Annals of WYOMING

The Wyoming History Journal

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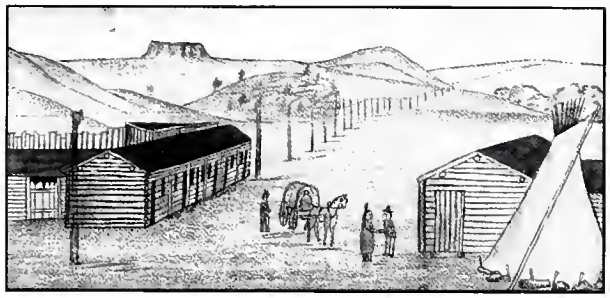
Cover Art



"Deer Creek Station"
Drawing by C. Moellman
American Heritage Center,
University of Wyoming

Deer Creek Station was established in 1857 as a trading post, consisting of a store, blacksmith shop, stage station, and post office. The area, at the confluence of Deer Creek and the North Platte River, was a popular camping spot for emigrants along the Oregon Trail. From 1857 to 1861 the station served as the headquarters for the Upper Platte Indian Agency. The Lutheran Church centered its missionary activity there from 1859 to 1864. From 1860 to 1866 the Pony Express used it and various army troops were garrisoned there. For a short time Deer Creek Station was the jumping off point for the Bozeman Trail. During August 1866, a band of Indian warriors burned the station to the ground. Today the town of Glenrock sits on the site. C. Moellman, a bugler with Company G, 11th Ohio Volunteer Cavalry, created this image of Deer Creek Station during the 1860s.

Information for Contributors:

The editor of *Annals of Wyoming* welcomes manuscripts and photographs on every aspect of the history of Wyoming and the West. Appropriate for submission are unpublished, research-based articles which provide new information or which offer new interpretations of historical events. First-person accounts based on personal experience or recollections of events will be considered for use in the "Wyoming Memories" section. Historic photo essays for possible publication in "Wyoming Memories" also are welcome. Articles are reviewed and referred by members of the journal's Editorial Advisory Board and others. Decisions regarding publication are made by the editor.

Manuscripts (along with suggestions for illustrations or photographs) should be submitted on computer diskettes in a format created by one of the widely-used word processing programs along with two printed copies.

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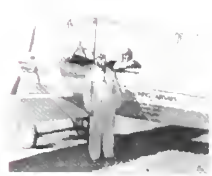

Wyoming Picture
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Thomas S. Twiss, ca. 1860. Courtesy of the Museum of the American Indian.

A Look Into the Life of Thomas Twiss, First Indian Agent at Fort Laramie

By Leslie Shores

On August 10, 1855, an unlikely event took place at Fort Laramie, headquarters of the Upper Platte Indian Agency. Leaving home and family behind, a native New Yorker began the task of establishing peace and order at the largest and most important Indian agency in the West. The assignment was an arduous one, marked by personal and political complexities. Approximately fourteen hundred Cheyenne, sixteen hundred Arapaho, and sixty-five hundred Sioux were living in the Upper Platte area.[1] Even while locked in an internecine struggle for control of their fast-disappearing hunting grounds, the tribes together opposed the infiltration of whites into their country.

The new Indian agent, the first such agent the outpost had ever received, was Thomas S. Twiss. He was around fifty in age, an engineer by training and a teacher by background. Historians Alban W. Hoopes and Burton S. Hill have documented Twiss' career. Hoopes wrote of Twiss' career at the Upper Platte Indian Agency[2] and Hill continued the story following the end of Twiss' employment as Indian agent.[3] The two authors describe Twiss' sympathy for his Indian charges and his conflict with military leaders sent to pacify the tribes, but they have told only

Leaving home and family behind, a native New Yorker began the task of establishing peace and order at the largest and most important Indian agency in the West. The assignment was an arduous one, marked by personal and political complexities.

[1] Alban Hoopes, "Thomas S. Twiss, Indian Agent on the Upper Platte, 1855 – 1861," *The Mississippi Valley Historical Review*, XX (June 1933 to March 1934): 353.

[2] Ibid.

[3] Burton S. Hill, *On the Platte and North: Four Selected Articles of Western History* (Buffalo, Wyoming: Buffalo Bulletin, 1960), pp. 70-82.

half of the story of this interesting man.

My curiosity about Twiss began in 2001 while reading T.A. Larson's *History of Wyoming*. Although Twiss is mentioned only briefly, the description of the Indian agent is intriguing. Larson reveals that Twiss graduated second in his class at West Point, but later resigned his commission and came west to work as an Indian agent at Fort Laramie. That Twiss felt great empathy for the Indians in the Upper Platte agency is obvious from Larson's description of the agent's actions while in office. Twiss defended the Indians under his charge and protected their interests, even to the detriment of his own career.[4] Why did Twiss resign his commission at West Point? What made Twiss empathize so strongly with a culture so different from his own – a culture looked upon by many of his contemporaries with little more than bigotry and scorn? Seeking the influences that created this man, I began to explore the roots of this little known figure in Fort Laramie history. The reward was the discovery of the rich history of a man who befriended and corresponded with a well-known leader in women's education, who married a remarkable female educator, and who was a dedicated teacher in his own right.

Twiss was born in 1802 in Troy, New York.[5] The city of Troy was relatively young, having been established only ten years earlier. By 1802, the number of Troy residents was estimated between eleven hundred and twelve hundred.[6] The early history of the Twiss family in Troy is still a puzzle. A search through Troy's 1800 census did not reveal the names of Twiss' parents, although records in the archives at West Point offer a clue. When Thomas Twiss entered West Point in 1822, his guardian was listed as Joseph Twiss of Manchester in Bennington County, Vermont.[7] Perhaps the term "guardian" referred to his father. As seen from his later correspondence, Twiss' parents were still alive when he graduated from West Point and they survived for many years thereafter. Unfortunately, Twiss' letters never mentioned the names of his parents or siblings. The earliest years of Thomas Twiss' life remain somewhat of a mystery.

The story of Twiss begins to come together upon his arrival at West Point in 1822. Twiss became a cadet at the United States Military Academy at West Point when he was nineteen years and ten months old. At this time, Colonel Sylvanus Thayer, known as the "Father of the Military Academy," served as superintendent of West Point. Under Thayer's administration, academic standards at the academy were upgraded, military discipline was instilled, and honorable conduct was emphasized. Aware of the need for engineers in the young United States, Thayer made civil engineering the foundation of the curriculum. Twiss graduated second in his class as a civil engineer on July 21, 1826, and was promoted to brevet. second lieutenant, Corps of Engineers.[8] After graduation, Twiss became assistant professor of natural and experimental philosophy at his alma mater.[9] He served under the popular Lieutenant-Colonel Jared Mansfield, who was West Point's professor of natural and experimental philosophy from 1812 until his resignation in 1828.[10]

During his time at West Point, Twiss corresponded relatively frequently with one of the leading lights in women's education, Emma Willard. Willard was the founder of the Troy Female Seminary in Troy, New York, in 1821. The school was a beacon of rational education for women in the United States.[11] At the time of Emma Willard's upbringing, common opinion was against broadening and enlarging educational opportunities for women. Accomplishments thought suitable for women of the day included painting and embroidery, French, a song or two for company, playing the harpsichord, and making wax or shell ornaments. A woman's place was always in the home of her husband, or failing that, her nearest male relative.[12]

[4] T.A. Larson, *History of Wyoming* (Lincoln: University of Nebraska Press, 1965), pp. 17-18.

[5] George Cullum, *Biographical Register of Officers and Graduates of the U.S. Military Academy at West Point* (Boston and New York: Houghton, Mifflin Company, 1891), 1: 365.

[6] John Woodworth, *Reminiscences of Troy* (Albany, New York: J. Munsell, 1860), p. 27.

[7] Cullum, *Biographical Register*, p. 365.

[8] *Ibid.*

[9] *Ibid.*

[10] Roswell Park, *A Sketch of the History and Topography of West Point and the U.S. Military Academy* (Philadelphia: H. Perkins, 1840), pp. 68-69.

[11] Alma Lutz, *Emma Willard: Daughter of Democracy* (Boston and New York: pp. Houghton Mifflin Company, 1929), pp. 3-6.

[12] *Ibid.*, pp. 29-30.

Emma Willard, no date. From a photogravure in *Emma Willard and her Pupils*, published by Mrs. Russell Sage; made from a painting by J. Ames.

Emma Willard stepped away from these conventional ideas regarding women. In the spring of 1814, when just twenty-eight years old, Emma Willard opened a school in the home she shared with her husband, Dr. John Willard, and her toddler son. At first she taught the light, superficial studies then considered suitable for girls, but gradually introduced higher subjects. She was eager to disprove the popular fallacy that education undermined the health of young women.[13] Willard's school was a great success in every way, spurring her to work for a fairer, better system of education for girls.[14] In 1818, Willard completed a document titled a "Plan for Improving Female Education." Her dream was to head an institution endorsed by prominent men, an endowed institution that would receive regular appropriations from the state, as did many men's colleges. She sent her completed manuscript to New York Governor DeWitt Clinton,[15] who approved of her plan. He recommended to the New York legislature that a school for women be established and asked that Willard move her school to New York from her home in Vermont. Several prominent citizens of Waterford, New York, urged her to come there. After some delay, the New York legislature passed an act granting a charter to the "Waterford Academy for Young Ladies," said to be the first legislative measure recognizing women's rights to higher education.[16] Later the school was moved to Troy, New York, where it remains today as the Emma Willard School.

The origin of Twiss' and Willard's friendship is a mystery. Perhaps the Twiss family in Troy befriended the Willards, or perhaps there were school connections through the daughters in the Twiss family. One reason for their later correspondence was Willard's concern for the welfare of her only child, John Heart Willard, who joined Twiss at West Point around 1826. Her son was homesick, reacting poorly to life at the military academy. In a letter dated October 7, 1826, Willard asked Twiss to take John as a roommate. "Could he enjoy but for a time the benefits of your example and society I should hope he would be quite cured of his discouraging notions,"[17] she wrote to encourage the friendship. Twiss quickly agreed[18] and by late January of the next year could report that the young man had "done much credit in his recent examinations and his standing is now about in the middle of his class."[19] During his time at West Point, Twiss continued to show a brotherly interest in the welfare of Willard's son.

Through his friendship with Willard, Twiss met Elizabeth Sherrill, one of the star pupils of the Troy Female Seminary. Shortly after their meeting in 1827 Twiss fell deeply in love with Elizabeth. Born in Salisbury, Connecticut, in 1800, Elizabeth was the daughter of Sarah Fitch Sherrill, a descendant of Governor Trumbull and an early friend of Willard. Willard described Elizabeth as a child of "unusual

[13] *Ibid.*, p. 55.
[14] *Ibid.*, p. 55.
[15] *Ibid.*, p. 61.
[16] *Ibid.*, p. 65.
[17] Emma Willard to Thomas Twiss, October 7, 1826. Henry Sheldon Museum of Vermont History, Middlebury, Vermont.
[18] Thomas S. Twiss to Emma Willard, October 16, 1826. Library, United States Military Academy, West Point, New York.
[19] Thomas Twiss to Emma Willard, January 7, 1826. Emma Willard School Archives, Troy, New York.

CATALOGUE

OF THE MEMBERS OF

TROY FEMALE SEMINARY.

EMMA WILLARD, *Principal.*

Catalogue of the Troy Female Seminary dated 1824 showing Elizabeth Sherrill as a teacher in the school (Miss Sherrill s name is bolded by the author). Courtesy the Emma Willard School, Troy, New York.

beauty, sweetness of temper, and intelligence."[20] She grew very fond of Elizabeth, caring for and educating her as if she had been her own daughter. Elizabeth attended Willard's first school in Middlebury, Vermont. At fourteen, while still a pupil herself, Elizabeth was entrusted with classes, for which she daily prepared by studying the lessons in advance. At the same time, under Willard's supervision, she drew maps and compiled books of geography and history, which Willard later published. Elizabeth accompanied her benefactor to Waterford, New York, and, when the school was established in Troy, she was appointed vice-principal and teacher of drawing, English, French, and music.[21]

In a letter to Willard written in May 1827, Twiss mentioned his increasing regard for Elizabeth. He explained that his "principal and important reason for visiting Troy at present is to see Miss Sherrill... to say that I am highly pleased with her from our short acquaintance, would be a feeble expression of my feelings...."[22] Twiss wrote again three weeks later of his recent visit to Elizabeth. He could not wait to share his news, but wrote his letter aboard a teetering ship returning him to West Point: "Now a word regards ourselves (I mean your dear adopted daughter & myself); we arranged every thing to our mutual satisfaction...there was a mutual & reciprocal exchange of all that can render us happy in this world."[23] Willard responded with joy to the news of their potential marriage: "It is a union that I approve. Your engagement has proceeded on correct principles. You have chosen each other on account of personal merit and I think you will neither of you be disappointed."[24]

In January 1828, Twiss wrote to Willard that he intended to apply for a furlough of six months from West Point in order to travel to Sparta, Georgia, to marry Elizabeth.[25] Elizabeth had recently left the seminary to take charge of a female academy in Sparta with another of Willard's prominent students, Julia Pierpont Warne. Upon learning of Twiss' hope to marry Elizabeth within six months, Willard wrote a touching letter to her adopted daughter. The sentiments expressed to Elizabeth are characteristic of the motherly interest with which Mrs. Willard followed the fortunes of her pupils and teachers:

> Here this letter has been till examination is over. I live the same hurried life yet, as you will see by this. But you must not think I do not love you. I assure you my heart and mind are often with you, and at this time I feel anxiety for you, that were I permitted to

[20] Mary J. Mason Fairbanks and Russell Sage, *Emma Willard and her Pupils; or Fifty Years of Troy Female Seminary, 1822-1872* (New York: Mrs. R. Sage, 1898), p. 104.

[21] *Ibid.*, pp. 104-106.

[22] Thomas Twiss to Emma Willard, May 17, 1827. Emma Willard School Archives.

[23] Thomas Twiss to Emma Willard, June 4, 1827. Emma Willard School Archives.

[24] Emma Willard to Thomas Twiss, June 8, 1827. Henry Sheldon Museum of Vermont History.

[25] Thomas Twiss to Emma Willard, January 23, 1828. Emma Willard School Archives.

> see for a time, any one absent person, I should get on to the broomstick, and hurry through the air to see you. I often set you before my mind's eye, and fancy how your new honors become you. I think you must cut a funny figure, unless you leave off some of your jumps; and I am not without my fears, that you will injure yourself in some sudden agitation. You will I think consider it incumbent upon you, to let your mental gravity increase with your physical. I was much astonished at the intelligence, that you had concluded to take Mrs. Warne's establishment.[26] I have no doubt that Mr. Twiss and yourself will do well in it and I think you will be happier than in leading a less settled life. It is the kind of life to which you are accustomed, a kind of business which you understand and it will be I doubt not more agreeable to you than housekeeping. The term companionship seems a favorite one to express the happiest state of connubial life. Mr. Twiss and yourself pursuing the same object, will have every advantage to enjoy this companionship and such is the placid and rational and consistent tenor of his way; and such is the kind, far-seeing, and I may add the brilliant one of yours that I indulge the most sanguine hopes that your bark will slide steadily and gallantly along to the haven of success. My greatest fears are for your health.[27]

The "jumps" and "sudden agitations" as well as the fears for her adopted daughter's health offer clues to Elizabeth's nervous temperament and delicacy, both of which became more apparent as the years progressed.

Twiss received his furlough from the military academy and began the journey to Sparta on June 16, 1828. He reached his destination on July 2 and eleven days later, on July 13, he and Elizabeth wed. He wrote to Willard four days later: "We were married…in the Methodist Episcopal Church [in Sparta]. To say that we are the happiest of beings in the world would be using the common language of all newly married persons – You may be assured that we are happy…."[28] Willard responded with congratulations to the newlyweds and a gift of five hundred dollars, as well as a special word for her former pupil: "I rejoice in your marriage my dear daughter, because I do believe you will be happier than you have ever been before."[29]

The couple enjoyed only a few short months together before the Corps of Engineers at West Point directed Twiss to report to Newport, Rhode Island, where he was to serve as assistant engineer in the construction of Fort Adams.[30] Upon returning to Sparta after a six-month absence, he found Elizabeth in the midst of a "multiplicity of cares and duties which she assumed at the commencement of the [school] term."[31] He wrote to Willard on April 6, 1829: "To continue my journey, and leave her with the charge of this institution upon her hands I could not. Accordingly I sent on my resignation to Washington which will most probably be accepted."[32] In January 1829, the Sparta school had been given over completely to Elizabeth and Thomas. Although Julia Warne, Elizabeth's former partner, had remained at the school during Twiss' absence, she had taken no active part in school affairs or in student instruction. Elizabeth had been the sole administrator most of the time Thomas had been away.[33]

At the time the Twisses took charge of the girls' academy in Sparta, they had more than one hundred students. Thomas wrote to Willard that "Mrs. Warne has given a character and reputation to this Academy – It has great popularity and celebrity throughout [Georgia] – If we can keep alive that feeling of confidence we shall meet with the greatest success."[34] But problems began to arise by April 1829 as Elizabeth's mental state began to fail. Though physically well, her wide-ranging duties at the academy had become more stressful. Wrote Twiss:

[26] Julia Pierpont Warne was to give administration of the Sparta school to Elizabeth and Twiss the next year. Formerly Elizabeth and Julia had been partners in running the school.
[27] Emma Willard to Elizabeth Sherrill, February 21, 1828. Emma Willard School Archives.
[28] Thomas Twiss to Emma Willard, July 17, 1828. Emma Willard School Archives.
[29] Emma Willard to Mr. and Mrs. Thomas Twiss, September 15, 1828. Henry Sheldon Museum of Vermont History.
[30] Cullum, *Biographical Register*, p. 365.
[31] Thomas Twiss to Emma Willard, April 6, 1829. Emma Willard School Archives.
[32] Thomas Twiss to Emma Willard, April 6, 1829. Emma Willard School Archives.
[33] Thomas Twiss to Emma Willard, April 6, 1829. Emma Willard School Archives.
[34] Thomas Twiss to Emma Willard, April 6, 1829. Emma Willard School Archives.

> She thinks herself able to discharge her duties, and is so anxious to do all in her power, that I find, or think I find, it difficult to keep her quiet, and her mind at rest – Often she will continue her exertions till the school is dismissed – and then she finds herself quite exhausted and wearied out…It is probable this month, before its close, will bring her new and severe trials – I feel much anxiety on her account.[37]

The trial in store for Elizabeth could have been the birth of their first child, a trial all the more severe in the days before anesthetics and of high childbirth mortality. On June 27, 1829, Twiss wrote to Willard "your Grand-daughter is in good health – her name is Julia Emma Elizabeth…"[36] After the birth of their daughter, Elizabeth fell very ill. Twiss wrote to Willard:

> I devote a few moments to say a word to you, dear Mother; it has scarcely been in my power to write you as I would wish since my last of 10th May – I have had the whole weight of the school upon my hands – Elizabeth has been quite ill – she still continues weak – but I think is regaining her health.[3]

The next month Twiss wrote once more to Willard. Although the tone of his letter is upbeat, problems are apparent. "Elizabeth's health is not yet restored – she is quite weak – but I think she gains – although slowly. We have no one to assist us as yet – But the duties are not too laborious – and I think there will not be more than 60 pupils this term."[38] Decreasing enrollment, along with an ailing wife and a newborn to care for could only have been a heavy burden for the young teacher and administrator. Three days after this letter was written, the U. S. Military Academy at West Point accepted Twiss's resignation.[39]

Almost five months later, Elizabeth still had not recovered her mental or physical health. It is possible that she suffered from post-partum depression. A letter she wrote to Willard in October 1829 is filled with thoughts of sadness and death:

> Often I have taken my pen to write but so much suffering would come to mind and it appeared so entirely impossible for me to write without telling you all that feeling. I was in too dispirited a mood, I would throw aside my pen. I could wish to watch over my infant child, but to raise the treasure – I do not expect it.[40]

Public pessimism about the educational system for southern girls probably did not help her attitude. She wrote in the same letter:

> From various sources I learn that your improvements in education are becoming more generally extended at the north. As to this region the legislature will do nothing for us poor females yet. Indeed were application now to be made objections would doubtless be brought to the location, for though healthful, we have been of late anything but peaceful. That is many of our citizens are such fighting characters that considerable excitement had been practiced.[41]

Unfortunately, not many of Elizabeth's letters remain in the archives. She, far more than her husband, was inclined to reveal her honest opinions about educational matters for women of the period.

During his wife's illness and depression, Twiss spent much of his time caring for his daughter, whom the couple called Emma or Emma Elizabeth. The joy of her company seemed to surprise him; he was proud of and intellectually curious about her early abilities, no matter how small the feat. He wrote an affectionate letter to Willard when Emma Elizabeth was about eighteen months of age:

> I may be partial, but I think her an interesting child, and you will say, Where is there a parent that does not think in the same manner? But I wish you could see her, you would then see that I have good reason to be partial…she is a good child and never cries or frets – I

[36] Thomas Twiss to Emma Willard, April 6, 1829. Emma Willard School Archives.
[37] Thomas Twiss to Emma Willard, June 27, 1829. Emma Willard School Archives.
[3] Thomas Twiss to Emma Willard, June 27, 1829. Emma Willard School Archives.
[38] Thomas Twiss to Emma Willard, July 11, 1829. Emma Willard School Archives.
[39] Cullum, *Biographical Register*, p. 365.
[40] Elizabeth Sherrill Twiss to Emma Willard, October 11, 1829. Emma Willard School Archives.
[41] Elizabeth Sherrill Twiss to Emma Willard, October 11, 1829. Emma Willard School Archives.

> wish you could see her now – for I hardly think she will ever be more interesting.[42]

Perhaps due to his background at West Point, the political situation in France also interested Twiss at this time. Among her many friends Willard counted the now elderly Lafayette, hero of the American Revolution. To Willard Twiss wrote:

> The affairs of revolutionary France continue to absorb my whole attention....I read every line, scrap and word; over and over again if it falls in my way...there is no nation like the French – we see our venerable Lafayette again at the head of the Nat. Guards, inspiring them with the Love of Liberty and Social order.[43]

Years later, when Twiss took up his duties as Indian agent at Fort Laramie, his interest in French politics continued. Outside the sutler store he would compare with whomever would listen Sherman's Civil War techniques and those employed by the fighting men in the French Revolution.[44]

Sometime after November 1830, Twiss and his family moved to Augusta, Georgia, to lead that city's Male and Female Academy.[45] Elizabeth still suffered from ill health, possibly due to birth of a second daughter, Sarah, between 1831 and the end of September 1832.[46] Correspondence from this period is scarce, but it appears that Twiss had become dissatisfied with his vocation as teacher and school administrator. Willard wrote in 1832 asking him to consider opportunities she might have for him:

> Your welfare often occupies my mind – and I sometimes form projects for you. I believe I told you that I had taken some steps towards your receiving an invitation to the Brooklyn Institute – but probably unsuccessful – as I have heard nothing from you on the subject. I wish however that before you make a decided move as to what you shall do and where you shall go...you would give me an opportunity to speak – as I might have something in mind for your advantage.[47]

By 1835, the decision had been made for them. Elizabeth's health had deteriorated to the point that keeping the school in Augusta was impossible. The couple resigned and Twiss became professor of mathematics, astronomy, and intellectual philosophy at the College of Columbia, South Carolina.[48]

When Twiss began teaching at the South Carolina college in 1835, the school had achieved a reputation for academic excellence in the classical tradition and was known as one of the best-endowed and most distinguished colleges in the United States.[49] Twiss purchased a farm in Wynantskill, New York, where he established his ailing wife, two daughters, Elizabeth's mother, and his parents.[50] During three months of the year Twiss would visit his family at the farm, but, tiring of long separations, the family finally joined him in South Carolina.[51] In 1837, their third and last child, Mary, was born to the couple.[52] The Twisses personally supervised the studies of their two older daughters. The girls were educated "in the atmosphere of the college community, and in the halls of the college library they browsed at liberty in the fields of English literature."[53] Mother and daughters made long visits to the Wynantskill farm and later the girls attended Mrs. Willard's female academy in Troy.

