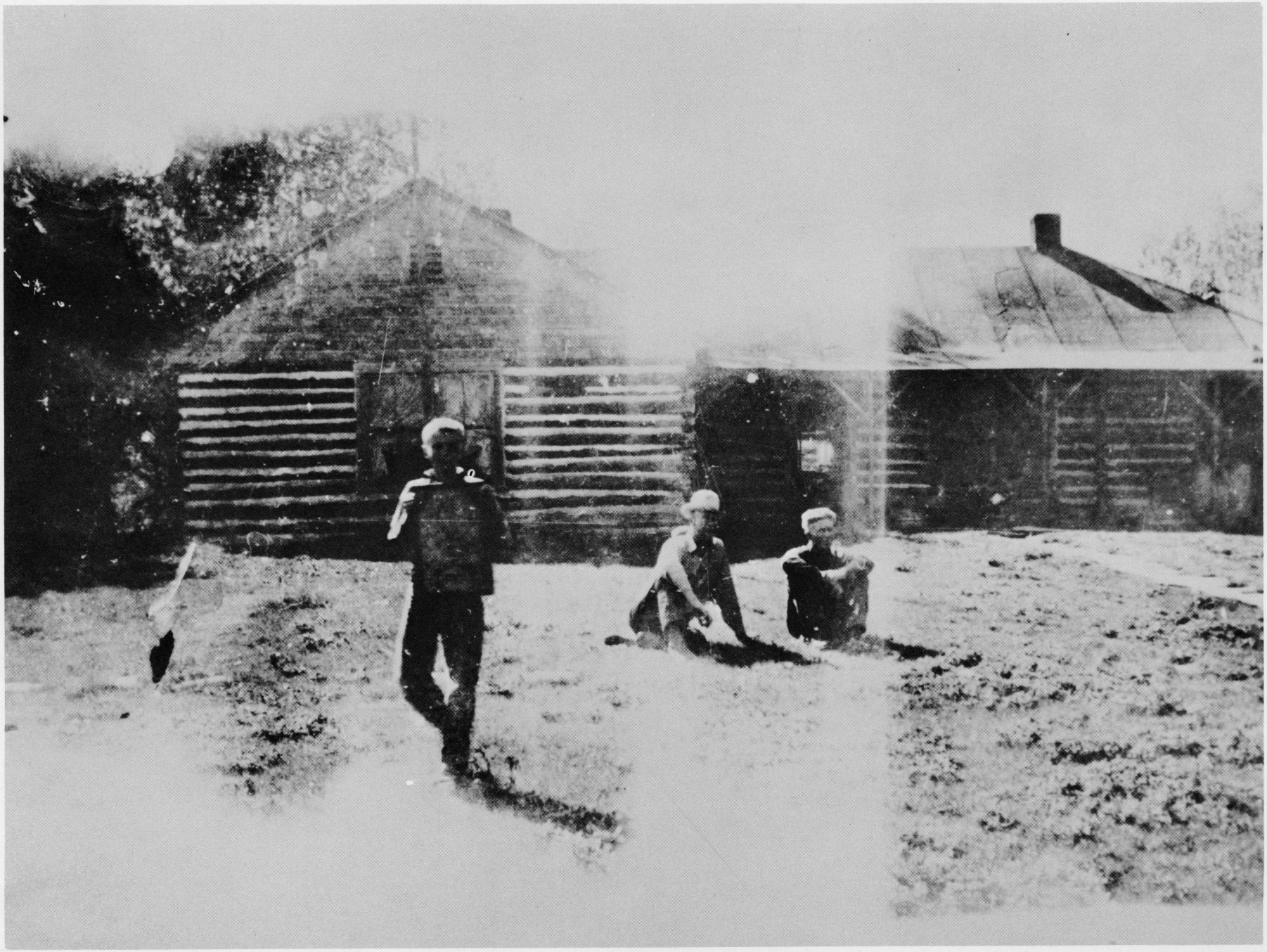


Plate 4.

East front porch of the Ewing (Snell) house, c. 1940.

Courtesy Mrs. Alma Snell.