During this period, the Twiss daughters maintained a lively correspondence with Elizabeth's mother, communicating a happy rural life of family-centered

[42] Thomas Twiss to Emma Willard, October 13, 1830. Emma Willard School Archives.

[43] Thomas Twiss to Emma Willard, October 13, 1830. Emma Willard School Archives. On July 26, 1830, the King of France unilaterally dissolved parliament, an action to which the Parisian population responded with revolution. Charles abdicated on August 2 and Louis-Phillippe, Duke of Orleans, was crowned on August 9. The events of July to August, 1830, spelled the end of ultraroyalist policy. Daniel Schmidt, "The Foreign Policy of Louis Philippe, 1830-1832: A Study in Interventionist Diplomacy" (Ph.D. dissertation Marquette University, 1976).

[44] Hill, *On the Platte and North*, p. 80.

[45] Fairbanks and Sage, *Emma Willard and Her Pupils*, p. 104.

[46] Emma Willard to Thomas Twiss, September 30, 1832. Emma Willard School Archives.

[47] Emma Willard to Thomas Twiss, September 30, 1832. Emma Willard School Archives.

[48] Fairbanks and Sage, *Emma Willard and Her Pupils*, p. 613.

[49] University of South Carolina, Office of the President, http://president.sc.edu/history.html.

[50] Fairbanks and Sage, *Emma Willard and Her Pupils*, p. 106.

[51] *Ibid.*, p. 613.

[52] Oakwood Cemetery records, Troy, New York.

[53] Fairbanks and Sage, *Emma Willard and Her Pupils*, p. 106.

activities. While attending the Troy Female Seminary, the Twiss girls visited their Wynantskill home at every opportunity. The following letter, written by daughter Emma Elizabeth in December 1843, gives a charming glimpse into the family's interactions:

> We heard from father a short time since & he says his health is better than was previous. We did not eat too much on Thanksgiving day for I only ate <u>one</u> piece of mince pie & some turkey & I think that I was very moderate indeed. Mary is studying her French very hard & it would amuse you to see her practice on the piano for she puts a piece of my music before her & plays I know not what for there is kind of tune to it.[54]

Other letters from the Twiss daughters mention visits to friends, a mathematical puzzle given to Emma Elizabeth by her father to sharpen her mind, schoolwork, a new puppy, Twiss' visits to his family, and a package of calico and snuff for Elizabeth's mother. The girls appear happy and healthy and Elizabeth seemed in good spirits despite an attack of pleurisy from which she was recovering in June 1844. Twiss referred to the Wynantskill farm as his "City of Refuge," indicating a deep attachment to the family home.[55]

For unknown reasons, in 1847 Twiss resigned his position at the South Carolina college to become superintendent of the Nesbitt Manufacturing Company's Iron Works in Spartanburg, South Carolina. His family lived with him there at least a portion of the time.[56] In 1850, Twiss became the Resident and Consulting Engineer for the Buffalo and New York Railroad.[57] That same year, Elizabeth and her daughters took up permanent residence at the Wynantskill farm. By this time Elizabeth was described as an invalid. Though her particular disability is not known, it appears that Elizabeth's nervous condition had become more pronounced. A neighbor reported her appearance at his homestead "half-clothed" and saying that she had run away from home.[58] Perhaps due to her mother's deteriorating mental condition, the youngest daughter Mary never married, instead caring for her mother until Elizabeth's death in 1866.

At the time of Elizabeth's death, Thomas had already finished his career as Indian agent at Fort Laramie and had been living in the West for eleven years. He had married a Sioux woman and had several children with her. He rarely made visits to his New York farm. For undiscovered reasons Twiss left his "City of Refuge" for the unknowns of life in the West. Despite his new home and wife, it appears the marriage between Elizabeth and Thomas remained intact until her death. Correspondence from this period was not found so it is uncertain if he remained in contact with Elizabeth and his daughters. Elizabeth named him as her husband and as executor of her will.[59] Perhaps she never knew of the life her husband had fashioned in the West.

Twiss did not leave his home in Wynantskill without hesitation. Twiss accepted the office of Indian agent of the Upper Platte District on March 17, 1855. However, on April 12, 1855, writing from Buffalo, New York, to the commissioner of Indian affairs, Twiss withdrew his acceptance. But eight days later, on April 20, Twiss wrote the commissioner again to say he could accept the office and on the following day he wrote that he would report to Washington in person.[60] Was his hesitation on account of his increasingly invalid wife and his fear to leave his family alone? The cause of Twiss' indecision remains unknown.

After Twiss accepted the job of Indian agent, events moved quickly. Within four months, on August 10, 1855, the former school administrator and mathematics professor arrived at Fort Laramie. Upon his arrival at Fort Laramie, Twiss reported to authorities that he believed the Indians within his agency were "entirely peaceful." Twiss had allies in his sympathetic view of the Indians in Superintendent Alfred Cumming and Commissioner of Indian Affairs

[54] Twiss family to Sarah Fitch, December, 1843. Henry Sheldon Museum of Vermont History.
[55] Fairbanks and Sage, *Emma Willard and Her Pupils*, p. 613.
[56] *Ibid.*
[57] Hill, *On the Platte and North*, p. 72.
[58] Last Will and Testament of Elizabeth Sherrill Twiss, 1866. Renssalaer Historical Society, Troy, New York.
[59] Last Will and Testament of Elizabeth Sherrill Twiss, 1866. Renssalaer Historical Society, Troy, New York.
[60] Hill, *On the Platte and North*, p. 72.

Deer Creek Station during the 1860s. Courtesy the American Heritage Center, University of Wyoming.

George W. Manypenny of the Department of the Interior. This alliance would occasionally help when Twiss disputed actions taken by the military. The new Indian agent was extremely adverse to the punitive actions of military personnel toward the tribes in his agency. [61]

Hoopes described an early and characteristic incident in which Twiss raised the ire of a prominent army general. Twiss strongly opposed an expedition by General William S. Harney to punish collectively the Sioux for several killings and robberies committed by a few individuals during the winter of 1854-1855. After Harney's expedition, in which Little Thunder's band of Brulé Sioux was killed,[62] the general began negotiations in November 1855 to restore peace. Angered by the action against his charges and disturbed that the peace negotiations were conducted primarily by a biased military, Twiss prevented Brulé and Oglala Sioux representatives from attending Harney's preliminary council in February 1856. Harney responded by instructing Colonel William Hoffman (commander at Fort Laramie) to prevent the Indian agent from dealing with the Cheyenne, Arapaho, and Sioux in the area. Showing a certain propensity for David and Goliath struggles against authorities he believed were in the wrong, Twiss recommended that the trading license of suppliers Ward and Guerrier be revoked because he believed the merchants were trading with the Indians in violation of the law. Hoffman, angered at this recommendation, was only too ready to strike back at the agent. Twiss was suspended as Indian agent, although he argued that he was answerable to Commissioner Manypenny and the Interior Department, not to the War Department and Harney. A letter from Harney to Fort Laramie's commander in August 1856 restored Twiss as Indian agent; this settled the quarrel, but did little to alleviate the lingering animosity.[63]

What was the source of this animosity? The two parties could scarcely have held more divergent viewpoints on the appropriate method of dealing with the Indians. The typical military approach consisted of gaining peace by frequent chastisement of the tribes, while Twiss favored the more conciliatory method of holding frequent councils with the offending parties. In these councils, Twiss would embody the voice of reason as he sought to convince the Cheyenne and Sioux that depredations on their part would only lead to retaliation by the United States government. After a set of robberies and killings by the Cheyenne and Arapaho from 1854 to 1856, Twiss held a series of these councils with the Cheyenne chiefs. The Cheyenne responded in a conciliatory manner, agree-

[61] Hoopes, "Thomas S. Twiss," p. 355.

[62] Alban Hoopes pointed out that Little Thunder's band was north of the Platte River, despite Twiss' warnings that all tribes should stay south of the Platte to avoid confrontation with the military. Though innocent of wrongdoing, even the Sioux admitted in a later council that Little Thunder had been in the wrong by disregarding Twiss' advice. House Exec. Docs., 34 Cong., 1 Sess., I, Part 1, p. 401.

[63] Hoopes, "Thomas S. Twiss," pp. 358-361.

ing to cease hostilities and to return a white boy held captive. A captive woman was also to be delivered to Twiss, but she escaped from the Cheyenne before the transaction could be completed.[64] Twiss' method appeared successful as the Cheyenne remained peaceful for the remainder of the year and through the summer of 1857. The peace was destroyed when a new secretary of war, John B. Floyd, ordered an expedition to punish the Cheyenne for past actions.[65] The all-too-apparent folly of this plan did not stop the military from coming into the Upper Platte area in pursuit of the Cheyenne. In July, troops encountered a principal village. Although few casualties occurred, the troops destroyed the entire village and all of the property they found there.[66] The expedition only embittered the already edgy Cheyenne.

Despite these setbacks, Twiss continued his attempts to bring about the pacification of the Sioux and Cheyenne. Hoopes distilled from reports three factors that Twiss believed were essential for the betterment of the Plains Indians:

- More military posts to enforce peace.
- Introduction of agriculture to bring about a more sedentary life.
- A missionary presence to introduce Christianity to the tribes.[67]

Twiss pointed out in a letter to Manypenny that the Indians were "not being improved, but rather deteriorating, and becoming worse from year to year."[68] Twiss blamed the deterioration on the influence of whites who resided in the area, people who were not interested in civilizing the Indians but were themselves fugitives from civilization.

Without explanation, Twiss moved from Fort Laramie to Deer Creek in 1857. Deer Creek was located on the Overland road, about one hundred miles north and west of Fort Laramie. In this move, Twiss practically deserted the more friendly bands of Oglala and Brules, and cast his lot with another band of Sioux who were now hunting on the head of the Powder River, only a short distance north of Deer Creek.[69] Why did Twiss make such a decision? Twiss may have been motivated less by friendship than by a concern for his own comfort and convenience.[70] Deer Creek had good water, an abundance of grass, and proximity to a good supply of timber. Buildings already existed at Deer Creek due to a Mormon waystation that previously existed there. Prior to this move, probably before March 1856, Twiss had taken up with an Ogalala girl named Wanikiyewin, although Twiss called her Mary. She was the daughter of Standing Elk, who afterwards received many favors from his son-in-law.[71]

While Twiss was comfortable at Deer Creek, his difficulties continued. The tribes frequently complained they were not receiving their fair share of stores provided by the federal government, and they disliked coming to Deer Creek for them. There was also a complaint by certain officials that Indians could obtain whiskey in the vicinity. A report to the secretary of the interior accused Twiss of giving goods meant for the Indians to a friend, local trader Joseph Bissonette. The report added that Twiss' actions were leading to further Indian difficulties.[72] All the while, Twiss continued making long and carefully written reports to his Washington superiors. These reports featured some of the same themes Twiss had expressed while at Fort Laramie. Twiss wrote of the marginal existence of the Indians due to the scarcity of the larger game animals they once relied upon. He proposed expensive schemes of agriculture and crop raising to be taught as a substitute lifestyle, and he reiterated the need for missionaries to introduce Christianity to the tribes.[73]

Twiss was re-appointed as Indian agent on March 3, 1859, but had little time to finalize his proposals. The election of Abraham Lincoln and the resulting change in administration in 1860 prompted Twiss to tender his resignation in February 1861 to Charles

[64] Ibid., p. 362.
[65] Ibid.
[66] Ibid., p. 363.
[67] Ibid.
[68] Twiss to Manypenny, September 12, 1856, *Senate Exec. Docs.*, 34 Cong., 3 Sess., II, p. 646.
[69] Hill, *On the Platte and North*, p. 76.
[70] George E. Hyde, *Red Cloud's Folk: A History of the Oglala Sioux Indians* (Norman: University of Oklahoma Press, 1937), p. 94.
[71] *Ibid.*,
[72] *Ibid.*, pp. 77-78.
[73] *Ibid.*, p. 78.

E. Mix, Ad Interim Commissioner of Indian Affairs. In his own words, Twiss resigned "in order that the new Administration may have this public office at its disposal on the 4rth of March without being under the necessity of my removal."[74] Although Twiss was no longer Indian agent, he continued communication with the Bureau of Indian Affairs. Twiss sent letters and reports to the bureau in concern over the settlement of his accounts, and in an apparent effort to justify some of his acts in office.[75]

Following his resignation, Twiss continued to live at Deer Creek. Oscar Collister told of his acquaintance with the former Indian agent when the former arrived at the Deer Creek Station in 1861 to become a telegrapher. Twiss sought out Collister, who was a reputable chess player, and the two became firm friends. Collister recalled that news of the Civil War was of great interest to Twiss.[76] Captain Eugene F. Ware also noticed Twiss' keen interest in the events of the war. Ware recounted a time when Twiss visited the sutler's store at Fort Laramie. Twiss sat at a bench surrounded by Indian women beautifully dressed in Mackinaw blankets and listened to officers discussing Grant's Vicksburg campaign. After listening for a while, Twiss got up and began marking in the sand the Napoleonic campaigns and those of General Grant. All listened with great attention to his sensible demonstration. The next day, Ware related, Twiss was gone.[77]

Twiss moved from Deer Creek to Rulo, Richardson County, Nebraska, by 1870.[78] The census shows Twiss, his wife Mary, age 34, a daughter Francis, 15, and five sons, Bridge, 11, Charles, 9, William, 7, Franklin, 5, and Joseph, 3. All of the children were attending school, except Joseph. His real estate holdings were valued at $500 and personal property at $150. One of Twiss' grandsons, Louis Twiss, related that Twiss had taken up forty acres in Rulo to start a fruit orchard in 1871, but he died the same year.[79] Twiss' sister came from the East to settle his estate.[80] She returned to her home in New York with Louis's father, William, and tried to educate him, but it did not work out well. William returned to find his brothers "running wild" with the Spleen Band Camp. The last word heard from the Twiss family is from his Sioux wife, Mary, in the form of a request dated April 7, 1871, from the Indian agent at Whitstone Agency, Dakota Territory, to the commissioner of Indian affairs in Washington, D.C. asking for $125.00 to move Mary and her children to Whitstone. There the family came under the care of her brother, He Crow.[81]

It is certain that Thomas Twiss was a man of intelligence and determination who was devoted to his ideals, although at times beyond the measure of practicality. Twiss attempted to take actions that he felt were correct and beneficial to those who depended on him, but these actions were not always farsighted or successful. The reasons for his actions were often mysterious, reflecting the continuing mystery of the man himself. Parts of his life will remain a closed book until other avenues of discovery are found. Who were his parents and what type of upbringing did he have? What of his early life in Troy? How did he make the acquaintance of the remarkable educator Emma Willard? Why did he leave his comfortable home and loving family for life on the western frontier? Answers to these questions may explain some of the psychological perplexities of Thomas Twiss, but at least for now, the questions will have to remain unanswered.

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[74] *Ibid.*, p. 79.

[75] *Ibid.*

[76] Oscar Collister, "Life of Oscar Collister," *Annals of Wyoming*, 7 (July 1930): 349.

[77] Eugene F. Ware, *The Indian War of 1864* (New York: St. Martin's Press, 1960), p. 211.

[78] Hill, *On the Platte and North*, p. 81.

[79] *Ibid.*

[80] *Ibid.*

[81] *Ibid.*, pp. 81-82.

Discrimination in the "Equality State"

Black-White Relations in Wyoming History

By Reagan Joy Kaufman

Understanding the prevalence of racial tensions in Wyoming, rather than solely focusing on the South, is pertinent to rounding out the study of the civil rights movement.

In the wake of the 1954 *Brown* v. *Board of Education* decision, Wyoming repealed a permissive school segregation law that had been on the books for nearly ninety years.[1] The repeal of the state's segregation statute attracted little attention from Wyomingites. In fact, the *Wyoming State Tribune* mentioned the change only in a small, corner front-page article.[2] Governor Milward Simpson believed that the lack of publicity sprang from the fact that there had "never been any segregation in the schools of Wyoming."[3] Although little was said about the rescinding of the law in Wyoming, a southern newspaper noted that the repeal restricted "opposition to the Supreme Court desegregation decision [*Brown* v. *Board of Education*] to the Solid South."[4] Although local school boards never invoked the permissive school segregation law, Wyoming—a state far removed from the South—was hardly void of racial discrimination. Understanding the prevalence of racial tensions in Wyoming, rather than solely focusing on the South, is pertinent to rounding out the study of the civil rights movement.

Wyoming territory had been carved out of the Dakotas during Reconstruction.[5] In the aftermath of the Civil War, politicians struggled to bridge the sectional and racial divides in the country. Three Reconstruction amendments resulted from their efforts. Centered on discussion of racial justice, the amendments failed to accomplish what was seemingly promised. Although the Thirteenth Amendment ended slavery, African Americans had little access to institutions that would help them become economically and socially "equal" to their

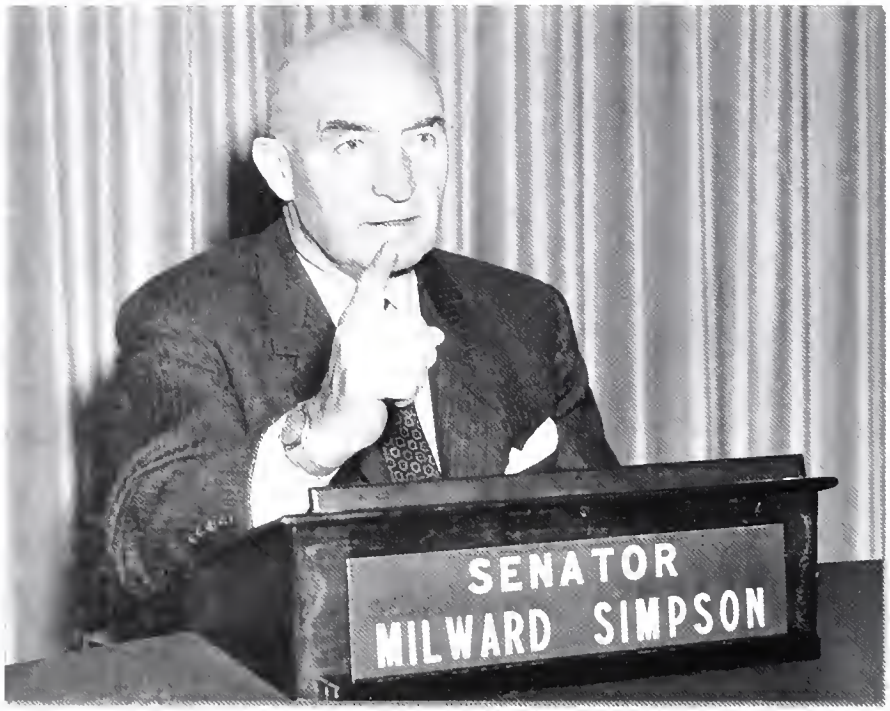
[1] *General Laws, Memorials, and Resolutions of the First Legislative Assembly of the Territory of Wyoming, 1869* (Cheyenne, 1870), p. 228. Chapter 7, section 24 reads: "Where there are fifteen or more colored children within any school district, the board of directors thereof, with the approval of county superintendent of schools, may provide a separate school for the instruction of such colored children." Although the word "permissive" is often understood as granting freedoms, in this paper the work represents the right of school districts to permit segregation.

[2] "Simpson Signs Bill Repealing Segregation," *Wyoming State Tribune*, February 7, 1955.

[3] Milward Simpson to Charles C. Diggs, Jr., October 18, 1957, box 161, folder 5, Milward L. Simpson Papers, American Heritage Center, University of Wyoming. Hereafter cited as Simpson Papers. Diggs was a congressman from Michigan.

[4] "Wyoming Will Line Up," box 216, folder 10, Simpson Papers. This is the title to a newspaper clipping sent to Governor Simpson on March 30, 1955, by E.H. "Shelly" Schellenberg, Simpson's Alpha Tao Omega brother and businessman. In his kindly letter to Simpson, Schellenberg stated: "Thought you might be interested in knowing you made the editorial page in the Deep South."

[5] Terrence D. Fromong, "The Development of Public Elementary and Secondary Education in Wyoming: 1869-1917" (Ph.D. dissertation, University of Wyoming, 1962), p. 19. On July 25, 1868, President Andrew Johnson signed a bill creating the Territory of Wyoming. The territory was inaugurated on April 15, 1869.



Milward Simpson, when he served as Wyoming s governor, spoke against the state s school segregation law. Courtesy Milward L. Simpson Papers, American Heritage Center, University of Wyoming.

white counterparts. By definition, the black population was free, but hardly equal. In reality, many remained slaves to poverty, sharecropping, and "Black Codes."[6]

The Fourteenth Amendment nullified Black Codes and promised equal protection in matters having to do with "life, liberty, and property," but the courts interpreted the amendment narrowly, banning certain forms of discrimination by the states, but not by individual or "private" institutions. And, in 1896, the Supreme Court's *Plessy* v. *Ferguson* ruling upheld the constitutionality of "separate but equal" state facilities. Justice Henry B. Brown, over the scathing dissent of Justice John Marshall Harlan, delivered the opinion that separate accommodations for the races did not necessarily violate the equal protection clause of the Fourteenth Amendment.[7] Consequently, "separate but equal" became the standard in the South. Although the accommodations were indeed separate, they remained "equal" in name only.

The Fifteenth Amendment, the last of the Reconstruction amendments, prohibited the use of race as a criterion for the franchise. However, literacy tests, poll taxes, and vigilante groups often ensured that the underrepresented minority would not have a chance

[6] Between 1865 and 1867, the former Confederate states enacted Black Codes, or laws, which sought to greatly limit the rights and movements of blacks. During this time, blacks were in a precarious situation because they had been freed by the Thirteenth Amendment, but had not yet been given citizenship—which would come with the Fourteenth Amendment. Prior to the Fourteenth Amendment, southern states created a separate set of laws for the freed, non-citizen population. Michael L. Levine, *African Americans and Civil Rights: From 1619 to the Present* (Phoenix: Oryx Press, 1996), p. 289.

[7] *Plessy* v. *Ferguson*, 163 U.S. 537 (1896). Harlan contributed a sharp rebuke to the majority opinion. Although a Kentucky racist, Harlan disagreed with the judgment of the majority, declaring that "in the eye of the law, there is in this country no superior dominant, or ruling class of citizens. There is no caste here. Our Constitution is color-blind and neither knows nor tolerates classes among citizens . . . all citizens are equal before the law." Harlan's unorthodox opinion was well before its time and anticipated that problems would follow the majority's decision. Harlan claimed that *Plessy* was as "pernicious as the decision made by this tribunal [the Supreme Court] in the *Dred Scott* case." He asserted that the government should not allow race and hate to permeate the law. In contrast, Justice Brown maintained that it was not the role of the constitution to put inferior and superior persons on the same playing field. In the *Plessy* case, the northern-dominated Supreme Court countenanced racial segregation, therefore solidifying Jim Crow laws in the South. For more than fifty years the "separate but eqnal" doctrine would be used to keep the two races separate in all things from education to public accommodations. Transportation, schools, and accommodations would remain "separate but equal" until *Brown* v. *Board of Education* in 1954.

to cast their ballots.[8] A study of the Reconstruction Era suggests that widespread racial discrimination persisted; the failure to achieve racial equality would later result in the civil rights movement of the 1950s and 1960s. It was in the turbulent time of Reconstruction that Wyoming Territory was created; thus, there should be little surprise that Wyomingites would wrestle with the same discussions over racial justice and equality that plagued the rest of the country.[9]

It is not completely coincidental that Wyoming became a territory the same year the Transcontinental Railroad was completed. The so-called "iron horse" had a paramount impact on America in that it connected the country, thus making another sectional war unlikely. It opened national, in addition to local, markets, and helped to spur the creation of new territories and states such as Wyoming. The influx of population to the Wyoming area, largely due to the Union Pacific Railroad, led to the passage of the Organic Act on July 25, 1868, which created Wyoming's territorial government.[10] Wyoming's first territorial legislative assembly was not overly concerned with creating innovative new laws. They were more concerned with borrowing and adapting—not originality.[11] Incidentally, Wyoming legislators adopted much of Dakota Territory's legislation, as was shown when the territorial legislature released the general laws for Wyoming.[12]

Although Wyoming's first legislators—predominantly Democratic—appeared content to follow other states and territories, the new territory did make headway in one area. The population in the East, especially the female population, looked west when the rustic territory of Wyoming adopted a measure that guaranteed women the right to vote and hold office.[13] A few politicians claimed that since the franchise had recently been given to the black population, the right to vote should naturally be granted to women as well.[14] The majority of Wyomingites and politicians, however, used the woman's suffrage amendment as a public relations ploy—a way to bring people to the territory in hopes of getting a population large enough to apply for statehood.[15] In addition to a law granting women the right to vote, Wyoming's territorial legislature adopted other measures sympathetic to women. The territory's laws allowed married women to own property separately from their husbands, as well as to work jobs while

[8] The Supreme Court did not appear to support the Reconstruction amendments. In addition to the *Plessy* ruling creating "separate but equal" accommodations, *U.S. v. Reese* (1876) stated that the constitution did not guarantee the right to vote, that is, stipulations could be put on the right to vote. In the same year the high court ruled in *U.S. v. Cruikshank* that the government had no right to intervene in private discrimination; in essence, states cannot discriminate, but individual persons can. Vigilante groups, like the Ku Klux Klan, were organized between 1866 and1868. They terrorized "scalawags" and blacks who did not "know their place." Levine, *African Americans and Civil Rights*, p. 103.

[9] During the late nineteenth century, blacks were a "small but vital part of the westward movement. Like their White counterparts, Blacks on the frontier were trappers and traders, soldiers, cowboys, miners, farmers, and entrepreneurs. After the Civil War, many Blacks left the South seeking a better life away from the Jim Crow society that existed there. Most went north, and only a comparative few turned west." Because the West never had a large population of blacks, their early roles, contributions, and tribulations have largely been overlooked. Roger D. Hardaway, "William Jefferson Hardin: Wyoming's 19 Century Black Legislator," *Annals of Wyoming* 63 (Winter 1991): 3. Despite popular misconceptions, "racial hatred was deeply embedded in the hearts of Northern as well as Southern whites, and the road to full citizenship for blacks would be a difficult one everywhere." Levine, *African Americans and Civil Rights*, pp. 92-93.

[10] The Organic Act, "an act to provide a temporary government for the territory of Wyoming," can be found in the *General Laws, Memorials, and Resolutions of the Territory of Wyoming*, pp. 18-24.

[11] Fromong, "The Development of Education in Wyoming," p. 20.

[12] George Justin Bale, "The History of Development of Territorial Public Education in the State of Wyoming, 1869-1890" (M.A. thesis, University of Colorado, Boulder, 1938), p. 16.

[13] Lewis L. Gould, *Wyoming: A Political History, 1868-1896* (New Haven and London: Yale University Press, 1968), pp. 26-27. "Wyoming's first legislature . . . would have won scant attention if it had not passed a woman suffrage act."

[14] Gould maintains that three factors led to the passing of a woman suffrage bill: suffrage would publicize the territory; it would prompt women to back the Democratic Party; and it would embarrass the Republican Party who granted suffrage to blacks, but thought it absurd to give the franchise to women. *Ibid.* According to T.A. Larson, William H. Bright introduced the woman suffrage bill because "he thought that women like his wife and mother had as much right to suffrage as the black men who had recently received the franchise." T.A. Larson, *Wyoming: A Bicentennial History* (New York: W.W. Norton & Company, 1977), p. 77.

[15] According to Larson, "without the public relations angle, Wyoming's first legislature almost certainly would not have approved the suffrage bill." *Ibid.*, pp. 76-80.

retaining control of their income. Furthermore, the legislature passed a stipulation that "in the employment of teachers, no discrimination shall be made in the question of pay on account of pay [sex] when the persons are equally qualified."[16] Wyoming's sympathetic women's rights laws put the territory ahead of most states, at least in writing. When Wyoming became a state in 1890, "Equal Rights" emerged on the state seal. Later, Wyoming would be given the official nickname "The Equality State" for its forward thinking suffrage laws.[17] Although the laws appeared to be a step in the right direction, not all Wyoming citizens attained equality. Sexual discrimination was rampant on job sites, women teachers rarely were paid the same as male teachers, and racial and religious minorities were denied the equality of which the state so loudly boasted.[18] Although the territorial laws provided basic equality for women, other early statutes painted an entirely different picture for minorities.[19]

While most of the literature on the American civil rights movement appropriately focuses on the South, it would be a mistake to conclude that racism did not exist in other regions of the country. Some understanding of non-southern discrimination helps round out the historical picture of race relations in the United States. Wyoming, the overwhelmingly white "Equality State," is a case in point. From the inception of the Wyoming Territory, its peoples have grappled with a variety of racially based questions, from the permissive school segregation law to complaints of unequal access to public accommodations. In addition, Wyomingites participated in discriminatory lynchings and denied the right of marriage to peoples of different ethnicities. Wyoming's racially spurred statutes and activities appear to be in line with racial thinking across the nation.

Wyoming's School Segregation Law

Within a generation after the Civil War, segregation had been established in the South. After the Supreme Court's ruling in *Plessy*, laws and ordinances throughout the South segregated the white and black populations in almost every imaginable way, from schools to water fountains. In contrast to the South's *de jure* segregation, the northerners often established *de facto* segregation, which kept blacks and whites from mingling on a large scale by a matter of opportunity, not law.[20] Although Wyoming appeared to be a front-runner in terms of women's rights, the territory seemed disposed to follow other regions in terms of racial relations in the educational system.

The first known school in what is today Wyoming was in Fort Laramie, and was run by Reverend Richard Vaux in 1852. This school was followed by one erected at Fort Bridger by Judge William A. Carter, Jr., for the benefit of his children and others nearby. Eventually these private schools gave way to parochial and public schools. However, the private, church-run schools did little to solve the education problem, since many children in Wyoming country received no education of any kind.[21] An editorial in the *Cheyenne Daily Leader*, dated October 19, 1867, suggested that public sentiment favored the creation of a school. A "Cheyenner" opined, "I believe I speak

[16] *General Laws, Memorials, and Resolutions of the Territory of Wyoming* p. 234. This is quoted exactly as the statute appears on the books.

[17] Larson, *Wyoming*, p. 102.

[18] In 1973, Wyoming approved the Equal Rights Amendment which, at minimum, targeted sex discrimination in employment opportunities. *Ibid.*, pp. 104-105; T.A. Larson, *History of Wyoming*, second edition (Lincoln: University of Nebraska Press, 1990), p. 610.

[19] "Most of the pioneers had a very limited perception of equality. It meant little more to them than the right to vote; thus they unwittingly erected a false front when they boasted about their equality." Larson, *Wyoming*, p. 104.

[20] Levine, *African Americans and Civil Rights*, p. 107. In the North, school integration proved controversial. Many states, such as Indiana (1874), ruled that school segregation was acceptable. However, other northern cities, such as Chicago, Boston, Cleveland, and Milwaukee had technically integrated schools. Students had to attend schools near their homes and since blacks and whites did not tend to share neighborhoods, their children did not share schools. Although states like Iowa declared that segregated schools were against the Fourteenth Amendment, there was a significant difference between outlawing segregation and promoting integration.

[21] Bale, "The History of Territorial Education in Wyoming," pp. 3, 10-15. Two parochial schools opened in Wyoming Territory. The Wyoming Institute, which closed in 1871, was a Baptist school headed by Reverend D. J. Pierce. St. Mary's Catholic school opened in Laramie during the 1870s, gained in popularity in the early 1880s and moved to Cheyenne in 1885. St. Mary's is still open. Ibid.

the sentiments of three fourths of the citizens of Cheyenne when I say let us have a school." The anonymous author contended that the school should be funded by subscription. Shortly after this editorial appeared, a schoolhouse opened in Cheyenne.[22]

At the prompting of Governor John A. Campbell, Wyoming's territorial legislators took education into consideration in 1869.[23] In his address to the first legislative assembly, Campbell encouraged the lawmakers to consider education. The governor called education "the cornerstone" without which "no durable political fabric can be erected." Campbell argued that prosperity meant little if moral and intellectural growth did not keep pace. Furthermore, the territorial governor presumed that educated people would become strong defenders of republican institutions. At the end of his address, Campbell called for a scheme to enhance free education in the young territory.[24] Legislators responded with provisions which regulated and maintained education in Wyoming Territory.[25] Wyoming followed the pattern of the Dakota Territory in the creation of education. However, in Dakota, schools were "equally free to all white children . . ." Dakota Territory did not provide for separate common schools for non-whites. Wyoming Territory, however, created a system to permit separate schools for "colored children" when fifteen of more such youngsters resided within a given school district.[26]

The original education laws of Wyoming Territory remained on the books until 1873. At that time the status of schools again received the attention of lawmakers, who revised the education laws. Among the new proposals were demands for uniformity of textbooks, a change in the school tax levy, and a statute making school attendance compulsory.[27]

John A. Campbell served as the first governor of Wyoming Territory. A Republican, he signed the bill granting suffrage to women and strongly believed in the importance of education. Courtesy American Heritage Center, University of Wyoming

[22] Ibid., p. 6.

[23] On April 3, 1869, President Ulysses Grant appointed John Allen Campbell as the first governor of the territory of Wyoming. Campbell was a Republican from Ohio who had served in the Union army during the Civil War. Grant sent Campbell to Wyoming in order to make it a Republican territory. Unfortunately for Campbell, he "had to live with a Democratic delegate to Congress and an anti-Negro and seemingly anti-railroad legislature." These facts caused Grant to think that the territory should have been dissolved. Obviously, this did not happen and Campbell served as governor until 1875 when his term expired and John M. Thayer replaced him. Marie H. Erwin, *Wyoming Historical Blue Book: A Legal and Political History of Wyoming 1868-1943* (Denver: Bradford-Robinson Printing Co., 1946), p. 166; Gould, *Wyoming*, pp. 23-27.

[24] Governor John A. Campbell, "Governor's Address to the First Legislative Assembly," October 12, 1869, *House Journal of the Legislative Assembly of the Territory of Wyoming*, 1870, p. 14.

[25] Bale, "The History of Territorial Education in Wyoming," p. 23.

[26] Ibid., pp. 39, 61, 64. Bale stated: "The basis of the school laws of Wyoming goes back to the Dakota Territory Statutes of 1862." Wyoming Territory, until 1873, charged the same school levy tax as Dakota Territory. Thus, schools were run on public funds rather than by private donations. Peter Kooi Simpson, "History of the First Wyoming Legislature" (M.A. thesis, University of Wyoming, 1962), p. 143.

Although Wyoming's territorial legislators revised several sections of the school statutes, the permissive school segregation law remained unchanged.

Wyoming held territorial status until 1890. After a constitutional convention, the territory applied for and received statehood.[28] Wyoming's state constitution drew on provisions from the constitutions of the Dakotas, Idaho, Montana, Washington, and Colorado.[29] Wyoming's Constitutional Convention delegates may have followed other states because "a people long used to self-government is [are] not inclined to be radical. On the contrary, it will persistently maintain ideas and institutions which an objective observer might deem obsolete. When changes must be made, they come very gradually rather than in revolution or sweeping reformation."[30] Thus, Wyoming's constitution was, for the most part, in line with other states, the major exception being women's suffrage.[31] When the constitution of Wyoming was adopted in 1889, it firmly established Wyoming's educational laws. The constitution "retained almost to the letter many school laws that had been tested and improved during the years that Wyo-

[27] Charles Burgess, "The Goddess, the School Book, and Compulsion," *Harvard Education Review* 46 (May 1976): 201. The push for compulsory, rather than voluntary, school attendance began in Massachusetts in 1852. By 1918, all states then in the Union had compulsory school attendance laws. Many believed, especially after the Civil War, that school and education were central to national reunion and loyalty. Although the common school movement was in place before the Civil War, the push for compulsory laws developed on a larger scale after the conflict. Following the Civil War, with industrialization, massive immigration, and the presence of freed slaves, compulsory laws to "Americanize" the population became popular. It was the Civil War that would prompt leaders to encourage mandatory school attendance in order to promote nationalism, unification, and standardization. This sentiment could be seen in Governor Campbell's address to the first territorial legislators. Educated people, he maintained, would be strong defenders of free institutions. Fromong, "The Development of Education in Wyoming," p. 86. Several territories, including Wyoming, demanded that school attendance be compulsory. However, school attendance remained poor in the territory because the law was difficult to enforce. Although school enrollment doubled, the average daily attendance did not rise, which suggests that students enrolled for school in order to minimally comply with the law, but did not actually attend school on a regular basis. Bale, "The History of Territorial Education in Wyoming," pp. 63-64, 160. Prior to 1873 there was no uniformity in the selection of textbooks. After 1873, the textbook selection was left up to the teacher's institutes which resulted in more uniform book choices. Later in 1888, the textbook selection would be given to county and city superintendents, and this responsibility would be permanently granted by the state's constitution. Ibid.; *Wyoming Constitution*, 1889, Article VII. Section 11.

[28] No western territory was admitted into the Union between 1876 and 1889. Larson, *History of Wyoming*, p. 236. Wyoming called a constitutional convention prior to applying for statehood. Forty-nine members attended Wyoming's Constitutional Convention. Among them were thirty-two Republicans and seventeen Democrats. Forty-one were Americans by birth, thirty-four were from the North, four were former Southerners, three were "westerners," and seven members were foreign born. Fourteen of the members were Civil War veterans; thirteen fought for the Union and one for the Confederacy. Richard Kenneth Prien, "The Background of the Wyoming Constitution" (M.A. thesis, University of Wyoming, 1956), pp. 1, 16. "The origins of the convention members correspond rather closely to the origins of the territory's population as a whole." New York, Pennsylvania, Ohio, and Illinois were the main states that supplied Wyoming with its 1890 population. "Only 4 percent of Wyoming's 1890 population had been born in the South; only 94 were Confederate veterans, as compared with 1,171 Union veterans." Larson, *History of Wyoming*, pp. 243-44.

[29] Prien, "The Background of the Wyoming Constitution," pp. 41, 48, 51, 78. Prien contends that Wyoming's constitution mirrors that of surrounding states. He lists as examples: section 2 of Wyoming's constitution states that the right to life and liberty are inherent and all members of the human race are equal. This statement is similar to clauses in Idaho's, Montana's, and North and South Dakota's constitutions. Section 18 of the state's constitution deals with religious freedoms and is exactly the same as North Dakota's clause. Although Wyoming drew from the constitutions of surrounding states, the new state did have unique statutes. For example, other states had suffrage clauses, but Wyoming was the first state to make inclusive stipulations on the subject. Furthermore, section 23 of the Wyoming constitution, which guarantees "the right of citizens to opportunities for education has no parallel in the surrounding states. Finally, section 3, which states that laws affecting political rights without distinction of race, color, and sex is not matched by the surrounding states.

[30] Ibid., pp. 7, 31. On September 29, 1889, the *Cheyenne Daily Sun* editorialized, "the constitution that has been prepared for Wyoming is quite similar to other states constitutions, differing very little from those which have recently been adopted in the four new [Omnibus] states . . . . The convention has followed well established precedents."

[31] In addition to social issues, Wyoming's constitution was innovative in terms of its water laws. Harold Ickes, Secretary of the Interior, commented that Wyoming's constitution "discarded the riparian theory of water ownership and adopted a system under which the state retained all water rights. . . . Revolutionary in the field of water law at that time. . . ." Robert B. Keiter and Tim Newcomb, *The Wyoming State Constitution: A Reference Guide* (Westport, Connecticut, and London: Greenwood Press, 1993), pp. 5-10.

ming had been a territory."[32] Although the constitution added an anti-discrimination statute which prohibited discrimination on account of race or color in public schools, the permissive school segregation law remained intact from the territorial period.[33]

Not until the time of Governor Milward Simpson did Wyoming legislators repeal the permissive school segregation statute. In his 1955 message to the thirty-third session of the legislature, the state's chief executive called the lawmakers to strengthen the constitutional guarantees to equality, liberty, and justice.[34] Pointing to two constitutional provisions that clearly frowned on discrimination, Simpson called for the repeal of the school segregation law.[35]

Nationally, the United States Supreme Court had recently delivered a ruling concerning the segregation of students in school on the basis of color. In the May 17, 1954, *Brown* v. *Board of Education* ruling, the high court concluded that public school segregation was discrimination and, therefore, contrary to the Fourteenth Amendment's guarantee to equal protection.[36] Incensed by the decision, many southern states refused to follow the court's orders to desegregate schools.[37] In contrast, non-southern states quickly accepted the high court's decision and made plans to integrate their public schools. The shifting nature of the constitution, as seen in the *Brown* decision, had national implications. Northern and western states gradually banished Jim Crow, leaving the South isolated.

At the time, four states in the West had permissive school segregation laws. The states were Kansas, New Mexico, Arizona, and Wyoming. Other than Wyoming, each of the states had actually implemented some school segregation.[38] New Mexico was one of the first non-southern states to comply with the high court's decision. Originally, ten New Mexico communities had segregated schools. By the time of *Brown*, six of the original communities still practiced segregation. Following the Supreme Court ruling, New Mexico took actions to integrate the schools in those six communities.[39] Just prior to the *Brown* decision, Arizona Judge Charles C. Bernstein declared Arizona's permissive segregation statute unconstitutional. The Arizona law stated that ". . . they [the

Bale, "The History of Education in Wyoming," p. 66. Fromong, "The Development of Education in Wyoming," p. 5. Fromong states that "the coming of statehood actually had very little effect upon education as a whole in Wyoming."

[33] *Wyoming Constitution*, 1889, Article VII, Section 10. The statute reads: "In none of the public schools so established and maintained shall distinction or discrimination be made on account of sex, race, or color. See Erwin, *Wyoming Historical Blue Book*, p. 612; and Bale, "The History of Education in Wyoming," p. 59.

[34] "Governor Simpson Addresses State Legislature," *The Guernsey Gazette*, January 14, 1955.

[35] Section 2, Article 1 of the Wyoming State Constitution reads: "In their inherent right to life, liberty and the pursuit of happiness, all members of the human race are equal." Section 3, Article 1 reads: "Since the equality in the enjoyment of natural and civil rights is only made sure through political equality, the laws of this state affecting the political rights and privileges of its citizens shall be without distinction of race, color, or any circumstance or condition whatsoever, other than individual incompetency, or unworthiness duly ascertained by a court of competent jurisdiction." Governor Simpson used these two provisions to encourage the legislature to repeal Article 624, Chapter 67, Wyoming Compiled Statutes, 1945, the permissive school segregation law, on the ground that the statute "flies in the face of our constitution." Milward Simpson, "Message Delivered to the Thirty-Third Session of the Wyoming Legislature: 1955."

[36] *Brown* v. *Board of Education*, 347 U.S. 483 (1954). This case was based on the question of whether public school segregation denied black children equal protection under the laws. Black schools were financially and structurally inferior to white schools. Therefore, the "separate but equal" ruling from *Plessy* had been abused because schools were indeed separate, but were not equal. James T. Patterson, *Brown v. Board of Education: A Civil Rights Milestone and Its Troubled Legacy* (New York: Oxford University Press, 2001), p. 25.

A press release from the NAACP stated: "An NAACP survey on the southern school situation, compiled the last week of August, shows that in 11 of the 17 states which previously enforced school segregation by law, at least one local school board has taken positive action to comply with the non-segregation rule. . . . In only six states has there been lack of indication by any community of intent to comply with the Court's anti-segregation rule. These are Alabama, Florida, Georgia, Louisiana, Mississippi, and South Carolina." "For Releases to a.m. Papers," Sunday, September 4, 1955, Container 621, Series A, Group II, National Association for the Advancement of Colored People Papers, Library of Congress Manuscript Division, Washington, D.C. Hereafter cited as NAACP Papers.

[38] "For Releases to a.m. Papers," NAACP Papers.

[39] Undated, unidentified internal NAACP memo on desegregation in New Mexico, NAACP Papers. The article reads: "Despite threats that parents would forbid their children to register for school here until desegregation was 'outlawed by the board,' more students have registered for the opening of this term than has ever registered before." Although some community members protested integrating New Mexico's schools, it apparently had no effect on school registration.

Board of Trustees] may segregate groups of pupils" but Bernstein struck down that delegation of power. Bernstein concluded that "segregation intensifies rather than eases racial tension. Instead of encouraging racial cooperation, it fosters mutual fear and suspicion which is the basis of racial violence." The *Brown* decision solidified Arizona's ruling and the state initiated a program of school desegregation in May 1954.[40]

Unlike Arizona and New Mexico, no communities in Wyoming ever actually exercised the state's permissive school segregation statute.[41] There are several reasons why the statue may not have been used. First, the black population in Wyoming has always been minimal, so most districts probably did not meet the "fifteen or more colored children" benchmark.[42] Furthermore, operating segregated schools would be costly, and school boards may simply not have wanted the economic stress of running separate facilities.

But why would Wyoming have kept the law on the books for nearly ninety years when there was never a serious effort to invoke it? One argument is that Wyomingites simply "forgot" about the law. But to state that the statute had been put into law and then "forgotten" would be a stretch because, as recently as 1945, the law had been updated. It appears that lawmakers knew the law was on the books. Therefore, "forgetfulness" does not explain the long life of Wyoming's permissive school segregation law. Eventually, under some pressure, Wyoming's lawmakers

[40] The case under Judge Bernstein's consideration involved segregated facilities in Arizona's Wilson School District. The school district had Jim Crow facilities based on a permissive segregation statute (Section 54-416, as amended 1852 (1951) Chapter 138, Paragraph 1). Until 1951, Arizona had mandatory segregation in elementary schools and optional segregation in high schools. The legislature made segregation discretionary in all grades in 1951. Bernstein stated: "It is the office of the school environment to balance the various elements in the social environment and to see to it that each individual gets an opportunity to escape from the limitations of the social group in which he was born and to come into living contact with a broader environment." Bernstein decided his case on May 5, 1954, twelve days before the Supreme Court handed down its unanimous *Brown* decision. Bernstein based his decision, in part, on the February 1953 ruling by the Maricopa County Court which outlawed segregation in Phoenix area schools. "Arizona Court Holds Segregation Per Se Unlawful in School Case—Permissive De-Segregation Law Struck Down By Judge Bernstein," May 17, 1954, internal NAACP memo, NAACP Papers. Also in this folder, "Arizona Applauds Ban on School Bias," *New York Times*, February 15, 1953.