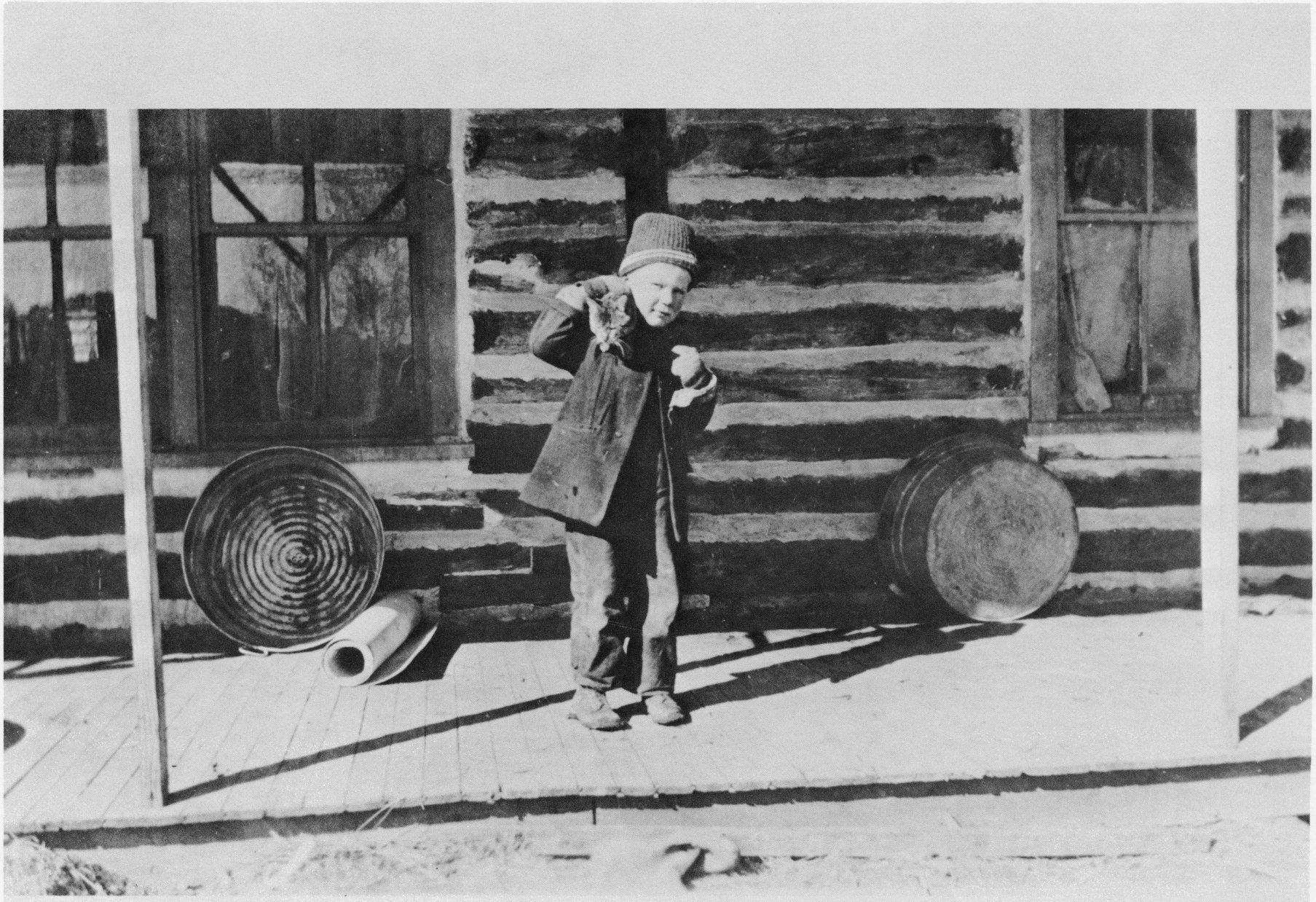


Plate 5.

The Snell Schoolhouse/Shop, c. 1940. In the mid-1940's, the Dryhead School was relocated and classes were held in Philip Snell's shop. The teachers boarded and roomed with the Snells.

Courtesy Mrs. Alma Snell.



Plate 6.

Grosvener W. Barry and his favorite dog, c. 1915. Dr. Barry is seated on the front porch of his log ranch house.

Courtesy Mrs. Beverly St. John.



Plate 7.

Mrs. Mary Edith Barry at Hillsboro, c. 1915.
A descendent of Governor Winthrop Sargent and
southern planters, Mrs. Barry brought the
grace and charm of the old South to Hillsboro.

Courtesy Mrs. Beverly St. John.



Plate 8.

The east and south elevations of the Hillsboro Post Office, c. 1950. By this time the post office had been discontinued, and the St. Johns used the structure for storage. Note the pole fence in the background.