[41] Although there is no proof that the permissive school segregation statute had been invoked, one group of citizens in Cheyenne in March 1885 demanded separate schools for black and white children. At the time there were roughly fifty black children in the school district. Both the white and black communities seem to have opposed the idea of segregated schools. The Laramie County School Board listened to the petition with little enthusiasm, relegating it to the garbage. William Robert Dubois, III, "A Social History of Cheyenne, Wyoming, 1875-1885" (M.A. thesis, University of Wyoming, 1963), pp. 52-53. It has been contended that Torrington established a separate school for Mexican children in 1928 or 1929. Indeed, a school was created, but its creation had little to do with racial segregation. The Holly Sugar Company hired Mexican laborers to work in the beet fields. Often, especially after the crash of 1929, children, both Mexican and white, labored beside their parents or watched younger siblings so both parents could work in the fields. As a result, these children were unable to start school until November after completion of the beet harvest. Torrington's school district noticed that the children were behind and approached Juanita Patton about schooling the children. After building a two-room school house, children laborers, both Mexican and white, attended the school until they were prepared to attend the mainstream schools. The white children tended to catch up faster because they had the distinct benefit of speaking English. Mexican children stayed at the school, Columbia School, until they could speak and understand English and were caught up on the material. Afterwards, they joined the regular schools. Although the school suffered accusations that it was racially segregated, school attendees felt that the school enabled and encouraged them to learn despite the language barrier. Shelley Fetsco, "Culturally Different Taught at Columbia School," *Torrington Telegram*, January 19, 1983. Martha Patton Shoemaker, daughter of Juanita Patton, emphatically insists that there was "nothing racist about this school at all." She contends that "this was not a race thing," but instead, the district opened the school so all children, even those who had to work, would have an opportunity to learn. Columbia School remained open for nearly twenty years. Interview with Martha Patton Shoemaker, March 22, 2004, Torrington, Wyoming. Further evidence, such as class photographs, clearly show that Mexican children attended school with white children. Interview with Delores Kaufman, March 21, 2004, Torrington, Wyoming.

[42] "Wyoming is a state with a very small minority population. The African American population is less than one percent. Native Americans constitute another two percent while the Hispanic population is six percent." Gregg Cawley, Michael Horan, Larry Hubbell, James King, David Marcum, Maggi Murdock, and Oliver Walter, *The Equality State: Government and Politics in Wyoming*, third edition (Dubuque, Iowa: Eddie Bowers Publishing, Inc. 1996), p. 2.

repealed the segregated school law. On February 5, 1955, nearly a year after the *Brown* ruling, Governor Simpson affixed his signature and approval to the act which nullified the separate school statute.[43]

Anti-Miscegnation

Historically, lawmakers adopted anti-miscegenation laws in order to draw a color line between blacks and whites, thus enforcing a racial hierarchy. In an effort to protect White Anglo-Saxon Protestants from the degeneracy that allegedly accompanied miscegenation, colonies and states, beginning with Maryland in 1551, forbade the practice of racial intermarriage. At some time during U.S. history, thirty-eight states adopted anti-miscegenation laws. Although most citizens correctly identify the South as the region which was the first to adopt and last to abandon anti-miscegenation laws, "it was in the West, not the South, that the laws became most elaborate."[44]

Anti-miscegenation laws in the West did not just prohibit marriage between white and blacks. Instead, western laws forbade intermarriage between white and Chinese, Mongolians, Japanese, Hindus, Natives Americans, etc. For example, Wyoming's anti-miscegenation statute declared that Caucasians could not "knowingly intermarry with a person of one-eighth, or more negro, asiatic [sic] or Mongolian [sic] blood" without penalties following a felony conviction.[45] Adopted on December 7, 1869, Wyoming's statute became law over the veto of Governor Campbell.[46] In addition to the governor's veto, other Wyomingites protested the anti-miscegenation statute. One Wyomingite opposed to the statute urged legislators to, "let the laws of our growing Territory make no discrimination in classes and races of men."[47] Regardless of the opposition, territorial law makers adopted the measure and the statute remained on the books until 1882. At that time, the territorial assembly, encouraged by Wyoming's first black legislator, William Jefferson Hardin, repealed the statute.[48]

[43] "To the Honorable President and Members of the Senate of the Thirty-Third Legislature," February 7, 1955, Box 217, Folder 8, Simpson Papers. The Enrolled Act No. 15, Senate, originally Senate file No. 19, read: "An Act to repeal Section 67-634, Wyoming Compiled Statutes, 1945, providing for separate schools for colored children." On the other hand, until 1970 Wyoming had a citizen legislature that only met every two years and rarely sought to do a wholesale statute revision. So, one could contend that apathy kept the law on the books for ninety years.

[44] Rachel Moran, *Interracial Intimacy: The Regulation of Race and Romance* (Chicago and London: University of Chicago Press, 2001), pp. 17-19, 27. According to the NAACP, the following western states had laws barring miscegenation: Arizona, California, Colorado, South Dakota, North Dakota, Idaho, Montana, Nebraska, Nevada, Oregon, Utah, and Wyoming. NAACP to Lallah Rogers, May 12, 1927, Container 309, Series C, Group II, NAACP Papers. Most of these states repealed their anti-miscegenation statutes in the 1950s. However, Utah, Arizona, and Wyoming kept their laws until the 1960s.

[45] Roger Hardaway, "Prohibiting Interracial Marriage: Miscegenation Laws in Wyoming," *Annals of Wyoming* 53 (Spring 1980): 56-57. In his endnotes, Hardaway explains that the term "Mongolian" was used to describe an ethnic group in the broadest sense. Mongolian, he states, refers to "all yellow-skinned people rather than just natives of Mongolia." See endnote 6, p. 59.

[46] Wyoming's first territorial governor returned the anti-miscegenation bill to the legislature because it did not prohibit Indians from marrying other ethnic groups; thus, the law singled out certain ethnic groups. Hardaway uses the census to show why Indians were not mentioned in the statute. He states: "by prohibiting Negroes and Chinese from marrying whites, competition among Wyoming men for the few available white women was reduced. A surplus of Indian women existed, so the law did not prohibit Indian-white marriages." Ibid., p. 56. Furthermore, there has been a long standing tradition of whites marrying Indians, which made it difficult to prohibit future marriages between the two ethnic groups. Early fur traders in the Wyoming area had a tradition of marrying Native American women. According to Larson, the women "served as interpreters and peacemakers, kept their husbands informed of tribal affairs and promoted trade." Larson, *Wyoming*, pp. 52, 54-55.

[47] Hardaway, "Prohibiting Interracial Marriage," p. 56.

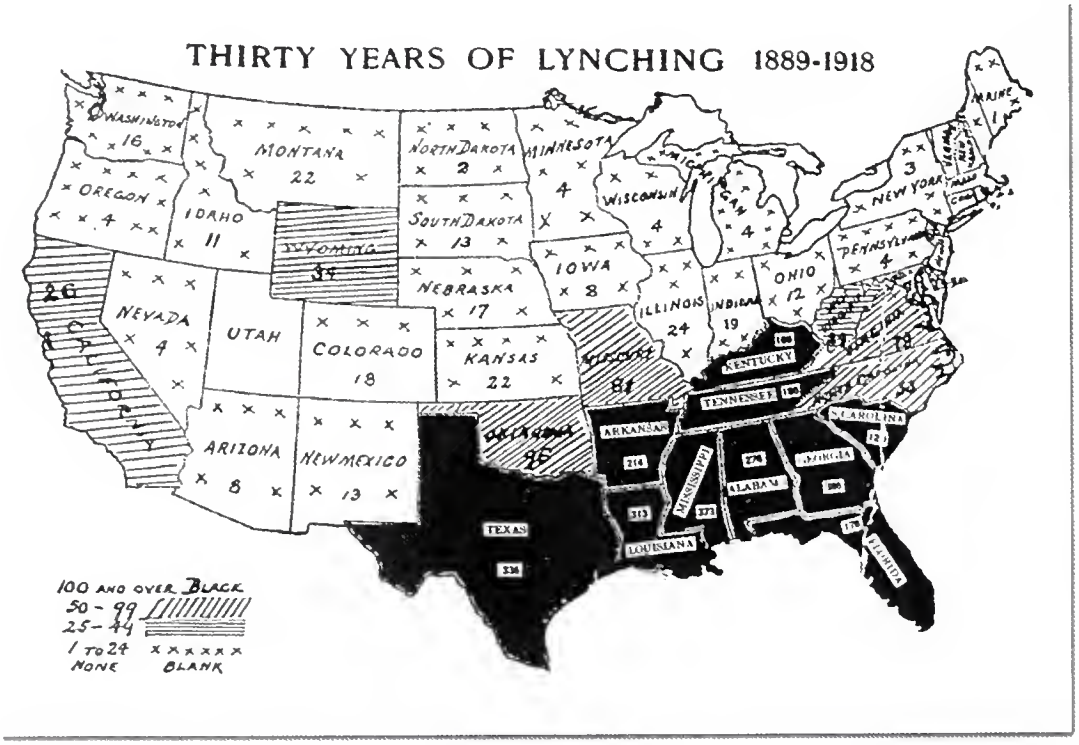
[48] William Jefferson Hardin had been elected to the Wyoming territorial legislature in a time and place where there was a white majority who discriminated against the black minority. Hardin was one-fourth black, and many assumed that he was able to succeed in white society because he lacked pronounced "Negroid characteristics" and was, therefore, more acceptable to the white-dominated population. Hardin served in the territorial legislature from 1879 to 1884. During his tenure he supported bills and statutes concerning bounties for hawks and eagles, public peace, and intermarriage. In 1882, Wyoming's first anti-miscegenation law was repealed. Hardin strongly supported this action, especially since he was married to a white woman. Interestingly, there is no evidence that Hardin ever questioned the permissive school segregation law. Hardaway states that Hardin's "tenure in the Wyoming legislature is principally significant . . . because it occurred when and where it did—in an area with few Blacks and in an era when Blacks were generally not allowed to participate in political decision-making." The *Cheyenne Daily Leader* called the first election of Hardin a "moral triumph for the people" and questioned "what other territory

(continued page 22)

However, Wyomingites adopted another miscegenation law in 1913, during the height of a progressive movement to enforce white supremacy and maintain purity of the races. Legislators repealed the law in 1965. Even then the repeal had more to do with the law being unconstitutional than being morally repugnant.[49] What Wyoming's anti-miscegenation law seems to suggest is a hierarchy of races rather than racial equality. The flirtation of the state with miscegenation laws tended to undermine Wyoming's claim to "equality."

Racial Lynching in Wyoming

In addition to the school segregation statute and the anti-miscegenation law, the "Equality State" had other discrepancies in terms of race relations. While the prevalence of violence in Wyoming and the West has probably been overstated, Wyoming did in fact experience a considerable number of lynchings.[50] In his book on Wyoming history, T.A. Larson concluded that "legal executions failed to keep pace with extra-legal ones . . . ."[51] In fact, Wyoming "out-lynched" all of the other western states. According to NAACP



The NAACP compiled the numbers of lynchings in the United States over a thirty-year period. In the West, Wyoming stands out with 34. Courtesy the NAACP.

(continued from page 21)

or Northern state can boast such liberality." Hardaway, "William Jefferson Hardin," pp. 2-13. According to Todd Guenther, the anti-miscegenation law was repealed in 1882 because of a fear that the law would slow the population growth. Todd R. Guenther, "At Home on the Range: Black Settlement in Rural Wyoming, 1850-1950" (M.A. thesis, University of Wyoming, 1988), p. 12.

[49] Hardaway, "Prohibiting Interracial Marriage," pp. 57-58. In 1967, the United States Supreme Court ruled that states could not deny couples the right to be married solely on their race. *Loving* v. *Virginia*, 388 U.S. 1 (1967). It appears that Wyomingites knew about the impending Supreme Court ruling and changed their state anti-miscegenation law prior to the court's decision. Ibid.

[50] Roy Nash, "Memorandum For Mr. Philip G. Peabody on Lynch-Law and the Practicability of a Successful Attack Thereon," n.d., Container 371, Series C, Group 1, NAACP Papers, pp. 13-14. Roy Nash, Boston's secretary for the NAACP, explored the changing definition of "lynching." Originally lynching meant getting thirty-nine stripes. The term was then broadened to include tarring and feathering, burning, and cruelty. Before the Civil War, "lynching" meant the "infliction of any minor punishment without legal trial." After Reconstruction the term implied death. *Webster's Dictionary* defines the word "lynch" as: "(of a mob) to take the law into its own hands and kill (someone) in punishment for a real or presumed crime." The *New Webster's Dictionary and Thesaurus* (Danbury, Connecticut: Lexicon Publications, Inc., 1995), p. 593.

[51] Larson, *History of Wyoming*, p. 231.

records, from 1889 to 1918 Wyoming lynched thirty-four people. The state's closest western competitors were California with twenty-six lynchings and Kansas and Montana, each with twenty-two lynchings.[52] A related study shows that between 1909 and 1918 only three people were lynched in Wyoming, which suggests that thirty-one of the state's known lynchings occurred between 1889 and 1909. A surprising survey done by the NAACP shows that between 1889 and 1918, Wyoming ranked fifteenth of forty-four states in the number of lynchings, preceeded only by southern states.[53]

Although the majority of people lynched in Wyoming were white, a surprising percentage of those killed were considered "colored." Nationally, 3,224 people were lynched between 1889 and 1918. Of those lynched during that time, 2,522, or 78.2 percent, were black. In the Mountain West, during that same time period, 110 people were lynched. Of this number, nine, or 8.2 percent, were "Negroes." For Wyoming this number is quite similar. Of the people lynched from 1889 to 1918 in the Equality State, 14.7 percent were considered "colored."[54] This large percentage is disturbing because blacks did not make up fourteen percent of Wyoming's population. From 1870 to 1950, African Americans have never been more than 1.5 percent of Wyoming's total population.[55] The percentage of blacks in the Mountain West was miniscule as well. While more whites were lynched in the state, a much larger percentage of blacks were lynched on a per capita basis.[56] Wyoming appears to have racially lynched more than other non-southern states, but nationally the state was far from being the most notorious in terms of lynching.[57]

Clearly blacks were not legally equal to whites in Wyoming because they found little protection from the law and were generally deemed guilty unless proven innocent. For example, in 1904 a mob took Joe Martin, accused of assaulting a white woman, from a jail in Laramie and lynched him from a lamppost at Seventh and Grand. In 1917, a black man was taken from the Rock Springs jail and lynched. The city's mayor declared that the crime, allegedly assaulting a white woman, justified the lynching, due process or not. That blacks were disproportionately lynched without due process and that racist laws, such as the school segregation and anti-miscegenation statutes, remained on the books for so long, suggests that Wyoming shared the white supremacy philosophies of Americans elsewhere.[58] Although Wyoming lagged behind southern states in terms of lynching, the "Equality State" certainly witnessed a relatively large number of racially tinged vigilante killings during its first four decades.

Fitfully, an anti-lynching movement began to take shape in the early twentieth century. Members of the Ku Klux Klan and related organizations had

[52] "Thirty Yeas of Lynching," n.d., Container 371, Series C, Group 1, NAACP Papers. The NAACP's findings were collected into a published volume titled *Thirty Years of Lynching in the United States: 1889-1918* (New York: Arno Press and the New York Times, 1969).

[53] "Persons lynched 1889-1918 by State," n.d., Container 371, Series C, Group 1, NAACP Papers. This information comes from a vertical bar chart. The chart lists the states with the most to the fewest hangings. Georgia was number one with 386 hangings, Wyoming was fifteenth with 34 hangings. Mississippi, Texas, Louisiana, Alabama, Tennessee, Florida, Kentucky, South Carolina, Oklahoma, Missouri, Virginia, and North Carolina precede Wyoming. All other states have fewer lynchings than Wyoming.

[54] "Number of Persons Lynched by Geographical Divisions and States, 1889-1918," n.d., Container 371, Series C, Group 1, NAACP Papers.

[55] Guenther, "Black Settlement in Rural Wyoming," p. 18.

[56] "List of Persons Lynched in 1917 by States," and "List of Persons Lynched in 1918 by States," NAACP Papers. These two lists announce the lynchings of two black men in Wyoming. On December 14, 1917, a black man named Wade Hampton was lynched in Rock Springs. Hampton was lynched because he had been "annoying whites." On December 10, 1918, Edward Woodson was lynched in Green River after allegedly killing a railroad switchman. Press releases after Woodson's lynching tell of all other blacks in Green River being forcefully removed from the town. The NAACP sent Governor Frank L. Houx a letter demanding that Wyoming "take immediate steps to protect the lives and property of the colored citizens of Green River and to see that the lynchers of Edward Woodson are brought to justice." NAACP to Frank Houx, December 14, 1918, NAACP Papers. In Judy 1889, Ella Watson had been lynched in Wyoming. The lynching of Watson was unprecedented in the area because she was female. Larson, *Wyoming*, p. 129.

[57] In the South, 85 percent of lynched victims were black. "Number of Persons Lynched by Geographical Divisions and States, 1889-1918," n.d., Container 371, Series C, Group 1, NAACP Papers.

[58] Guenther, "Black Settlement," pp. 10-11.

rallied around lynchings in an effort to secure white supremacy over the freedmen.[59] As early as 1901, however, horrified opponents proposed an anti-lynching bill in Congress. Lynchings continued after the defeat of the proposal.[60] In 1918, Leonidas Dyer of Missouri introduced the Dyer Anti-Lynching bill, but a filibuster defeated the initiative. After the bill's defeat, the federal drive to ban lynching remained stagnant until the 1930s.[61]

By the 1930s, however, the NAACP and certain crusading journalists made the anti-lynching campaign into something of a national cause.[62] In addition, an element of resistance and protest arose in the music culture, especially with the 1939 release of "Strange Fruit" by Billie Holiday. The song, written by a school teacher named Abel Meeropol, was a response to photos of the lynchings of southern black men Thomas Shipp and Abram Smith.[63] The combination of journalism, activism, and indirect protest caused many to rethink their ambivalent attitudes toward lynch laws.

In response to the growing number of people opposed to lynching, Senator Robert Wagner, a New York Democrat, and Edward Costigan, a Democrat from Colorado, proposed an anti-lynching law.[64] The Costigan-Wagner bill would have made police authorities responsible for not protecting prisoners from lynch mobs, thus addressing the central problem with

[59] Mississippi Senator James K. Vardaman stated that "every black in the state would be lynched if that was what was necessary to maintain white supremacy." Donald Grant, *The Anti-Lynching Movement: 1883-1932* (Saratoga, California: R and E Research Associates, 1975), pp. 1, 49.

[60] In 1896, North Carolina elected a former slave, Republican George Henry White, to Congress. Born in 1852, White graduated from Howard University in 1877. A member of the North Carolina Bar, he had served two years in the state legislature. White was the last former slave to serve in Congress. In 1901, he proposed the first federal bill to outlaw lynching, which he referred to as a terror tactic. Far ahead of its time, the White bill was easily rejected. White did not serve a third term because of the disfranchisement of North Carolinian blacks. Grant, *The Anti-Lynching Movement*, pp. 30, 65-67. Although White was the first to introduce an anti-lynching bill, Thomas E. Miller, a black from South Carolina, was the first congressman to speak out against lynching. *Ibid.*

[61] Leonidas Dyer of Missouri introduced his proposal during the early 1920s, which passed the House only to fall victim to a Senate filibuster. J. Joseph Huthmacher, *Senator Robert F. Wagner and the Rise of Urban Liberalism* (New York: Antheneum, 1968), p. 171.

[62] Ida Wells, born into slavery and freed after the Civil War, became part owner in a Memphis newspaper called *Free Speech*. Wells investigated and reported on lynchings and other atrocities committed against blacks. "To make lynchings a federal crime had long been the attempt of the National Association for the Advancement of Colored People—it was, in fact, the progenitor of the entire Negro civil rights movement of the twentieth century." *Ibid.*, p. 171. For more information on Wells, see Ida B. Wells, *Crusade for Justice: The Autobiography of Ida B. Wells* (Chicago and London: The University of Chicago Press, 1970). Also see Grant, *The Anti-Lynching Movement*, pp. 28-30, 32-33, 144-45.

[63] "Strange Fruit" caused controversy, and often violence, whenever it was played. Regardless of this fact, Billie Holiday included the tune in each of her shows. Lyrics of the song read," Southern trees bear a strange fruit/Blood on the leaves and blood on the root/Black body swinging in the Southern breeze/strange fruit hanging from the poplar trees/Pastoral scene of the gallant south/The bulging eyes and the twisted mouth/Scent of magnolias, sweet and fresh/Then the sudden smell of burning flesh/Here is the fruit for the crows to pluck/For the rain to gather, for the wind to suck/For the sun to rot, for the trees to drop/Here is a strange and bitter crop." Abel Meeropol, a Jewish member of the Communist Party who raised the sons of Julius and Ethel Rosenberg after their execution in 1953, had originally composed "Strange Fruit" as a poem. Meeropol is also known by his pen name Lewis Allen. For more information, or to hear the song, see http://www.strangfruit.org.

[64] Robert Wagner had been born in Germany, but immigrated to the United States with his family in 1886. Wagner was educated in the public school system and the City College of New York. An active Democrat, he became a member of the New York legislature and served on the New York Supreme Court prior to his election to the Senate in 1926. A "New Dealer," Wagner, sponsored the National Labor Relations Act of 1935. In early January 1934, Wagner, together with Edward Costigan, proposed an anti-lynching bill. In testifying for the proposal, Wagner stated: ". . . [T]he time which try men's souls' often quicken their sense of justice and their aspiration for betterment." Some cynics claim that Wagner only supported anti-lynching legislation to gain the black vote. In fact, Wagner had suffered discrimination based on his Jewish faith. In addition, Wagner had been a keynote speaker for the NAACP in 1931 and introduced a bill in the Senate which would have benefited blacks. Costigan was from Colorado. He switched parties several times, beginning in the Republican Party, switching to the Progressive Party in 1912, and finally joining the Democratic Party during the late 1920s. Costigan, who was considered a "radical" Democrat, announced that he would introduce an anti-lynching bill in December 1933. Wagner quickly pledged to support such a bill, later becoming a co-sponsor. Huthmacher, *Senator Robert F. Wagner*, pp. 13-14, 18, 43-50, 117, 127, 171-74.

lynching: the inability to bring lynchers and participants to justice. By making law enforcement officials responsible for lynched victims, the bill assumed prisoners would be better protected and the police would accuse those who attempted to harm the person in custody, rather than shrugging off the incident. The Costigan-Wagner bill at first seemed promising, but died in Congress.[65] Although Congress never enacted the bill, it is significant because it helped bring national attention to lynching. For the most part, lynchings waned in the 1940s, although a few continued even after Congress passed the Civil Rights Act of 1964, making it a federal crime to deny one his or her civil rights by taking their lives.[66]

While Wyoming does not stand alone in the history of lynching, individuals in the state certainly participated in the heinous crime. Clearly in the territorial and early days of statehood, Wyoming dabbled in discriminatory practices. From lynchings to permissive school segregation laws, the state was hardly free of racial discrimination. This pattern of discrimination continued within the state throughout the civil rights movement of the 1950s and 1960s.

Public Accommodations

For much of the state's history, whites denied Wyoming blacks access to certain public accommodations. A motel in Laramie refused to service blacks, as did cafes and theaters in Cheyenne. Furthermore, blacks were often discriminated against in areas of employment and housing throughout the West.[67] To avoid national embarrassment and end discrimination in Wyoming, one of the last western states without a public accommodations law, Governor Simpson recommended such a statute in 1955. Much to his disappointment, the bill failed.[68]

In response to combating segregation in the public sphere, Wyoming branches of the NAACP tried to circumvent problems by creating their own accommodations. In Casper, the local branch of the NAACP applied for a limited liquor license. Natrona County black leaders hoped to expand local NAACP membership by merging regular meetings with opportunities to socialize. The branch sought to do this because the community had nothing to offer its people

[65] Eleanor Roosevelt proved to be an influential ally to the anti-lynching movement. President Franklin Delano Roosevelt never endorsed the bill because he feared losing the southern vote or of offending southern congressmen. "The President had condemned lynching in his State of the Union address and in other public pronouncements; yet when it came to the question of throwing his weight behind the Costigan-Wagner bill, he held back." *Ibid.*, p. 173; "Blunders of the Recently Adjourned 73rd," *The Reflector*, July 21, 1934. "Most Negroes however are more deeply concerned with the most brutal of blunders, the failure of that body to consider the Costigan-Wagner Anti-Lynching Bill." An electronic version of this primary source is available online at http://jefferson.village.virginia.edu/vcdh/afam/reflector/7.21.34.govt.html.

[66] The Michael Donald case of 1981 is a good example of a post Civil Rights Act lynching. In Mobile, Alabama, a black man was freed after a mixed-race jury failed to convict him for the murder of a white police man. KKK members in the area were furious and concluded that "if a black man can get away with killing a white man, we ought to be able to get away with killing a black man." James Knowles and Henry Hays attempted to prove this statement. They kidnapped and lynched nineteen year old Michael Donald, although he had nothing to do with the trial or the death of the white police officer the KKK was avenging. Donald's death was first determined to be related to a drug crime, but Reverend Jesse Jackson and later the FBI uncovered the plan of Knowles and Hays. Knowles confessed to the lynching and received life in prison. Hays was found guilty and was executed for his crime on June 6, 1997. Donald's mother sued the KKK and won seven million dollars from the organization. Information and a photograph of the lynched Donald can be found at http://www.spartacus.schoolnet.co.uk/USAdonaldD.htm.

[67] "At mid-decade, several western states still had statutes permitting segregated schools, forbidding interracial marriages, and tolerating unequal access to public accommodations." Kim Ibach and William Howard Moore, "The Emerging Civil Rights Movement: The 1957 Public Accommodations Statute as a Case Study," *Annals of Wyoming* 73 (Winter 2001): 1, 5; Milward Simpson to Diggs, October 30, 1957, Box 161, Folder 5, Simpson Papers; Guenther, "Black Settlement," pp. 12-13.

[68] House Bill 86, the Public Accommodations bill of 1955, which would have ensured "equal treatment in places of public accommodation for all our citizens regardless of race, color, creed, national origin, or ancestry," was killed by a filibuster. Box 217, Folder 1, Simpson Papers.

of color but "movies, churches, and work."[69] The central headquarters of the NAACP disagreed with the creation of the social club and pointed out that "the answer to securing admission of Negroes to theatres, hotels and other places of public accommodations does not lie in the creation of separate social and recreational facilities."[70] Clearly disturbed by Natrona County's request, the NAACP revoked Casper's charter. Whatever the merits of the dispute, it is evident that the social situation for blacks in Wyoming was precarious. Only a law supporting equal access to public accommodations would alleviate the social pressure caused by segregation.

In 1957, Governor Simpson again pressed the issue of public accommodations in Wyoming. Simpson reminded the new thirty-fourth legislature that most southern states denied African Americans equal access to public accommodations. In the new post-*Brown* environment, Simpson's speech, likening Wyoming to the southern states, prompted legislators to recognize the negative consequences of further inaction. In an effort to avoid appearing "behind the times," the Wyoming legislature finally passed Simpson's public accommodations statute in 1957.[71]

University of Wyoming students protested Coach Lloyd Eaton s dismissal of the fourteen black players from the football team. The sign in the photograph stated The black ball players have fought for you, fight for them now. Courtesy Black 14 Collection, American Heritage Center, University of Wyoming.

[69] Margo Hill to Roy Wilkins, September 6, 1955, Container 246, Series C, Group 2, NAACP Papers. Wilkins was the executive secretary of the NAACP. Hill was the president of the Natrona County Branch of the NAACP. In the letter Hill explained the social circumstance for the black residents of Casper. She stated: "we would have nothing to offer, no place to dine, dance, or have A [sic] cocktail. That includes the Negro tourists, Bands [sic] and entertainers that pass thru [sic] Casper. The Horace Heidt show was thru here in June. There were no accommodations at the hotels for the Negros [sic]." Daniel Rogers, Jr., attorney for the Casper branch of the NAACP, sent a letter to the national branch. In it he states, "there is no place in Casper or this area where colored people can go and call their own. . . ." Daniel Rogers to Roy Wilkins, September 7, 1955, Container 246, Series C, Group 2, NAACP Papers.

[70] Gloster B. Current to Margo Hill, September 15, 1955, Container 245, Series C, Group 2, NAACP Papers. Current, NAACP director of branches, announced the reasons for the revocation of the Casper branch's charter.

[71] Ibach and Moore, "The Emerging Civil Rights Movement," p. 9. In 1957, only 21 states did not have a public accommodations statute. Of those states, 15 were in the South. Thus, it appeared that the "Equality State" was lagging behind others in terms of ensuring racial justice. Ironically, Simpson, who encouraged Wyoming legislators to enact the public accommodations statute, later opposed the 1964 federal Civil Rights Act because he feared the growing power of the central government. Of course, the 1964 federal statute largely superceded the 1957 state law. Ibach and Moore documented one 1958 instance in which enforcement of the Wyoming law was problematic. Ibid., pp. 10-12.

Conclusion

Even with the repeal of the school segregation and anti-miscegenation statutes and the enactment of a public accommodations law, Wyoming was, and is, occasionally troubled by racial tensions. One well-known example of continuing racial strain divided Wyoming communities in the fall of 1969. Fourteen black University of Wyoming football players approached head coach Lloyd Eaton to ask permission to silently protest during an upcoming game.[72] During the meeting, the fourteen players donned black armbands, which they wanted to wear during the game against rival Brigham Young University.[73] Coach Eaton, known for his strict disciplinary philosophies, refused to let his team members protest in any way.[74] When the Black 14 persisted, Eaton dismissed the players from the Cowboy team. The Black 14 incident inflamed the campus and prompted an emergency meeting of the trustees at the university. In the end, the school supported Eaton's decision and the young men remained off the team.[75] This unfortunate occurrence split the Wyoming population.[76] Many fans supported Eaton's decision by cheering for the coach and wearing armbands that read "Eaton." Other community members and citizens in other states protested the dismissal of the young men and carried signs which questioned whether Wyoming blacks had not been "Lynched Again?"[77] In the end, Bishop David R. Thornberry of the Wyoming Episcopal Diocese observed that this incident served as a national reminder that "the people in Wyoming have as far to go as any people in eliminating their racial prejudice."[78]

Although Wyoming was a forerunner in laws for women's rights, the "Equality State" was hardly a pioneer in terms of racial relations. Indeed, Wyoming seems to have lagged a bit behind other non-southern states in terms of its treatment of African American citizens. The territory and state certainly experienced more than its share of lynching, including the lynchings of African Americans. The "Equality State" repealed its long-time permissive school segregation law only after the 1954 Brown decision rendered such statutes both obsolete and an embarrassment. Wyoming legislators enacted its public accommodations law in 1957, after most other northern and western states had adopted similar statutes. And even this law appears to have been enforced only haphazardly. The state overturned its anti-miscegenation law only in 1965, just as the civil rights movement began to focus on the North and West. A state so far removed from the South and with a minute black population had no obvious need for a school segregation law or other statutes which artificially separated the races. However, Wyoming was created at a time when Reconstruction and race occupied a central place in national discussions and when the country was drifting toward *de jure* segregation in the South and the *de facto* segregation in the North. Allowing, rather than enforcing, segregation was the middle of the road, and Wyoming, wanting to be neither too rustic nor too futuristic, was content to follow that path. AW

[72] Clifford A. Bullock, "Fired by Conscience: The Black 14 Incident at the University of Wyoming and Black Protest in the Western Athletic Conference," Phil Roberts, ed., *Readings in Wyoming History: Issues in the History of the Equality State* (Laramie: Skyline West Press, 2004), p. 188. Lloyd Eaton had led the UW football team to three WAC championships and was named the "WAC Coach of the Year in 1966 and 1967." Some commentators thought Eaton was more popular than the governor. Ibid., pp. 187-89; Larson, *History of Wyoming*, pp. 593-95.

[73] Larson, *Wyoming*, pp. 105-06. The UW players wanted to wear the armbands to protest the Church of Jesus Christ of Latter-Day Saints' racially discriminatory practices. Bullock, "Fired by Conscience," p. 189.

[74] Larson, *History of Wyoming*, p. 593. Bullock, "Fired by Conscience," p. 188.

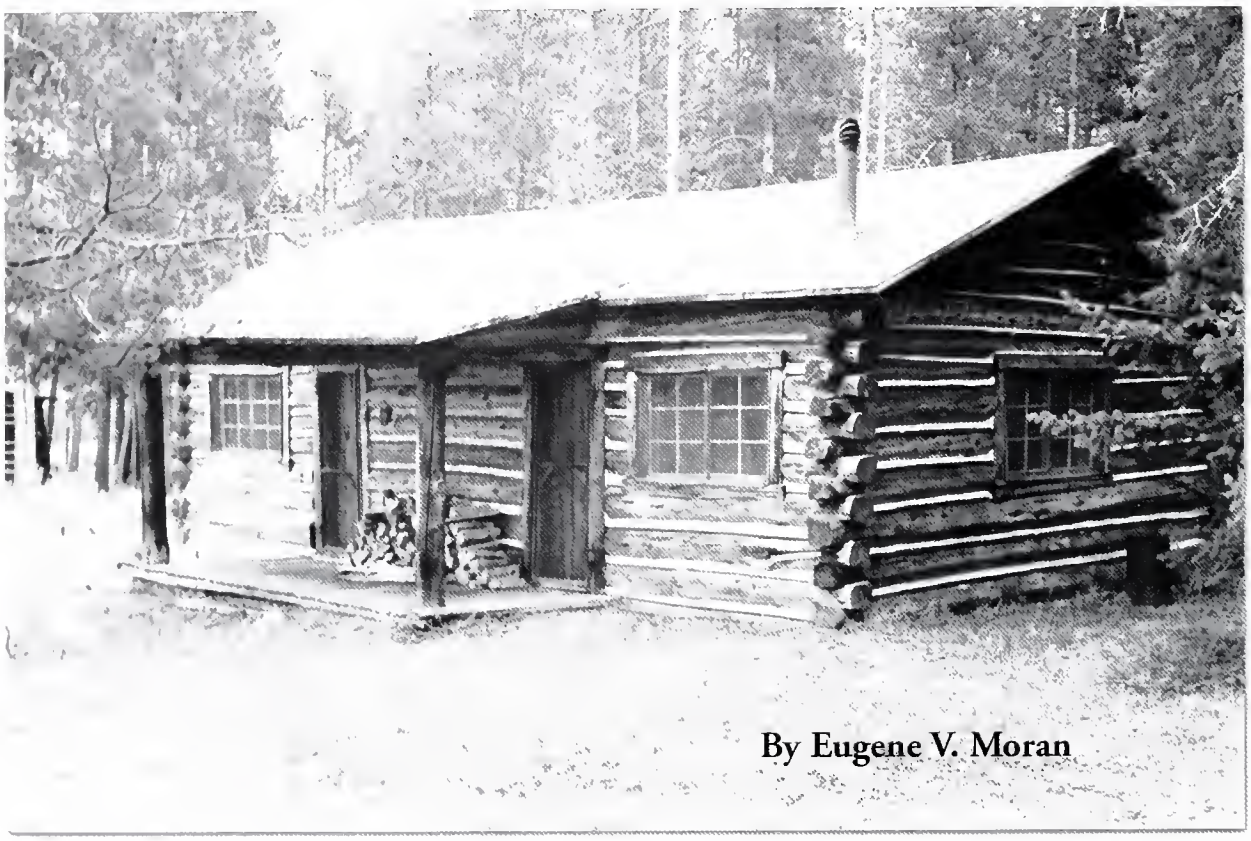
[75] Eaton and UW President William Carlson held a press conference on October 23, 1969. "*Sports Illustrated* reported that President Carlson admitted that at Wyoming, football was more important than civil rights." In addition, the UW head track coach John Walker told black track members ". . . if you think your civil or constitutional rights are more important to you than an education, then you should go home." All four black track members left the university. Bullock, "Fired by Conscience," pp. 184, 189.

[76] Larson, *Wyoming*, p. 106.

[77] Bullock, "Fired by Conscience," pp. 189-90; Larson, *History of Wyoming*, p. 595.

[78] Larson, *Wyoming*, p. 106. Thornberry's defense of the black athletes divided his church and caused trouble in his administration. *Ibid.*

Ernest Hemingway
in the Sunlight Basin of Wyoming



By Eugene V. Moran

The cabin at the L — T Ranch where the Hemingways stayed during their visits to Wyoming's Sunlight Basin. Courtesy the author.

It all began in the year 1909 when the Frederick Kent Copeland family and the William Pratt Sidley family decided to join forces on an adventurous horseback packtrip into the wild and little known, high Rocky Mountains of Wyoming, near and within Yellowstone Park. Neighbors back in Winnetka, Illinois, this first excursion group consisted of Fred A. Copeland, his wife Anna Boyd Copeland, their daughter Margaret, "Polly," Copeland, freshly graduated from Bryn Mawr, and their son Frederick Winsor Copeland, a freshman-to-be at Harvard. William Pratt Sidley and his wife thought better of taking along their only child, William Dupee Sidley at the tender age of ten. [1]

[1] The manuscript is based on letters, telephone calls, and personal interviews the author had with Jack Hemingway, Polly Copeland, and Olive Nordquist. All of the materials are located in the Eugene V. Moran Papers, American Heritage Center, University of Wyoming. See also Robert Hoskins, "Paradise Lost," *Wyoming Wildlife* (January 1997): 6-13; "Hemingway's Wyoming," *Casper Star Tribune*, October 19, 1970, part 3; Carlos Baker, *Ernest Hemingway: A Life Story* (New York: Charles Scribner's Sons, 1969), pp. 211-18, 230-33, 341-42; and Carlos Baker, editor, *Ernest Hemingway Selected Letters 1917-1961* (New York: Charles *Scribner's Sons, 1981), pp. 328-29, 345, 452-53, 489-90*

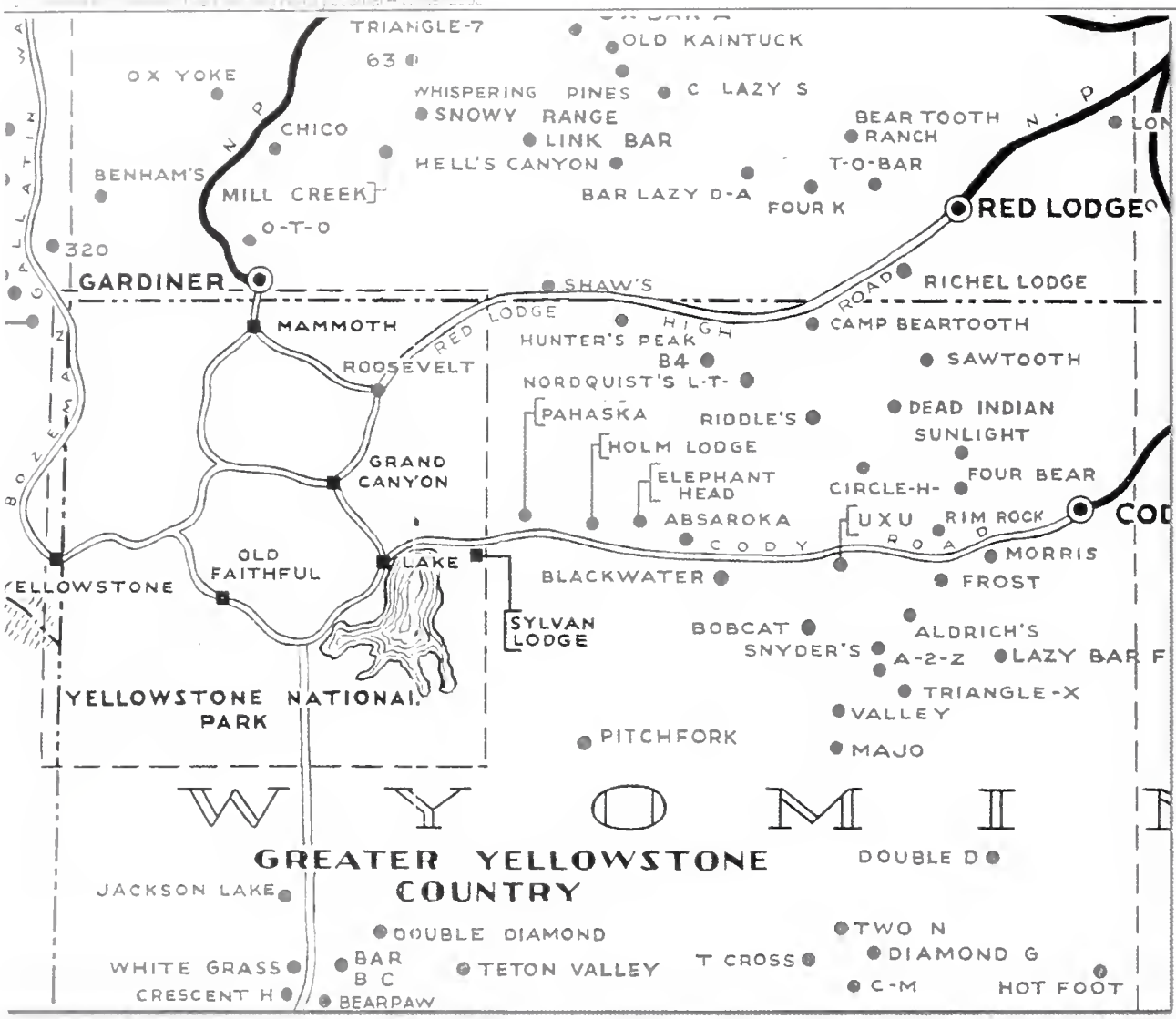
Just getting to the starting point of their adventure was a chore. It took two full days out of Chicago on the old North Coast Limited to get to one of the isolated mountain tops in Wyoming. From there the group was driven as far as possible by stage into the mountain wilderness, where the outfitter awaited them with horses to continue up into the unexplored wilderness. Undaunted by uncertain circumstances, the little group's spirits hardened under the leadership of Fred Copeland and Bill Sidley who became known as "iron men" back home in Winnetka.

Such excursions required a mountain guide, a wrangler, a camp cook, and a chore boy in the party. Twenty or more pack horses were needed to carry food, water, and equipment over the rugged terrain. There was a personal sure-footed horse for each of the campers, but no sleeping bags or air mattresses at that early time. Sleeping on rocky soil in a bundle of blankets wrapped in a tarpaulin, then slipping out of bed for a dip in the icy stream before sunrise was the order of the day. After a hardy breakfast in the steaming cook-tent, the group started on the day's ride, usually six to eight hours in the saddle along precipitous game trails before finding a camping ground for the night. The territory was often unknown even to the guide. Fred Copeland had some knowledge of the Rocky Mountains having spent two years as a sheepherder while recuperating from a breakdown in health following his graduation from M.I.T. Under spartan example the group became invigorated, and they relished their primitive holiday. No one dared to complain of the cold, wet, hunger, fear, or fatigue.

During World War I, these annual packtrips did not take place. In 1920, however, Copeland and Sidley eagerly resumed their August sojourn into Wyoming. In preparation, during the winters back in Illinois, they had spent many hobby hours together reading meager topography maps, trying to decide which unknown route to explore next. In 1922, a young veteran, just returned from the United States Army of Occupation in Archangel, Russia, became the Copeland-Sidley guide and outfitter. His name was Lawrence Nordquist, a strikingly handsome native of the Clark's Fork region of Wyoming. Nordquist led this packtrip of "dudes" with great confidence and sensitivity. In Nordquist they had found their true leader at last. He was thirty years old and about to be married to Olive Watt, who had worked with him on a small dude ranch on the South Fork owned by Pete Nordquist, Lawrence's brother. Olive and Lawrence, however, longed to strike out their own as outfitters.

In August 1923, near the end of the annual packtrip, the group rode out of Crandall Basin into the valley of Clark's Fork just as the sun was setting over the Index and Pilot peaks, majestic mountains each rising 5000 feet above the floor of the basin. Such a breathtaking silhouette of beauty! Exhilarated and inspired, each member exclaimed as one that this view easily surpassed all others in grandeur. Both getting on in years, Fred Copeland and Will Sidley decided then and there that the Clark's Fork Valley under Pilot and Index would be the most satisfying place to spend the annual August holidays, far from the heat and humidity of the Midwest. Lawrence Nordquist was asked to look around for likely land nearby in the unparalleled Sunlight Basin.

Nordquist found an old homesteader ranch for sale on the Clark's Fork, just a short drive north of Cody. It was beautiful country, near the Yellowstone and bordering on the high mountain lakes, as yet undiscovered and unnamed. Nordquist wanted to buy the property, build a dude ranch, and run a small herd of cattle there. Later Copeland and Sidley visited Nordquist's proposed site and immediately fell in love with the homestead. They decided without hesitating to assist financially by co-signing a note making the purchase possible. Nordquist named the ranch the L — T, using the first and last letters of his name. Within a few years the L — T Ranch became one of the choice, invitational dude ranches in the country. Nordquist's gratitude was such that he promptly provided the Copelands and the Sidleys with a few acres above the marshy field, which was unsuitable for cattle but where two comfortable cabins were constructed. The families would have horses at their disposal and could take their meals at the ranch house with the visiting dudes. The upshot was that the Copelands and the Sidleys never had to pay a cent on their promissory note because the Nordquists gradually brought the L — T Ranch to



The L — T Ranch was located on Clarks Fork, sixty miles northwest of Cody. Courtesy American Heritage Center, University of Wyoming.

relative prosperity over the years. [2]

It was in early 1929 that the L — T had its first truly distinguished visitor. An old Model T Ford — "tin lizzy" as they were called in those days — with an axe and shovel slung along its side, joggled its way through the old ranch gate, the first automobile ever to travel the perilous horse trail along the roaring Clark's Fork. There at the wheel was Ernest Hemingway with his charming, black-haired wife, Pauline Pfeiffer, and his seven year-old son Jack — straight from Paris where he had been living with his mother, Hadley Richardson, Hemingway's first wife. Hemingway's magnetic personality was felt right away, as he greeted the curious group of dudes awaiting his arrival. He was tall and slender, with dark hair and mustache, and beautiful laughing blue eyes. Apparently, he too was pleased with the beauty of the surrounding country and the primitive quality of the L — T Ranch. It was not long before Ernest and Pauline in genuine friendliness were very much a part of the group. Fishing was Ernest's great sporting passion, with hunting to come later in the fall. At times he would stay in his cabin all morning writing while the rest of the group rode for long hours in and over the mountains. Later all would gather for the main meal at the ranch house in front of the fire watching

[2] A description of the L — T Ranch is included in a Chicago, Burlington & Quincy Railroad Company booklet, "Ranch Life in the Buffalo Bill Country," (Chicago: Wagner and Hansen, n.d.).

the setting sun send it's brilliant rays over the surrounding peaks. On occasion a splash of horrid "bootleg" wine, brought up by packhorse from Crandall, capped off the meal. Being sixty miles from the railroad and during Prohibition, imbibing liquor was not a usual habit. [3]

Ernest had an appealing zest for life in all in all forms and felt a particular camaraderie with the ranch hands. He gave just as much eager attention to a fellow-dude's account of a deer or coyote feeding near the trail as he did to a fatal encounter with a bear or moose. Often Ernest would join the children's baseball game in the corral after dinner until darkness set in. On such occasions, it was not easy to look upon him as a newly ordained, literary giant.

One morning through pouring rain , the whole L — T family rode several hours on horseback down the valley to see a makeshift rodeo, where all the cowhands showed their skills at different feats of roping and riding. At times it was comical. An awards ceremony of sorts followed these antics. All were then treated to a bounteous sizzling pig, roasting on the spit, as well as lots of good old, home brew. As the afternoon boisterously wore on, Ernest said to Pauline, "Write this stuff down. I can use this language." Ernest's verve for the life around him and his catholic breadth of tastes were always evident.