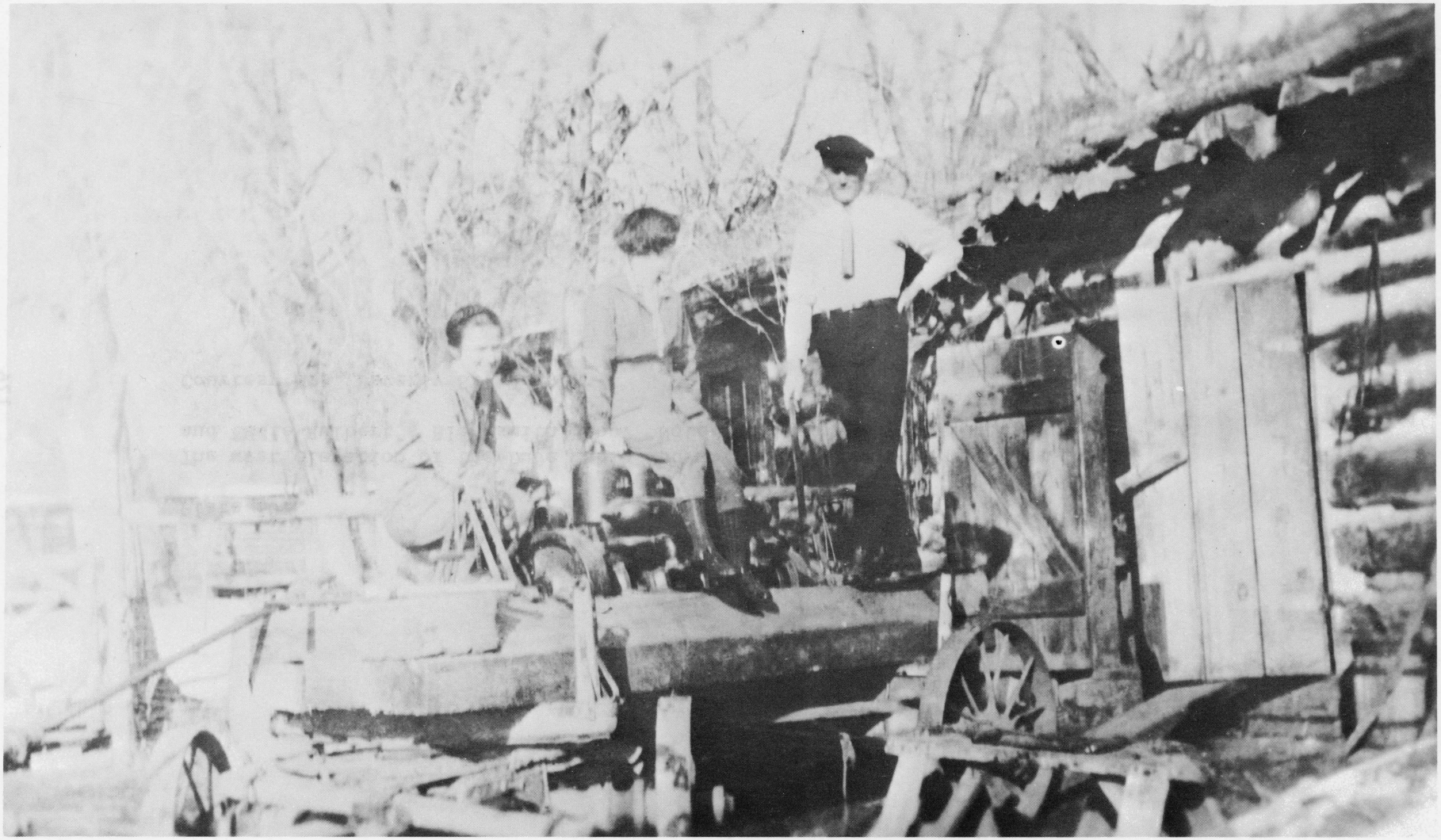
Courtesy Mrs. Beverly St. John.



Plate 9.

The south elevation of Eddie Hulbert's Blacksmith Shop and the Dude Cabin. In the background can be seen the Barrys' log house.

Courtesy Mrs. Beverly St. John.