In the summers between 1928 and 1939, the Hemingways came intermittently to the L — T Ranch often accompanied by friends such as fellow author John Dos Passos. They usually stayed late into the fall, until the snow was almost too high for the "tin-lizzy's" retreat. One early fall while hunting a grizzly, Ernest smashed his knee against a tree trunk as he caloped triumphantly down the mountain after the kill. It was a deep wound from which he developed septicemia so serious that he almost died in a Cody hospital. His lifelong friend, Archibald MacLeish, the Pulizer Prize winning poet, traveled to Cody to bear him back to New York for treatment. Ernest's comportment was not the same after that accident, but it never deterred him from the tremendous exertion that lay ahead in later life. [4]

One summer Pauline and Ernest asked the Copelands if they might stay in the empty Sidley cabin on the knoll next to the Copeland cabin, and away from the main ranch. [5] The Sidley family had purchased a large cattle producing ranch called the Silver Spur in southern Wyoming near the town of Encampment. The Copelands were of course intrigued that the now world famous author would be their neighbor. Pauline and Ernest often brought their sons Patrick and Gregory to the ranch along with Jack, Ernest's son from his marriage to Hadley. In the tradition of many American fathers Ernest had affectionate nicknames for his boys — Jack he called "Bumby"; Patrick, "Mouse"; and Gregory, "Gigi." Often the Copelands and the Hemingways enjoyed leisurely breakfasts together. Almost invariably on those carefree mornings, Ernest would turn to Polly and teasingly ask, "Come on now and give us the latest on that Rhett Butler fellow, will ya?" in reference of course to Margaret Mitchell's famous hero of *Gone with the Wind*.

During the Spanish Civil War in the late thirties, Hemingway spent time in Spain working as a correspondent. [6] He kept a source book which became invaluable in his later work. It was a different Ernest Hemingway after his experience. He had filled out greatly in stature and appearance, had suffered much during the war, and no longer held that boyish countenance. During the summer of his return to the Sunlight Basin, he spent most of his time in his cabin working on *The Fifth Column*, his ill-fated drama about the Spanish Civil War. Now and again, Pauline would pick some wild strawberries in the woods on a late afternoon, which she pureed and flavored with generous portions of gin, powdered sugar, and lemon, making a powerful refreshment that all were invited to sip. Sitting on the cabin steps, looking up to the glorious sunset colors radiating over the Bear Tooth Mountains, Ernest would enthusiastically read aloud

[3] Hemingway wrote about the Clark's Fork Valley in Ernest Hemingway, "The Clark's Fork Valley, Wyoming," *Vogue's First Reader*, 1942, pp. 32-34.

[4] For a description of another grizzly hunt, see Baker, *Ernest Hemingway*, pp. 293-94.

[5] William White, editor, *By-Line: Ernest Hemingway: Selected Articles and Dispatches of Four Decades* (New York: Charles Scribner's Sons, 1967), p. 298.

[6] Baker, *Ernest Hemingway*, pp. 302-12, 318-30, 334-36.

his latest scene from *The Fifth Column*, a drama that later not one critic seemed to care about.[7]

Then came the summer of 1939, at which time Ernest, Pauline, and the boys were again staying in the Sidley cabin. Ernest had recently returned from another trip to Europe, gravely troubled by the tide of events there. Despite this inward contemplation, he remained as always, friendly and outgoing to everyone at the L — T ranch. And he was productive. He wrote under a kerosene lamp, often late into the night. Several times that summer he would drive over the pass to Billings, Montana, to pick up the latest news. He and his cowboy cronies would drive back home raucously singing old cowboy songs in the wee hours of the morning. That summer Hemingway brought with him a small portable radio which he had carried all through the Spanish Civil War. On the morning of September 1, 1939, as the Copelands walked over the field to the ranch house for breakfast, Ernest came running into the field frantically shouting: "The Germans have marched into Poland! The Germans have marched into Poland!" Hemingway believed strongly that never would have happened if America had helped Spain. Ernest invited the Copelands back to his cabin to hear the raving and ranting of Hitler in far-off Berlin. Later came Lord Chamberlain's clipped statement about the "state of war" from No. 10 Downing Street. Little did anyone realize the long years of war to follow.

The Copeland family never saw or heard directly from Hemingway after that summer of 1939. For them, his declining fame, his tumultuous later years, his suicide in 1961, were almost impossible to reconcile with the handsome, eager young sportsman they had first encountered at the old L — T Ranch in 1928. The memories of those good warm summer days and nights in the Sunlight Basin made any thoughts of Hemingway's desperation improbable. And yet it was true; he was gone.

The Red Lodge Highway, (now U.S. Route 212), which first broke the seclusion of the Clark's Fork in 1934, is now the most scenic high road in the state. About twenty miles north of Cody lies a lonely turnoff marker at Dead Indian Summit, presently Route 296. Tourists mosey along this gravel road each summer through the Sunlight Basin seeking out the old L — T and the now deserted Hemingway cabin, the site where Ernest Hemingway, according to his son Bumby, wrote the beautiful short story, "Wine of Wyoming," in the summer of 1930.[8] The big game are largely gone now and, though the lakes and streams have been stocked, the natural life of mountain fish that fascinated those early dudes has been long since lost. Like all incursion into the wilderness, the civilization of the automobile has taken over, whizzing passed the Clark's Fork, which flows peacefully below in the Sunlight Basin, echoing America's past and the Golden Era of the L — T. **AW**

Ernest Hemingway and his wife Pauline at Spear round-up wagon in Wolf Mountains, Montana, in 1928. Courtesy Elsa Spear Byron Papers, American Heritage Center, University of Wyoming.

[7] For more information about *The Fifth Column*, see *Ibid.*, pp. 321, 328-30, 337-38, 354, 463; and Ernest Hemingway, *The Fifth Column and Four Stories of the Spanish Civil War* (New York: Charles Scribner's Sons, 1969), pp. 3-85.

[8] Baker, *Ernest Hemingway*, p. 210-11. "Wine of Wyoming" was published in *Scribner's Magazine* 88 (August 1930): 195-204. See also Kenneth G. Johnston, "Hemingway's 'Wine of Wyoming': Disappointment in America," *Western American Literature* 9 (1974): 159-174; and Paul Smith, *A Reader's Guide to the Short Stories of Ernest Hemingway* (Hall & Company, 1989).

Significant Recent Books on Western and Wyoming History

Edited by
Carl Hallberg

Playing for Time: The Death Row All Stars. By Chris Enss. Charleston, South Carolina: Arcadia Publishing, 2004. 128 pages. Bibliography. Paper $19.99.

Baseball buffs, who appreciate lots of pictures but expect accuracy with the facts, will be sorely disappointed with Chris Enss' book about the Wyoming State Penitentiary inmates who played the game in 1911. The publisher has touted the book as the story of Joseph Steng and other death row inmates for whom baseball was "literally a game of life and death." Furthermore, the book is hailed as the compelling story about this team of hardened criminals who excelled at a civilized game to become amateur sports heroes, and of the key player who led them to many victories. Unfortunately, little of this hype is true. Only Seng faced the noose at the time. As for "many victories," the inmates played only three games and each was with the Wyoming Plumbing Supply Company Juniors.

The major problem with this book is the lack of credibility. Enss states that there are many experts to confirm the events and many who deny such ever occurred. Nevertheless, she has persevered and "in spite of criticism I have received from historians and scholars, I have chosen to tell this tale using the reports that suggest the activity of giving stays of executions to exceptional convict ball players. The idea of delaying a trip to the gallows by defeating rival baseball teams is riveting and [needs] to be written about." In the process, she deftly capes her critics. She calls them out, but dares not give them either footnotes or endnotes to challenge.

Enss claims she interviewed two key people. One was Tina Hill, site director at the Wyoming Frontier Prison. But Hill has informed this reviewer that she knows of no such quid pro quo corruption in the pen's history – where the warden coaxed members to play well in exchange for pardons. The other informant is an elusive individual named Lowell Evers, a "Wyoming Territorial Historian," whom this reviewer has failed to find.

Enss writes with verve about the 1911 All Stars. Her dramatic portrayal would have more merit if it were true. Unfortunately, the names she gave to the members of her dream team are as faux as the fake vitae she ascribes to them: Leroy Cooke is actually J.H. Burke, inmate #1749; Jack Carter is Noah Richardson, inmate #1109; Benjamin Owen is Henry Edmundson, inmate #377; and Horace Donovan is Adam Ekert, inmate #600. Though Enss dubs her fielders Simon Kensler, Darius Rowan, and Lazlo Korda, their given names are Herbert Brink, inmate #1443; James Williams, inmate #426; and Frank Wigfall, inmate #806. Though George Saban, inmate #1441, organized and managed the All Stars, he failed to take the field against non-inmates as shown by published team rosters and box scores. Regrettably, these are but a few of the many errors found in Enss' flight of fancy.

To call this publication a "book" is too bold a term. Her wafer thin tale totals sixteen pages with an additional twenty-six pages of items about Seng. The rest is a mixture of photos, cartoons, and illustrations about America's national pastime, which are wagged by an eight-page outline about the author's screenplay for a soon to be major Hollywood motion picture.

If you read her micro-novel, you may find this bit of grist. Near the end of Seng's life, she claims, he ". . . helped save the life of an epileptic [ball] player having a seizure [during the game]. Holding the man down, Seng placed a pen in his mouth and kept him from swallowing his tongue." Too bad the *Rawlins Republican* and the *Carbon County Journal* scribes who

wrote about that game failed to find Seng's class act worth a line or two in their articles.

Larry K. Brown
Cheyenne, Wyoming

Western Lives: A Biographical History of the American West. Edited by Richard W. Etulain: University of New Mexico Press,2004. 454 pages. Illustrations, maps. Index. Paper. $23.95.

This is an interesting approach to western history. The book is divided into three definitive time periods, and the chapters identify well known as well as lesser known people. Biographies by their nature are not just the stories about people, their times, their locations, and their individual actions. Understanding the minds and reactions of Native American leaders and European explorers help us understand the reasons behind the decisions about settlements, statehood, economics, and much more.

Richard W. Etulain, who has produced more than forty books, has drawn on the best in academia for this book. The writing styles are as varied as the subjects. The information is fascinatingly accurate. Each biography is followed by an "Essay on Sources" describing other opportunities to read about the subject.

The book opens with essays about the earliest contact with natives. Gary Clayton Anderson used his two previous books to describe "Indian Leadership and the Early European Invasion in the New West." His theory draws on the biographies of Wakantapi and Juan Sabeata. Like all good leaders, both of them understood their role in educating the European about native ritual, kinship, and society. They were convincing leaders and displayed the qualities of compromise and knowledge that helped their people. Anderson describes their characteristics in an unusual light.

Juan Bautista de Anza was a Basque from Spain who served as the captain for life at a fort near Douglas, Arizona. Killed at the age of forty-six, his four year old son with the same name grew into the role of governor of New Mexico. John L. Kessell presents the biographies of the two men to explain the "vitality of colonial New Spain" during the 1700s. He also dwells on the role of the Basque and Jesuits in the feuding political world of western exploration. It is unusual to see this delineation between the Basque and Spanish roles in the American southwest. In his final essay on sources, Kessell credits historian Donald T. Garate for much of the Anza biographical information.

In the chapters on the second time period, the nineteenth and twentieth centuries, R. Douglas Hurt used the fluent words of Rachel Colof to describe her reaction to Ellis Island. A Jew from Russia, eighteen year old Rachel was sent to America to marry twenty-two year old Abraham. Motherless, sent into service by her grandfather, arranged to marry by an uncle, Rachel settled in North Dakota with her husband, and her descriptions are harrowingly graphic. Rachel is only one of several biographies Hurt uses to describe the "Settlement of the Agricultural Frontier." Elliott West uses the stories of Sarah Winnemucca and Chief Joseph to discuss "factors other than warfare in determining the fate of Indian peoples" (p.225). From the beginning the goal of assimilation was furthered through education and allotment. But post Civil War policy faced conflict from military, religious, and economic factors. West puts it all into perspective for us.

Twentieth century characters come to life for us in the final chapters as the writers continue to explore time and place resulting in the trends of "modern" makers of history. Katherine G. Aiken writes about "The Interwar West, 1920 to 1940." She describes Sister Aimee Semple McPherson, founder of the International Church of Four Square. The busy preacher was an anomaly as a woman, but as a faith healer and religious fundamentalist she was a true reflection of the times which Aiken captures for us.

Etulain concludes the book with "A Bibliographic Essay" and a two part commentary on western history sources divided by chronological periods. The book is truly useful as a basic history and reference tool. It is a book you will enjoy reading. I did.

Patty Myers
Director, Campbell County Public Library, Wyoming
Past President Wyoming State Historical Society

Women and Gender in the American West. Edited by Mary Ann Irwin and James F. Bonds. Albuquerque: University of New Mexico Press, 2004. 437 pages. Notes. Paper, $22.95.

This book of thirteen Jensen-Miller prize winning essays from the Coalition for Western Women's History presents this broad spectrum of women's history "as an introduction to the emerging historical world of women's West," according to the editors. This coalition, which dates from 1983, inaugurated the Jensen-Miller annual prize in 1990 to recognize outstanding scholarship about the experiences of women in the North American West. Since this "West" embraces Mexico, Canada, Alaska, and Hawaii as well as the United States, and the authors not only write about the past but also "present a contemporary world of thought where the past is evaluated from new viewpoints," the spectrum is indeed broad. Because of this extremely wide range of topics and ideas, the book seems unfocused and confusing at times.

The tone of the volume is set by the introduction and first essay, "Gentle Tamers Revisited: New Approaches to the History of Women in the American West," by Joan M. Jensen and Darlis A. Miller, which emphasizes the need for "studies firmly based on a comparative multicultural approach of women's history . . ."

Strangely, although these authors explore the history of women suffrage at some length and Dr. T.A. Larson is quoted extensively, mention about Wyoming as the first territory or state to enfranchise women is carefully excluded. "There was a strong movement in a number of territories for suffrage; in most it failed," they write. "In Montana, Utah, and Idaho, where it succeeded, religion and party politics most often determined success."

The only essay based in the Rocky Mountain West is Carol Cornwall Madsen's research about the desperate plight of plural wives after Congress passed the Morrill Act in 1862 prohibiting bigamy. The Mormon Church gave them no legal status, leaving them vulnerable to legal and economic discrimination, according to her research.

James F. Brooks explores the "role captive women played in promoting conflict and accommodation between the Spanish (and later Mexican) society and the indigenous people of greater New Mexico." His studies show that captive women sometimes achieved both economic and social prominence, primarily by virtue of their bi-lingual and social skills in two or more cultures.

The development of Navajo weaving as an important element of southwestern tourism and the effects of this cross-culture evolution on both the Anglos and Navajos is the topic explored by Laura Jane Moore in her essay. Interracial conflicts along the Southwest border, interracial marriage, two essays concerning Canadian women, "The Politics of Benevolence" in early San Francisco, and the spectacular Gilded Age trial involving a prominent senator, his wife, and "African American entrepreneur, Mary Ellen Pleasant," rounds out this volume.

There is no index, but the credentials of each author are noted in detail and researchers should find the 110 pages of notes a valuable tool for further study.

Amy Lawrence
Laramie, Wyoming

Remington Schuyler's West: Artistic Visions of Cowboys and Indians. Compiled by Henry W. and Jean Tyree Hamilton. Pierre: South Dakota State Historical Society Press, 2004. xx + 113 pages. Illustrations, notes, index. Hardcover, $35.00.

In 1903, young Remington Schuyler (1884-1955) grew restless with his studies at Washington University in Saint Louis and traveled to the Rosebud Sioux Reservation in South Dakota where his cousin, Charles McChesney, was Indian agent. Schuyler worked as a clerk at a reservation trading post and then became a cowhand on Bob Emery's E Bar Ranch. During his time in South Dakota, he learned the Lakota language and became acquainted with many Indians, including several prominent elders. Schuyler sketched the people and scenes around him and described his experiences in a series of vivid letters to friends and family, some published in *Remington Schuyler's West: Artistic Visions of Cowboys and Indians.* As stated by Henry W. and Jean Tyree Hamilton, co-authors: "While he soon determined to return to

school to study art, the time spent in western South Dakota colored his entire life's work."

Schuyler began his art studies at Washington University in 1904, studied on scholarship at the Art Students' League in New York, and was accepted as a pupil by America's foremost illustrator, Howard Pyle. After only eleven months study, he parted company April 21, with Pyle when he sold a painting to the *Saturday Evening Post* for the cover of its 1906, issue. Schuyler's contemplative depiction of a lone Sioux Indian on a vision quest was the first of at least 359 front-cover illustrations he was to paint for 32 different magazines. In a forty-three year career as an illustrator, Schuyler also painted dust jackets for about thirty-six books and illustrated fifteen. He illustrated at least eighty-seven magazine short stories or serials and both wrote and illustrated at least twenty-seven other stories and articles. Schuyler was long associated with the Boy Scouts of America and was employed for fifteen years as assistant to the director of publications and staff artist for *Boy's Life*. His "Old Timer" column appeared in *Scouting* magazine between 1934 and 1942.

While Schuyler did some illustrations for elite magazines like *Saturday Evening Post*, *Literary Digest*, and *Century Magazine*, the vast majority of his covers were for magazines like *Adventure*, *The Frontier*, *Popular Magazine*, *Top-Notch*, *Western Story*, and *Wild West Weekly*. Many of his covers were "blood and thunder" western subjects-gun battles, fist fights and horseback derring-do churned out at a furious rate. Others, such as his covers for *Farm and Fireside*, in the early 1920s, portrayed Indians he had known in South Dakota, including Stands and Looks Back, Hollow-Horn Bear, and Picket Pin. Schuyler's sympathetic and insightful articles on these traditional tribal leaders and their ways from *Farm and Fireside* are reprinted here, along with letters from his days out west and articles he wrote about ranch life, including excerpts from his "Old Timer" columns in *Scouting*. These unvarnished, first-person descriptions of early twentieth century life on the Rosebud reservation and a Dakota ranch highlight the publication, but they contrast dramatically with the mass-market romance and violence evident in many of the book's illustrations.

As historian Brian W. Dippie says in his afterword: "Schuyler's West is timeless and placeless, responsive only to the logistics of Wild West action. Humdrum reality and the sense of isolation he actually experienced in South Dakota play no part in it. He might bring first hand experience to Western illustration, but one would be hard pressed to find a shred of evidence that it had much of anything to do with what he painted. It was imagination in defiance of experience that permitted Schuyler to transform the ordinary into glorious fantasy."

For a number of reasons, which Dippie examines with great insight, Remington Schuyler has been all but forgotten since the Great Depression and World War II, and competing media like the movies, radio, and television, rang down the curtain on the "Golden Age of American Illustration." The artist's own archive, which was gathered in an enormous pile in an upstairs room of his home following his death in 1955, barely escaped a fire, and was organized with loving care by his friends, the Hamiltons, who were the executors of his estate. Schuyler's archive included clippings the artist had saved from any publication in which his art or writings had appeared, book dustjackets based on his paintings, books he had illustrated, numerous pencil sketches, and a lifetime of correspondence and other papers.

In 1986, shortly after the death of Henry Hamilton (1898-1984), the late Jean Tyree Hamilton (1909-1999) donated the Remington Schuyler papers and the manuscript that she and her husband had prepared for this book to the South Dakota State Historical Society in Pierre. The publication of this book, nearly a half century after Remington Schuyler's death, brings welcome attention to a long-neglected and nearly-forgotten American artist.

Nineteen color plates and more than fifty black and white illustrations grace this handsome volume, which was designed by David Alcorn of Alcorn Publication Design. Brian W. Dippie's afterword: Remington Schuyler and the American Illustrative Tradition offers an authoritative and highly readable appraisal of Schuyler's career, contextualizing his work in relation to that of his contemporary N.C. Wyeth and the Brandywine Tradition, the western art genre, and the lot of illustrators in twentieth cen-

tury America. "He might not be illustration's leading exemplar," Dippie writes, "but he had made his living as an illustrator for over fifty years . . . . The call of the West that had brought him to South Dakota in 1903 had left a permanent impress on his work. He was a Western illustrator, one of several who in the twentieth century defined the way the world continues to view the West. It is a mythic West, of course, indebted not only to pulp fiction, but also to the honorable tradition of Buffalo Bill and the movies that embroidered wild-West-show heroics. It is long past time that we reinstate Schuyler to the ranks of those he called his peers and recognize his contribution to a mythic West that even at the beginning of the new millennium still exerts a substantial appeal."

Gordon McConnell
Billings, Montana

Contributors

Leslie Shores
A Look Into the Life of Thomas Twiss, First Indian Agent at Fort Laramie, page 2

Leslie Shores received a Bachelor of Arts degree in Anthropology and Archaeology Studies in 1995 and a Masters in Library Information Science in 2000 at the University of Texas in Austin. Since November 2000 she has worked at the American Heritage Center, University of Wyoming, as the photo archivist.

Reagan Joy Kaufman
Discrimination in the "Equality State": Black-White Relations in Wyomig History, page 13

Reagan Kaufman earned her Masters of Art in Teaching History from the University of Wyoming. Currently she teaches sixth through ninth grade Language Arts, Social Studies, and National History Day at the University of Wyoming Lab School. The T.A. Larson/McGee Foundation and the UW Arts and Sciences Independent Study Award financed her research.

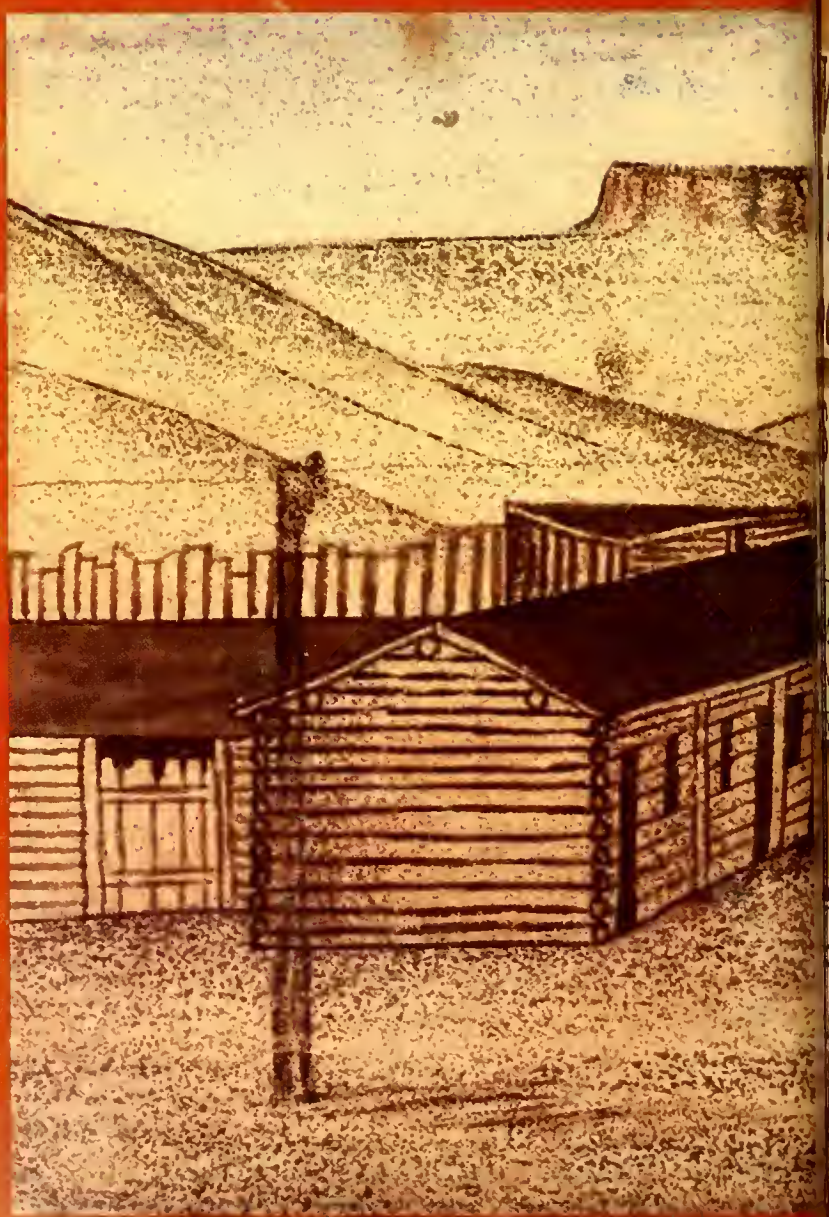
Eugene V. Moran
Ernest Hemingway in the Sunlight Basin of Wyoming, page 28

Eugene V. Moran is Professor Emeritus in the University of Wyoming College of Education. He received his B.A. from Millersville State College, M.A. from George Washington University, and Ed.D. from the University of Maryland. For many years he served as a Professor of English Education at the Univesity of Wyoming. He compiled the information for the Wyoming Literary Map published in 1984.

Index

Wyoming Picture

Richard Leferink, who learned to fly in the Army during World War I, began Wyoming Airways during the early 1930s. Based in Casper, the company first was a mail carrier, but as the business grew it began carrying passengers as well. In 1944, Leferink sold his company, then known as Inland Air Lines, to Western Air Lines of Denver, with the promise that Western would continue passenger service in Wyoming. Wyoming Governor Frank Emerson posed with Leferink in the photograph, ca. 1930. Courtesy Richard Leferink Papers, American Heritage Center, University of Wyoming.



Annals of
WYOMING
The Wyoming History Journal
Vol. 77, No. 2

Tom Horn—1st Hired Gunman in We

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Cheyenne Leader
Oct 24, 1902

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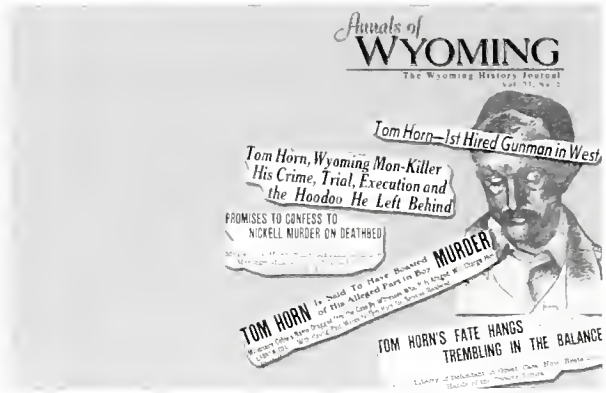

"Tom Horn"
American Heritage Center,
University of Wyoming

Much has been written about Tom Horn since his arrest in arrest in 1902 for killing of Willie Nickell and his subsequent execution. Many newspapers covered his trial and hanging and along with authors of articles and books have kept Horn's Story in the public consciousness. D. Claudia Thompson's article ecamines Horn's image through the past century. Sketch courtesy American Heritage Center, University of Wyoming.

Information for Contributors:

The editor of *Annals of Wyoming* welcomes manuscripts and photographs on every aspect of the history of Wyoming and the West. Appropriate for submission are unpublished, research-based articles which provide new information or which offer new interpretations of historical events. First-person accounts based on personal experience or recollections of events will be considered for use in the "Wyoming Memories" section. Historic photo essays for possible publication in "Wyoming Memories" also are welcome. Articles are reviewed and referred by members of the journal's Editorial Advisory Board and others. Decisions regarding publication are made by the editor.

Manuscripts (along with suggestions for illustrations or photographs) should be submitted on computer diskettes in a format created by one of the widely-used word processing programs along with two printed copies.

Submissions and queries should be addressed to:

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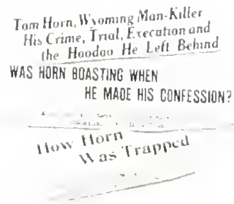

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The Image of Tom Horn

by
D. Claudia Thompson

A few of the headlines generated by newspapers before and after his trial and execution. Courtesy the American Heritage Center, University of Wyoming.

In October of 1902, the city of Cheyenne staged perhaps the most famous trial ever conducted in Wyoming. Tom Horn, imprisoned since the beginning of the year, was at last to be tried for the ambush murder of fourteen-year-old Willie Nickell. Willie was the son of Kels Nickell, an Iron Mountain rancher whose violent and confrontational personality had created feuds with his neighbors. The elder Nickell had clashed with John Coble, a member of the politically-influential Wyoming Stock Growers Association (WSGA), who pastured his cattle on land bordering the area where Nickell had introduced sheep. The Nickells were also on bad terms with the Miller family, neighbors whose children attended school with their own. When Willie was found shot to death on the Nickell's land, two theories were advanced: that the Miller boys were pursuing a quarrel with their schoolmate or that Tom Horn had mistook the boy for his father as part of a WSGA campaign to dispose of small ranchers. Horn was arrested after allegedly confessing to the murder during a drunken bragging match.[1]

[1] Details of the murder and arrest are to be found in the *Cheyenne Leader, Wyoming Tribune,* and *Laramie Boomerang*, October 11-22, 1902; book length biographies of Tom Horn are Dean Fenton Krakel, *The Saga of Tom Horn* (Laramie, Wyoming.: Powder River Publishers, 1954) and Chip Carlson, *Tom Horn, Blood on the Moon* (Glendo, Wyoming.: High Plains Press, 2001); recent periodical literature includes Carol L. Bowers, "School Bells and Winchesters: The Sad Saga of Glendolene Myrtle Kimmell," *Annals of Wyoming,* 73 (Winter 2001); and Murray L. Carroll, "Tom Horn and the Langhoff Gang," *Annals of Wyoming*, 64 (Spring 1992).

The trial attracted broad regional attention from a press and public who still remembered the excitement generated by the Johnson County invasion of a decade earlier. The trial of the Johnson County invaders had also been scheduled to take place in Cheyenne, but delays and financial difficulties had prevented it. The Johnson County War had never been brought to a satisfactory end for either side. No one had been convicted and no one had been vindicated. Journalists had been unable to frame a conclusion to gratify their readers. The Horn trial seemed like a second chance.

"The widespread interest taken in the case," the reporter for the *Cheyenne Leader* commented, "is evidenced by the number of special writers of newspapers present, there being three reporters' tables inside the railing."[2] The coverage, however, was far from unbiased. Coble, who admitted employment of and friendship with the accused (although not the charge of paying for assassinations), inveighed bitterly against the "marked unfairness of the Colorado-Wyoming press in handling the trial" and the "rapacity of maudlin and not over-scrupulous newsmongers."[3]

The trouble was that the newspaper writers had their own, very specific agenda. The attorneys and jurymen might be concerned with the actual guilt or innocence of Horn. The men (and women) at the three press tables were not. They were there because the trial was good copy, likely to sell newspapers. They needed to engage the interest and imagination of their audience; and, to do so, they sought drama. They created an image of the defendant, constructed according to popular preconceptions, that their readers would accept and understand. That image has proved remarkably durable. Horn has been remembered for a hundred years, and he does not seem likely to be forgotten in the near future. In that time, the image has mattered as much as, perhaps more than, the reality.[4]

It is doubtful if the average newspaper reader of 1902 knew very much about Horn. He had arrived in Wyoming in about 1894 to work for the Swan Land and Cattle Company as a stock detective.[5] The duty of a stock detective was to prevent the theft of his employer's cattle. The WSGA employed public inspectors to protect all of it members, but some large ranchers employed private detectives as well. Large ranchers tended to suspect virtually everyone of rustling, but neighboring small ranchers were often at the top of their lists. Small ranchers often resented what they perceived as the bullying and greed of the big outfits, and some expressed their resentment by mavericking, so the suspicions were not always unfounded. Horn worked for a number of different ranchers in Utah, Wyoming, and Colorado. In areas where he worked, reputed rustlers sometimes died as the result of ambush killings. As a result, Horn acquired a reputation for disposing of rustlers without recourse to the law.[6] It remains unproven whether there was any foundation to this reputation.

Since most readers knew little or nothing about the accused man outside of these rumors, the *Laramie Boomerang* attempted to fill in Horn's character by publishing colorful accounts of his past life. In these tales, the prisoner avenged his father's murder by Indians and pursued a love affair in Mexico.[7] Neither story appears in Horn's posthumously-published autobiography, but adventures like these were a commonplace of Wild West fiction of the period. News writers used such tales to suggest a figure who conformed to familiar character types that their audience already recognized. The frontier Indian fighter, as a character, had been made familiar to the public by popular fiction and the Wild West shows of Buffalo Bill Cody.

Horn actually had been an Indian fighter. Trained by Al Sieber, he was a civilian scout and interpreter for the U.S. Army in Arizona during the Apache Indian wars of the 1870s. He came away from this employment with an excellent record and the praise of the military officers for whom he worked. Afterwards, he became a law officer and detective. This was another type with which the public was familiar. The most famous western detective, Charles Siringo, did

[2] *Cheyenne Leader*, October 10, 1902.
[3] Tom Horn, *Life of Tom Horn, Government Scout and Interpreter* (Norman, Oklahoma.: University of Oklahoma Press, 1964) p. 270.
[4] Horn, *Life of Tom Horn*, p. 225.
[5] *Laramie Boomerang*, October 5, 1902.
[6] *Laramie Boomerang*, January 15, 18, 1902.

not publish the story of his Pinkerton work until 1912, but Siringo was preceded by an entire genre of dime fiction detective novels and by the reminiscences of David J. Cook of the Rocky Mountain Detective Association.[8]

Both the Indian fighter and the detective were useful to convey the image of Tom Horn to early twentieth century readers, but neither really suggested the character appropriate for the killer of a fourteen-year-old boy. So the press sought a different metaphor. In contemporary accounts of the trial, reporters who heightened the drama of the proceedings by assuming the defendant's guilt most frequently modeled the prisoner as a professional assassin. "Tom Horn stands before the world as a type of the bravo of the middle ages whose dagger thrust was an article of commerce at so much per prod, but whom civilization was long since supposed to have eliminated from modern society," one Wyoming writer editorialized.[9]

Most reporters were less historically-minded, but still emphasized the killer-for-hire aspect of the story. The *Rocky Mountain News* referred to Horn as a "tool of the cattle barons" and claimed that small landholders were so intimidated by previous murders committed at the behest of big ranchmen that they might refuse to testify at the trial.[10] The *Boomerang* agreed that the Nickell murder was not the only case in people's minds. "Ostensibly the man is to be tried on the one charge...Back of this are four other killings [by Horn]."[11] The paper also explicitly connected Horn to the Johnson County War by placing the detective at the siege of the KC Ranch.[12] No historical evidence supports this placement, so the connection was probably more psychological than actual. "[I]t is the principle of the crime, not its victim, that has aroused public sentiment to a degree not reached since the cattlemen's invasion,"[13] the reporter insisted. Since sentiment and principle connected the two events, the paper seemed determined to have the same actors involved.

The most eloquent of the reporters in this vein was Polly Pry of the *Denver Post*. Polly's colorful pen name concealed the identity of Mrs. Leonel Ross O'Bryan, the well-bred daughter of a Kentucky horseman. She was one of the first "sob sisters": women journalists who invited their readers to share their own powerful emotions about the stories they covered. Polly's paper, the *Post*, was an unabashed follower of Randolph Hearst's news-as-entertainment style. ("We're yellow, but we're read," one the owners is supposed to have boasted.)[14] For Pry, the Horn trial was nothing less than a call to arms for a social revolution to overthrow the influence of wealth in American society. "The people are aroused," she trumpeted, after the news of Horn's conviction, "and they are determined that they will no longer tolerate the presence of a cold blooded assassin in their midst – no matter by whom protected."[15] In reporting Horn's sentence, the *Rocky Mountain News* drove the same point home. The headline was subtitled: "Tool of the Cattle Barons Has to Confront the Law's Highest Penalty..."[16]

By the time of Horn's execution, a little over a year later, even the more moderate *Cheyenne Leader* had adopted the view that the condemned man was essentially an assassin. E.A. Slack, editor of the *Leader,* published a journal whose principal audience included the much-vilified cattle barons. Almost alone at the reporter's table, he had refrained from rushing to judgment, suggesting instead that the public might be willing to wait on the verdict of the jury. Once the verdict was reached, however, he allowed no doubts to linger in his mind. "The law of self-defense is the first law of nature...; it applies to communities as well as to individuals," he wrote. "Horn's execution

[7] Charles A. Siringo, *A Cowboy Detective* (Lincoln, Nebraska. and London: University of Nebraska Press, 1988, reprint of 1912 edition published by W.B. Conkey Company, Chicago); D.J. Cook, *Hands Up; Or, Twenty Years of Detective Life in the Mountains and on the Plains* (Norman, Oklahoma.: University of Oklahoma Press, 1958).

[8] "Bill Barrow [sic] Tells About the Corner that Tom Horn Has on His Business," *Laramie Boomerang*, February 4, 1902.

[9] *Rocky Mountain News* (Denver, Colorado), October 10, 25, 1902.

[10] *Laramie Boomerang*, October 5, 1902.

[11] *Laramie Boomerang*, January 15, 1902.

[12] *Rocky Mountain News*, October 5, 11, 1902.

[13] Gene Fowler, *Timber Line: a Story of Bonfils and Tammen* (New York: Garden City Books, 1951), pp. 99, 120. Bill Hosokawa, *Thunder in the Rockies: the Incredible Denver Post* (New York: William Morrow & Co., Inc., 1976), p. 78.

[14] Quoted in *The Wyoming Derrick* (Casper, Wyoming), October 30, 1902.

[15] *Rocky Mountain News*, October 25, 1902.

Tom Horn, Wyoming's Notorious Outlaw according to the caption. Courtesy the American Heritage Center, University of Wyoming

is the result of this universal law."[17] The historically-inclined editor of the *Laramie Boomerang* saw Horn's fate in the context of the march of civilization. After ringing the changes on "the rule of the cattle baron" and "the power of wealth [and] political influence," the editor reflected on progress. "The day of the hired assassin and the outlaw has passed in Wyoming – passed with the rough and ready methods and the crude ideas of frontier times."[18]

These universal sentiments and the high interest generated by the Horn trial indicate that it was clearly perceived as a case that was about more than the guilt of one man. The yellow journalism of the period shamelessly turned the trial into a show for the amusement of sensation-loving readers, but the show had to have a moral. In the early twentieth century, the time of Progressivism and populist politics, that moral was the corruption and ethical poverty of big business. More locally, Wyoming used the trial to assert

[16] *Cheyenne Leader*, January, 1902; November 21, 1903.
[17] *Laramie Boomerang*, November 21, 1903.

its maturity and claim to respectability. Frederick Jackson Turner had recently declared the close of the frontier. Wyoming embraced this pronouncement, eager to shed its "wild west" reputation and assume a place in the modern nation.

When Horn died on the gallows on November 20, 1903, most people assumed that it was the end of something: the end of big money tyranny, the end of frontier lawlessness, at least the end of the man himself. But ideas are notoriously hard to kill; and individuals who are made to embody ideas are difficult to dismiss. Cheyenne wanted Tom Horn's death to demonstrate that it had become a safe and respectable town. Fourteen years later, it resurrected Tom Horn for a quite different purpose. In an article published in the *Cheyenne State Leader* in June 1917, the story of Horn, "professional man-killer," was rehearsed with embellishments about "the hoodoo he left behind." The lives of some of those involved in the trial were traced to tragic ends, while Horn, himself, it was hinted, might not have been the man who was hanged after all. Yet the article ended on a more conventional note. "So passed Wyoming's – and the latter day West's – most notorious desperado...Tom Horn will be remembered, if at all, as the condemned murderer of a child." Ironically, a careful reading of this story reveals that it is essentially an advertisement for the Cheyenne Frontier Days celebration, in which Cheyenne glamorizes and romanticizes the disreputable past that the death of Horn was supposed to have ended.[19]

As for the moralistic assumption that Tom Horn would not be remembered, it proved a bad prophecy. Throughout the 1920s, journalists seized on any excuse to re-publish the tale. Artifacts owned by Horn were brought forward and people who made no figure at the trial now spoke up to claim his acquaintance and offer previously suppressed evidence. The degree of Horn's culpability, if not his actual guilt, came under question. One putative witness, whose version of events strayed considerably from the recorded testimony, asserted that the "code of the range" had always regarded homesteaders as invaders.[20] Even a better-informed Wyoming editor philosophized that "whether murder is right or wrong depends mainly on the point of view."[21]

There were even those who asserted the dead man's absolute innocence. In a pamphlet explaining techniques of trick roping, Charles Coe inserted an essay on Horn ("King of the Cowboys"), which passionately defended the stock detective and impugned the integrity of the Cheyenne jury.[22] William MacLeod Raine did not go so far, but in his chapter on Horn in *Famous Sheriffs and Western Outlaws* (1929), he included far more anecdotes favorable to the subject than otherwise. Raine also appealed to the closing frontier theorem to explain the contradiction inherent in his hero-turned-villain presentation. "It was the misfortune of Horn that he was of the old West and could not adapt himself to the new order," Raine suggested.[23]

Stories originating in Wyoming seldom challenged the verdict of the jury. In 1927, recognizing the twenty-fifth anniversary of the trial (although the article emphasized that it had been twenty-four years since the hanging), the AP wire service picked up a Horn story emanating from John Charles Thompson, editor of the Cheyenne *Wyoming Tribune*. Thompson was one of the journalists present during the trial and a witness of the execution. His summary of the evidence and the events was plain and factual, and he did not suggest that there was any possibility that justice had miscarried. He reported rumors of Horn's survival but refuted them as nonsense. However, the article offered a surprising conclusion: "[Horn] was one of the first paid assassins in Wyoming, performing killings now undertaken by hired gunmen in the big cities."[24] Far from being the end of something, Horn was now perceived as a precursor to the organized crime syndicates and mobster violence that plagued prohibition-era America.

[18] *Cheyenne State Leader*, June, 1917.

[19] "Recalls Days of 'Cattle War' Against Farms" (E.T. "Doc" Pierce), *Chicago Sunday Tribune*, August 26, 1923.

[20] "Life of Tom Horn Recalled By Gun," *Rock River Review*, April 8, 1926 (reprinted from *Wheatland Times*).

[21] Charles H. Coe, *Juggling a Rope* (Pendleton, Oregon: Hamley & Company, 1927).

[22] William MacLeod Raine, *Famous Sheriffs and Western Outlaws* (Garden City, New York: Doubleday, Doran, & Company, 1929) p. 89.

[23] "Tom Horn's Gory Deeds Recalled 24 Years Later," *Laramie Republican-Boomerang,* November 19, 1927; "Tom Horn's Bloody Deeds Are Recalled 24 Years Later," *Torrington Telegraph*, November 19, 1927.

This interpretation did not so much displace the previous one as meld with it. When the gallows used to hang Horn (with notorious inefficiency) was brought out again, Wyoming journalists took note of the resurrection of a machine used to execute the "last of the 'bad men' of Wyoming and forerunner of the present gunmen."[25]

By 1930, it was fairly clear that the memory of Horn was not destined to fade into oblivion. In that year the *Denver Post*, somewhat subdued by age and success but still attuned to the popular mind, published a multi-part saga titled "The Inside Story of the Life and Death of Tom Horn." The series ran daily from November 23 to December 12. It was written by Richard R. Mullins, who made no claim whatever to a personal acquaintance with the subject or his times. Mullins wrote purely as a historian. His history conflated Horn and the Johnson County War. Looking for the larger context of Horn's conviction, the story emphasized attempts by big ranchers to push out the smaller spreads by the use of extra-legal terrorism. Mullins accused the big ranchmen of many of the same "sharp practices" as the rustlers and told a story clearly sympathetic to homesteaders. Yet he also devoted considerable space to the weakness of the case against Horn and suggested that the cattle detective cultivated an inflated reputation as a killer for the purpose of intimidation. In effect, Mullins implied that Horn's reputation, rather than the evidence of the case, convicted him.[26]

Among Wyoming journalists Horn's guilt was still not subject to question, although he had become a figure of colorful nostalgia whose "depradations" [sic] were written up in a column called "Romances of Wyoming," as "somewhat similar to those of the too well known road agents."[27] (As the road agents referred to were stagecoach robbers, the similarity requires a stretch – amounting to a giant leap – of imagination.) Romance, however, was still occasionally deflated by interviews with living witnesses who had met Tom Horn. Some of them remembered his Arizona days and expressed surprise at his poor reputation in Wyoming.[28]

Horn's image was invoked again in 1939 when a young man named Earl Durand broke out of jail in Cody, Wyoming, after being convicted of killing an elk out of season. While a fugitive, Durand shot four men and was finally killed robbing a bank in Powell.[29] One journalist used the events as an excuse to record the reminiscences of Ray Tyson of Sheridan, who had been a newsboy in Cheyenne when Horn briefly broke out of the jail in that city between his conviction and execution in 1903. The reporter linked Horn and Durand through the jail breaks but otherwise had to strain for parallels. The story's sub-head asserted that "Both Men Began Their Killing Careers When 26 Years Old" and the article insisted on the similarity of their shooting ability and wilderness skills. "These strange dangerous products of the west had the same faculty of going for days without a morsel of food...."[30] In fact, the ghost of Tom Horn seems to have been raised mainly because the writer perceived an opportunity to tell a "Western" story.

While Tom Horn sat in jail he had little to do, so he wrote down the story of his life as he wanted it to be remembered. Horn was a fine raconteur, and he wrote an exciting, if self-aggrandizing, tale about Indian wars in Arizona. He had almost nothing to say about his career in Wyoming. He did not even address the question of his guilt or innocence in the Nickell murder, remarking instead that since his arrival in Wyoming, "everybody else has been more familiar with my life and business than I have been myself...[T]he yellow journal reporters," he added, with a touch of both sarcasm and bitterness, "are better equipped to write my history than am I, myself!"[31]

Newspaper journalists had, indeed, perpetrated some whopping yarns about Horn's past, although it is not clear who invented them.[32] Since then, however, most writers looking for background had been

[24] "Will Use Twenty-Five Year Old Gallows Again," *Rock River Review*, December 20, 1928; "Horn Gallows Will Be Used," *Wyoming State Tribune*, December 20, 1928.

[25] *Denver Post*, November 23-December 12, 1930.

[26] *Sheridan Press*, November 23, 1931, May 15, 1932.

[27] *Worland Grit*, April 5, 1934; *Rock Springs Miner*, April 3, 1936.

[28] *Sheridan Press*, March 26, 1939.

[29] "Tom Horn Case Is Recalled By Durand Escape," *Sheridan Press*, March 26, 1939.

[30] Horn, *Life of Tom* Horn, p.225.

[31] See *Laramie Boomerang*, January 15, 1902. The article cites no informant, so it is unclear whether Horn or somebody else was fabulizing.

content to borrow from Horn's own account. A few, like William MacLeod Raine, supplemented this source with information gleaned from living informants.[33] The first book-length biography of Tom Horn, though, was produced in 1946 by Jay Monaghan. *The Last of the Bad Men* combined extensive borrowings from the autobiography, interviews with Horn family members and friends, and archival research. Monaghan concluded that the autobiography was generally correct in its positive portrayal of Horn's role in Arizona, but he supported equally the belief in his subject's subsequent murderous career in Wyoming. Like Raine, he explained the contradiction by appealing to the theme of the closing frontier (as evidenced by his title). "The last great folk tale of the last American frontier is the story of Tom Horn," the biographer rhapsodized.[34] Additionally, Monaghan tried to account for the psychology of Tom Horn by comparing the killing of Indians who were being supplanted by white men to the killing of "one class of white men to make room for another class."[35]

Although Monaghan claimed to disapprove of glamorizing or romanticizing the Old West, his biography of Horn stemmed from and fed a growing interest in the place and period. It was not that there was anything new about Westerns. The genre had been popular before Buffalo Bill and retained its appeal through the Depression; but as Americans confronted World War Two, they began to see their own history in a broader context, causing "a surge in westerns with political messages."[36] Sometimes the message conformed to the black-and-white morality previously popular; but there was a sub-genre of more serious literature that featured complex motivations and flawed heroes or anti-heroes.[37] Horn fit well into this landscape of moral ambivalence. In 1947, Western Comics published an issue depicting a sympathetic, even heroic, Horn. The comic book was intended for a national audience and, judging from the timing of its publication, probably stemmed from the Monaghan biography and had more to do with Horn's Arizona period than his later career.[38] Its appearance, however, did not pass unnoticed in Wyoming.