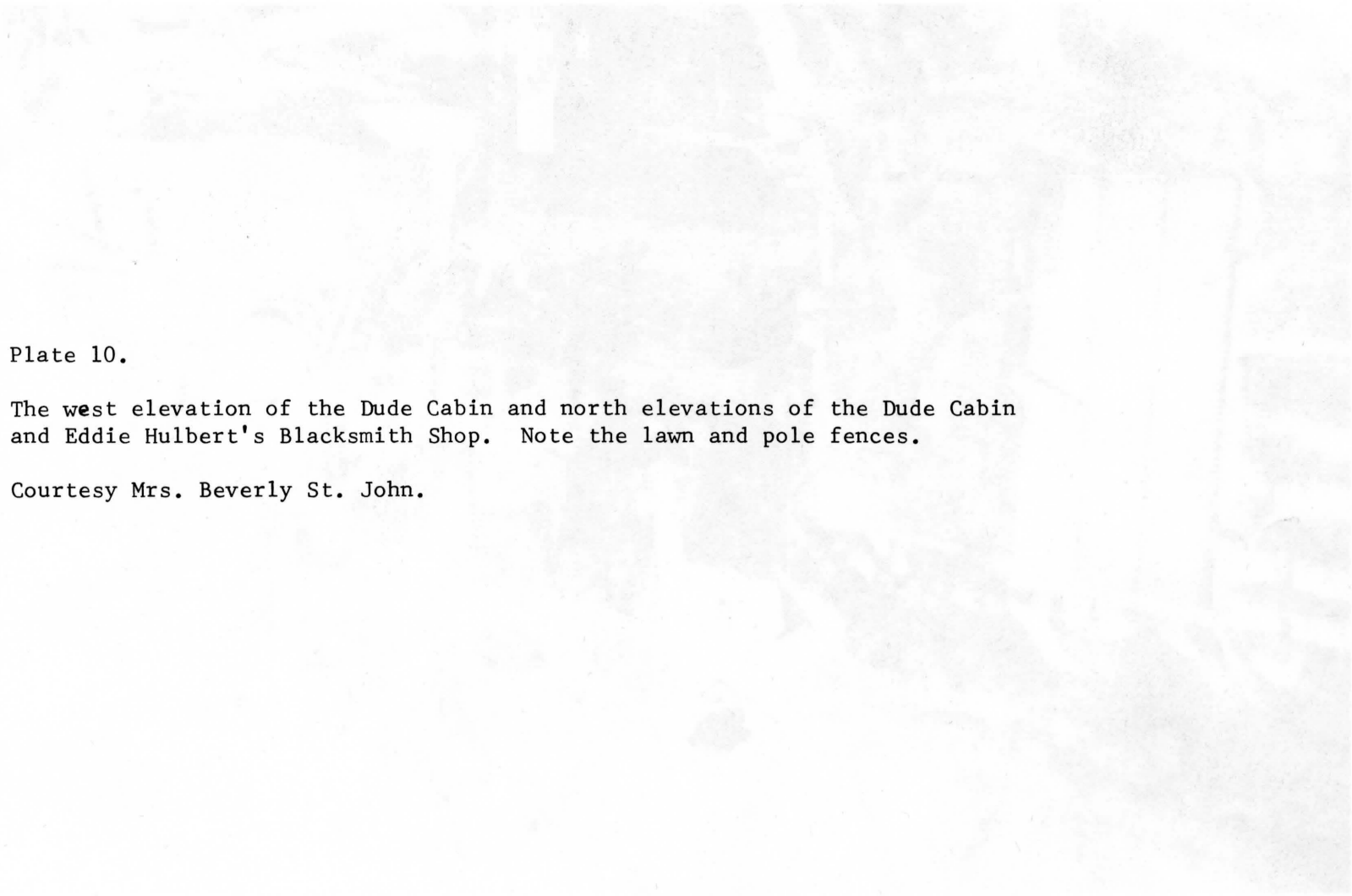


Plate 10.

The west elevation of the Dude Cabin and north elevations of the Dude Cabin and Eddie Hulbert's Blacksmith Shop. Note the lawn and pole fences.

Courtesy Mrs. Beverly St. John.



Plate 11.

The east elevation of the Barrys' log house, c. 1915. This picturesque dwelling, along with its priceless furnishings, was destroyed by fire in the winter of 1947-48. Note the lawn, trees, and shrubbery.

Courtesy Mrs. Beverly St. John.



Plate 12.

West elevations of Eddie Hulbert's frame cabin and small chicken house. Note the woven wire fence which separated the Barrys' backyard from the west hayfield.

Courtesy Mrs. Beverly St. John.



Plate 13.

East elevation of the log barn, c. 1950. The two-story frame structure in the background is the hay shed.

Courtesy Mrs. Beverly St. John.



Plate 14.

East elevations of the log barn and frame hay shed. The section of the barn behind Mrs. St. John's daughter housed the cows, a saddle room, and granary.

Courtesy Mrs. Beverly St. John.



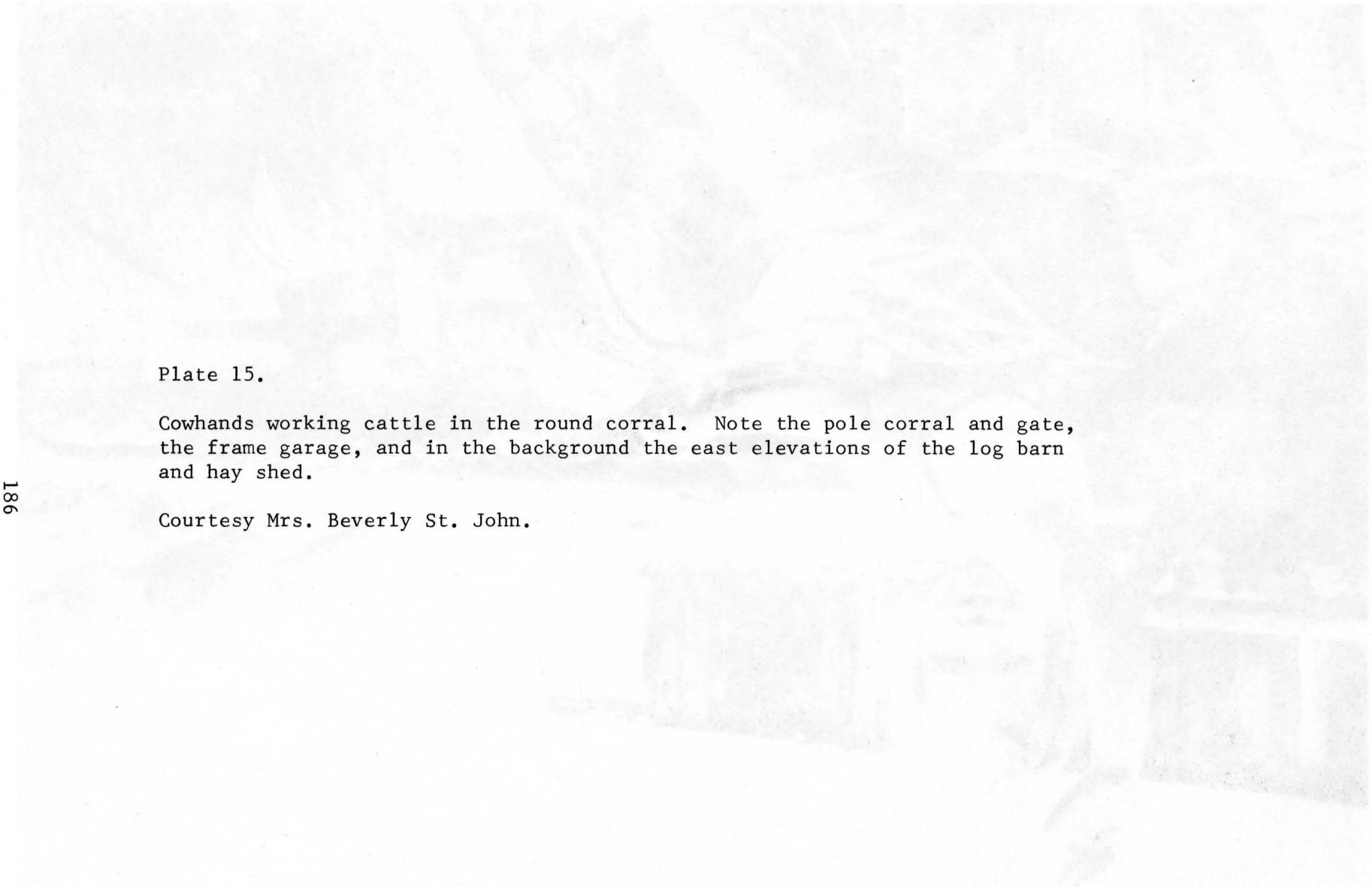


Plate 15.

Cowhands working cattle in the round corral. Note the pole corral and gate, the frame garage, and in the background the east elevations of the log barn and hay shed.

Courtesy Mrs. Beverly St. John.



Plate 16.

The southwest corner of the rectangular corral. Note the machinery shed, pole corral and gate, and the squared log storehouse.