Horn's memory had been kept alive in the state largely by John C. Thompson. By 1943, Thompson was one of only four men still living in Cheyenne who had witnessed the execution.[39] He wrote a column, called "In Old Wyoming," for the *Wyoming State Tribune* in which he commemorated the state's lively past. Tom Horn was a frequent subject, and Thompson never wavered in his belief that the trial had been fair and the sentence justified.[40] When the Western Comics version of Horn's life came out, Thompson indignantly disputed the attempt to soften Horn's image. Horn, he insisted, was a professional killer who had been "hired for a fee of $700 to assassinate [Willie Nickell's] father."[41] Persistent rumors of the cattle detective's escape annoyed Thompson just as much. He never missed an opportunity to assure his audiences that Tom Horn was quite dead.[42]

By 1952, Thompson himself was dead, and those with a living memory of Horn were becoming rare. One of the last was T. Blake Kennedy, who as a young attorney had been one of Horn's defense team. Kennedy was ambivalent about his former client. He doubted Horn's guilt in respect to the Nickell murder, pointing out that Horn's "confession" did not match the physical aspects of the murder site. Nevertheless, Kennedy was unwilling to condemn the verdict. He fell back on the belief that Horn had been responsible for other assassinations, and suggested that the jury, if mistaken in the particular case, was right on general principle.[43]

University of Wyoming agronomy professor Robert H. Burns did not claim to have known Horn,

[32] Raine, *Famous Sheriffs and Western* Outlaws, pp. 80-91.
[33] Jay Monaghan, *The Last of the Bad Men* (Indianapolis: Bobbs-Merrill Co., 1946) p. 13.
[34] Ibid., p. 17.
[35] Jeffrey Wallmann, *The Western: Parables of the American Dream* (Lubbock: Texas Tech University Press, 1999), p. 142.
[36] *Ibid.*.
[37] *Wyoming State Tribune*, "In Old Wyoming," by John Charles Thompson, December 2, 1947.
[38] *Wyoming State Tribune*, November 23, 1943.
[39] See *Wyoming State Tribune*, March 3, 1940; February 26, December 21, 1941; February 18, December 24, 25, 1942; May 4, 1944.
[40] *Wyoming State Tribune*, December 2, 1947.
[41] *Thermopolis Independent Record*, August 21, 1947.
[42] Unidentified, undated clipping (ca. 1950s) in Tom Horn, Biographical File, American Heritage Center, University of Wyoming.

but when the *Rawlins Daily Times* decided to revisit the tale by comparing Horn once again to the hit men of organized crime syndicates, Burns, speaking as an historian, added his interpretation of the trial's significance. The case, he said, signified the end of private law in Wyoming and the beginning of legal courts.[44] No doubt this idea startled Kennedy and all the other lawyers who had supported, and been supported by, the flourishing legal system which had operated in Wyoming since its inception as a territory in 1868.

The Horn gallows surfaced again in 1952, when the *Casper Morning Star* and the *Laramie Republican Boomerang* raised the issue of what had become of it a year before the fiftieth anniversary of the execution. Other Wyoming papers picked up the story, either before or after it made its way onto the UP wire service.[45] The "mystery" of the missing gallows was cleared up when it was located at the state penitentiary in Rawlins, but the liveliness of the interest in it inspired University of Wyoming archivist Dean Krakel to undertake a new biography of Horn based on the documents and oral histories available in the archives. *The Saga of Tom Horn* appeared in 1954. Krakel published many primary documents and in the preface lyricized about the fifty-year-old events. "[The case] involved the life and death of a way of living that revolved around a code of the range...[F]or Old Cheyenne...the Tom Horn case made her think, to remember...Cheyenne was suddenly alive again – then she was suddenly sad..." for a way of life gone forever.[46] Krakel's nostalgia seems more suited to the Cheyenne of the 1950s than that of 1902.

There were a few other survivors who remembered Tom Horn: his barber, a young cowboy, and a boy who had played with the children of the Nickell family. The barber and the cowboy expressed doubts about Horn's guilt.[47] The Nickell family playmate thought "Horn was a pest exterminator, specializing in pests that wore boots."[48]

In the fifty years following his execution, it had become clear that Horn was destined to be one of the mythic figures of the West, whose name could conjure interest long after his life had ended. It is almost a commonplace of such figures that legends grow up purporting that they did not die at the time or in the manner recorded. Such legends persist about Jesse James, Billy the Kid, and Butch Cassidy. The stories around Horn say more about his status as undying legend than they do about Wyoming's inability to execute the man it had condemned. Between 1902 and 1952, the meaning of the legend had not so much changed as expanded. Originally, Horn's death had signified the triumph of Progressivism mixed a little with the end of frontier violence. A decade later, his guilt had become less personal than situational. Shortly after, it became romantic. Horn was seen as a bridge between medieval and modern violence. He symbolized the beginning of one thing without ceasing to be the end of very much the same thing. He was a nostalgic figure, a conflicted figure, a man out of his time, a man who embodied his time. All the original meanings were still there. Tom Horn signified the triumph of civilization, the end of vigilante law. Later meanings were layered on top. Horn was simultaneously a modern assassin and a tragic figure left behind by the modern world. Another idea snaked its way through all of these meanings. The idea had been there from the beginning, but, until recently, it had been acceptable only outside of the state that had condemned him. It was just possible that Tom Horn was innocent.

The 1950s was a decade of "affluence and national accord," yet there was a darker undercurrent to the period, fueled by fears of nuclear holocaust and Communism.[49] During the 1960s, as it became clear that American good was not going to triumph over Communist evil in Vietnam, a mood of doubt and cynicism began to set in. This mood was increas-

[44] *Rawlins Daily Times*, July 24, 1952.

[45] See for example *Casper Morning Star*, November 20, 1952; *Laramie Republican Boomerang*, November 20, 1952; *Rawlins Daily Times*, November 21, 1952; *University of Wyoming Daily News*, November 26, 1952.

[46] Dean Fenton Krakel, *The Saga of Tom Horn* , p. iv.

[47] "Tom Horn's Barber" [Enos Laughlin], unidentified, undated (ca. 1956) clipping in Tom Horn, Biographical File, American Heritage Center; "Saga of Tom Horn Is No Legend To Cheyenne Man Who Knew Him" [Hugh M. McPhee], *Wyoming State Tribune*, November 18, 1954.

[48] "Books Today" review of Krakel with reminiscences of A.E. Roedel, *Wyoming State Tribune*, February 16, 1958.

[49] Wallmann, *The* Western, p. 152-153.

ingly reflected in Western literature. The theme of the gunfighter outliving his time and becoming an anachronism was already common. The disillusionment of the 1960s and 1970s took a more bitter form in "existential protagonists [who] confront their fate alone, unable to do much to genuinely improve their conditions."[50]

The Western started to fall out of favor. In 1958, there were twenty-nine Western series on prime time television. In 1968, there were ten. By 1978, the number had dropped to two.[51] The traditional Western of heroic struggle and good triumphing over evil seemed out of synch with the times, but the existentialist anti-hero unable to affect his fate was not popular. Both styles of Western were produced. Neither style sold well. In an attempt to revive lagging sales, writers of westerns invoked history to give legitimacy to a genre that was being rejected by the audience as unreal and irrelevant. In 1969, screenwriter William Goldman achieved success by combining the gunfighter-out-of-his-times and the existential-anti-hero motifs with the assertion of historical veracity. *Butch Cassidy and the Sundance Kid* was a commercial success well beyond the normal expectations for Westerns. Its themes of alienation and irony (its outlaw heroes are sickened by the blood they have to shed when they become upholders of the law) seemed to resonate with the general public.[52]

Ten years later, the writer turned his attention to the Horn story. *Mr. Horn* ran on television in early 1979. It was a sympathetic portrayal, starring David Carradine, which drew heavily from Horn's memoirs and showed him as an Indian fighter in Arizona. The question of his guilt in the Nickell murder was not directly addressed, but the script implied that he was framed. Reviews were lukewarm.[53] Nevertheless, a year later William Wiard directed a feature film called *Tom Horn*, starring Steve McQueen in the title role. This screenplay concentrated on the Wyoming years and relied on the gunfighter-out-of-his-time theme. Horn was portrayed as a victim of changing times and his own inability to cope with a more complex world. He is a professional killer whose success embarrasses his employers. They betray him and sacrifice him to the law to save themselves. Individual characters sometimes attempt to act morally, but the world is an amoral place and self-interest achieves more.[54] As part of the promotion for the movie, Vincent Foley, director of the Wyoming State Archives, Museums and Historical Department, formally requested a pardon for the "dead, notorious stock detective Horn" from Wyoming Governor Ed Herschler. It is not at all clear why Foley thought Horn deserved a pardon, "as a man who lived beyond his time,"[55] and it does not seem that it was granted.

In 1991, Chip Carlson brought out a new compilation of primary source documents relating to Tom Horn, remarking in the first chapter that "Tom Horn's death symbolically marked the passing of the Old West in Wyoming..."[56] Carlson's examination of the evidence apparently brought him to the conclusion that Horn's trial was unjust, and he spear-headed a movement to re-try the condemned man in Cheyenne. In September 1993, a new trial was granted to Horn. Local men took the characters of participants in the trial, but they were not confined to the words of the trial transcript. Actual attorneys conducted the cases for the prosecution and the defense. This time the defense vigorously attacked the confession obtained by Marshal Joe LeFors and called into question not only the marshal's methods in obtaining the statement but his own integrity. The final verdict of the jury was also different. They declared the defendant innocent.[57] There was no need to re-enact the hanging.

It did not settle the question. Some writers continued to believe in Horn's guilt.[58] Following the mood of the nation in the late 1990s, other writers began to uncover conspiracies. Carlson, who contin-

[49] *Ibid.*, p. 157.
[50] Mike Flanagan, *Days of the West* (Frederick, Colorado.: Renaissance House, 1987), pp. 191-193.
[51] *Butch Cassidy and the Sundance Kid* (20th Century Fox, 1969).
[52] "'Just Couldn't Miss' Just Doesn't Make It" review in *Denver Post*, February 1, 1979. Details of the plot and casting are taken from this review.
[53] International Movie Database, http://us.imdb.com/title/tt0080031/plotsummary.
[54] *Casper Star*, October 31, 1979.
[55] Chip Carlson, *Tom Horn: Killing Men Is My Specialty* (Cheyenne, Wyoming.: Beartooth Corral, 1991), p.2.
[56] *Wyoming Tribune-Eagle*, September 18, 1993.
[57] *Laramie Daily Boomerang*, May 22, 1998.

ued to be the most active in keeping Horn's image before the public, described Horn's employment by cattlemen as a conspiracy to kill rustlers. He also suggested a conspiracy by local cattlemen to "wipe up" the Nickell family, who had brought in sheep.[59] Finally, he brought up again the rumor, which had never really died, that Horn's employers conspired to help him escape.[60] This last idea is also the basis of Jon Chandler's 2002 novel, *Wyoming Wind*. In the novel, Horn is saved after blackmailing his employers with threats. In a second conspiracy, the cattlemen kill him after he has lost the chance to implicate them in the murder.[61] Chandler did not claim to believe the story himself, but said that he had not invented it, tracing it instead to "alleged descendants of Wyoming's turn-of-the-century cattlemen."[62]

On the one hundredth anniversary of the hanging of Horn, Cheyenne staged a two-day celebration. Special events included a memorial mass, moment of silence, and a birthday party for Horn, reenactments, a lecture by Carlson in character as Tom Horn, a wake, and a look-alike contest. As to the question of the guilt or innocence of Tom Horn, "the jury's still out."[63] The Wyoming State Museum set up donation boxes offering the public a chance to vote one way or the other. When the boxes were opened, the larger number had voted 'not guilty.'[64]

Historians still disagree about Horn's guilt or innocence. Some exonerate him, some condemn him, some echo the ethical ambivalence of the Jazz Age.[65] But the favorite description of Horn one hundred years later is 'enigmatic.' "Horn is an even more compelling figure because of his dark, enigmatic, mysterious nature," Carlson declared in the introduction to his 2001 biography of the cattle detective.[66] Historian Phil Roberts explained the continuing fascination with Tom Horn by noting, "he was so enigmatic."[67] Another historian put it more broadly. "People love a good mystery," she said.[68]

The image of Horn has been an elastic one, able to stretch to meet the times without ever quite losing its original shape. In 1903, Horn was perceived as the tool of wealthy and powerful men who placed their economic interests above the law. In 2003 Carlson made the same argument, stating that the jury members were "middle-class people who sympathized not with Tom Horn and his employers, but with the prosecution."[69] Yet, although Horn remains a symbol of wealth and power abused, he is also (or has been) a symbol of man's incapacity to affect his fate. He has been both the perpetrator and the victim of conspiracies. He has been both hero and villain. It is no wonder that he is now seen as an enigmatic figure charged with contradictory meanings.

Conspicuously absent from this discussion has been Horn himself. There is a reason for this. An examination of writings about Horn does very little to illuminate the character of the man. In print, the cattle detective has always been a shadowy figure hidden behind his own symbolic portrait. Some of the responsibility for this must rest on Tom Horn himself. During his lifetime, Horn liked to tell stories about himself. Often he portrayed himself as a hero, but not always. Many of his stories were at least substantially true, but some of them were not. One day in an office in downtown Cheyenne, he told Joe LeFors a story about shooting down a fourteen-year-old boy. LeFors had hidden a stenographer in the next room to take down the story, so that it could be told again as evidence in a courtroom. In the end, the "confession" was the only compelling evidence the jury had. In 1902, one of the newspaper reporters summed up the irony. "Upon Tom Horn's veracity rests his fate. If the jury believes he told the truth…a verdict of murder in the first degree will be returned against him. If they believe that he is a liar, they will acquit."[70] Poor Tom Horn! It seems that for him, image was always more important than reality. **AW**

[58] *Casper Star-Tribune*, July 24, 1999.
[59] *Wyoming Tribune-Eagle*, November 14, 2003.
[60] Jon Chandler, *Wyoming Wind* (Waterville, Maine: Five Star, 2002).
[61] *Ibid.*, p. 204.
[62] *Wyoming Tribune-Eagle*, November 14, 2003.
[63] *Laramie Boomerang*, November 23, 2003.
[64] See interview with Chip Carlson, *Laramie Boomerang*, November 23, 2003; Phil Roberts quoted in *Laramie Daily Boomerang*, May 22, 1998; Carol Bowers quoted in *Laramie Daily Boomerang*, May 22, 1998.
[65] Carlson, *Tom Horn: Blood on the Moon*, p. xv.
[66] *Laramie Daily Boomerang*, May 22, 1998.
[67] Carol Bowers quoted in *Laramie Daily Boomerang*, May 22, 1998.
[68] *Laramie Boomerang*, November 23, 2003.
[69] *Cheyenne Leader*, October 22, 1902.

Moccasins and Wooden Shoes: Saint Stephen's Arapaho Indian Mission and Its Dutch Jesuit Superiors

Saint Stephen's Mission, located on the Wind River Reservation. Courtesy the American Heritage Center, University of Wyoming.

by Pieter Hovens

Prelude: Wars and Treaties

Arapaho oral traditions relate about a westward migration from the western Great Lakes area onto the plains where they became equestrian in the first half of the nineteenth century. The vast buffalo herds guaranteed their survival, providing all that was needed for survival: food, clothing, tipicovers, and fuel. However, they at first had to compete with other tribes on the plains for living space and repeatedly became involved in intertribal warfare. Warriors became crucial for defense and offense, and a war complex developed in which the acquisition of individual and collective spiritual power and protection was sought, and social status was achieved through success in warfare and raiding. By the mid-nineteenth century, the impact of white colonization was felt directly on the plains. Settlers had crossed the Mississippi River and were pressing westward. Military forts protected the Oregon and Santa Fe trails, and the army began to pacify the Indians, leading to a series of "Indian wars" and treaties the tribes were forced to sign. The buffalo herds were being exterminated by white hunters and colonists, thus destroying the Indians' livelihood. Introduced diseases had devastating consequences for the Native inhabitants who had no immunity against the scourge of smallpox and other contagious diseases.[1]

By the mid-nineteenth century, the impact of white colonization was felt directly on the plains.

About 1830, the Arapahos began to separate in northern and southern groups. The Northern Arapahos were party to the Fort Laramie Treaty of 1851. More than three hundred children were baptised at that occasion on September 15 by

[1] Loretta Fowler, "*Arapaho*," R.J. DeMallie, ed. – Handbook of North American Indians: Plains 13/2:840-62; Washington: Smithsonian Institution, 2001.

Belgian Jesuit Father Pierre-Jean DeSmet who attended the council.[2] The Fort Laramie Treaty ushered in an era of intermittent Indian-white conflicts, hunger, poverty, and disease for the Arapahos and other Plains tribes. During the 1850s, the Northern Arapahos abstained from warfare but many perished due to smallpox. Between 1810 and 1878, epidemics reduced their number from twenty-seven hundred to about eight hundred.[3] The discovery of gold in their territory in 1858 led to the influx of miners, followed by settlers. This forced the Indians from their lands guaranteed by treaty, but they resisted by raiding white settlements. In 1864, the army responded when Colonel Chivington and his troops attacked a camp of peaceful Cheyenne and Arapaho Indians on Sand Creek and massacred the inhabitants. The Cheyenne and Arapaho War of 1864-65 was the result and ended with an armistice, temporarily secured by a treaty negotiated by the Indian Peace Commission in 1868. That same year Wyoming received territorial status.

Continuing Northern Arapaho resistance to white encroachment, led by Chief Black Coal, was finally almost crushed in the Bates Battle of 1874, and for a time some Northern Arapahos warriors joined the Sioux in their armed resistance. The Northern Arapahos were removed to Wyoming by 1877, and began congregating on the Wind River reservation in central Wyoming where they settled next to their former enemies, the Shoshones. The principal Northern Arapaho chiefs on the reservation were Black Coal and Sharp Nose. The band of the former settled around Arapaho, the latter at Ethete. The newcomers were given equal rights to the reservation in 1891 as a consequence of the Dawes or General Allotment Act.[4]

With the settlement on the Wind River Indian Reservation in Wyoming in 1878 the Northern Arapahos closed a devastating chapter in their tribal history, and commenced a new one of unknown challenges and even threats. They settled in the southeastern part of the reservation, the area of the confluence of the Wind River, the Little Wind River, and the Popo Agie River. Camps arose along both watercourses, and with government support farms were begun by chiefs, families and bands. This change in subsistence became increasingly important after the buffalo completely disappeared from the Wyoming plains in 1885. Chiefs Black Coal, Sharp Nose and White Horse were most successful in maintaining private and band farms, enabling them to distribute food to needy families and visitors, and for feasts, thus maintaining their status.[5] Chief Black Coal was keenly aware of his new political and economic environment and said: "This land was the country of my fathers, now dead and dying. We have many children. We love our children. We very much want a good school house, and a good man to teach our children to read your language, that they may grow up to be intelligent men and women, like the children of the white man. And then, when Sunday comes, we would be glad of some good man to teach our children about the Great Spirit."[6]

St. Stephen's Mission: The Early Years, 1884-1890

When Ulysses S. Grant became president after the Civil War, he was faced with the problem of Indian policy and its administration. Graft and corruption was rife among Indian agents who were political appointees, and in response Grant formulated his peace policy in 1869. Candidates for the position of Indian agent from then on needed professional qualifications on the one hand, while their reputation had to be guaranteed by churches and their missionary societies which received the privilege to propose suitable candidates. Thus, church and state became pow-

[2] John Killoren, *Come, Blackrobe: DeSmet and the Indian Tragedy* (Norman: University of Oklahoma Press, 1994), p. 164; Robert C. Carriker, *Father Peter John DeSmet: Jesuit in the West* (Norman: University of Oklahoma Press, 1995), pp. 133-134.

[3] Paul Ponziglioni, "The Arapahos in Wyoming," *Woodstock Letters* 20 (1891): 220-24; Virginia Trenholm, *The Arapahos: Our People* (Norman: University of Oklahoma Press, 1970), p. 38; Loretta Fowler, "*Arapaho*," pp. 840-62.

[4] Trenholm, *The Arapahos: Our People*, pp. 250-52,260-62,268-79; T.A. Larson, *History of Wyoming* (Lincoln: University of Nebraska Press; 1990), pp. 34,106; Henry E. Stamm, *People of the Wind River: The Eastern Shoshones, 1825-1900* (Norman: University of Oklahoma Press, 1999), pp. 241-42.

[5] Loretta Fowler, *Arapaho Politics, 1851-1978* (Lincoln: University of Nebraska Press, 1982), pp. 84-86.

[6] "The Founding and Growing Years: a Shared Memory," *Wind River Rendezvous* 14/2 (1984): 5.

erful allies in the war on "savagery and heathenism."[7]

The Episcopalians were assigned eight Indian agencies, seven in Dakota Territory, and the Wind River Indian Agency in Wyoming. In 1883, the Welsh Episcopalian minister John Roberts arrived, built St. Michael's mission chapel at Ethete and began a school for the Shoshones in a government building. He became superintendent of the government school in 1884 when his assistant Sherman Coolidge arrived. Coolidge was an Arapaho who had received a western education and was the first Indian to become an Episcopalian deacon and minister. In 1898, Coolidge expressed his ambitions and views as follows: "... to see these Shoshones and Arapahos civilised and Christianised; ... we realise that it cannot be done all at once. It takes time to uproot from their deep foundations the heathen doctrines, superstitions, and traditions of any ignorant pagan people," showing himself truly assimilated into Christian and western culture, although he later became an advocate of Indian rights.[8]

From 1882, Bishop O'Connor of Omaha furthered the idea of establishing a Catholic mission on the Wind River Indian Reservation. Father D.W. Moriarity became the first pastor at Lander and during his two years' stay reported favorably about the prospects of missionary work among the Indians of the Wind River Indian Reservation. The bishop further received assurance from the federal government that the church could use certain vacant buildings at Fort Washakie for a mission. A government boarding school was also being constructed and when O'Connor offered five thousand dollars to furnish it, he was given permission to provide for the education and spiritual wellbeing of the Indian children. Under the peace policy, the federal government contracted with churches and missionary societies for educating Indian children. Per capita amounts were paid for every child clothed, fed, boarded, and educated at the mission schools. However, O'Connor was not able to recruit a permanent missionary and teaching staff immediately. The offer of the Wind River Indian agent therefore expired and Episcopalian minister John Roberts moved in first and began work among the Shoshonis. Arapaho Chief Sharp Nose granted Roberts permission for a similar establishment among his people.[9] However, the Episcopalians were unable to follow up, and instead the Jesuits were granted permission to begin work. Black Coal's camp was situated next to the proposed mission site. The chief regarded the new institution as a possible source of power, both in a political and economic sense. It could be a source of support for the position of the Arapahos as newcomers to the reservation. In the years that followed he would prove to be an adept negotiator for his people and able to maximise the opportunities for influence with civil and church authorities and attain economic and political gain.

It took a while before O'Connor found a candidate willing to take the position as Indian missionary in Wyoming. The Missouri Province agreed to accept responsibility of the mission as a "Missio Indica temporaria," but as they had no priest available at the time they turned to Superior Father Lessmann of the Jesuits at Buffalo. He found German Father John Jutz willing to accept the appointment in Wyoming, and Brother Nunlist prepared to join him as assistant. They arrived in the spring of 1884 on the Wind River Indian reservation where Black Coal reaffirmed his support for a Catholic mission. A century later, Arapaho elder Gabriel Warren recalled the oral tradition pertaining to their meeting: "It was a long time ago that a Catholic priest ... approached Chief Black Coal to get permission to build a school and a church. Chief Black Coal gave his permission ... They both shook hands and thanked each other. The priest ... was going to say Mass to thank the

[7] Peter J. Rahill, *The Catholic Indian Missions and Grant's Peace Policy, 1870-1884* (Washington: Catholic University of America Press, 1953); Henry G. Waltmann, "Circumstantial Reformer: President Grant and the