Courtesy Mrs. Beverly St. John.

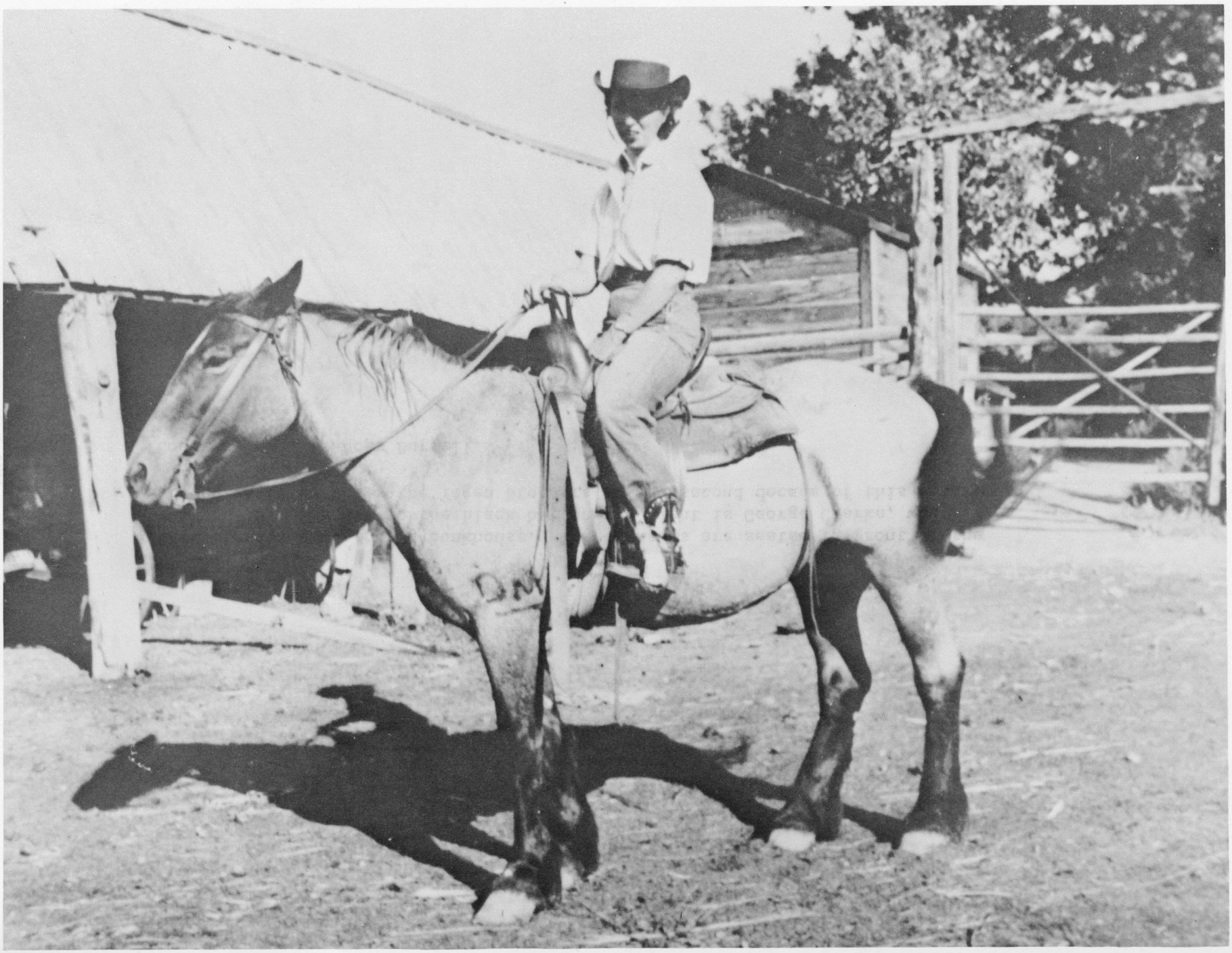


Plate 17.

East elevation of the ML bunkhouse. The cowhands are seated in front of the west cabin. The man in the black hat on the right is George Clarke, who served as foreman for the Yagen Brothers in the second decade of this century.

Courtesy Mrs. Frances Burrell.



Plate 18.

The Henry Clay Lovell house at the ML Ranch. This house was destroyed by fire in the early 1930's. Note the position of the windmill, fencing, and size of the cottonwoods.

Courtesy Mrs. Frances Burrell.

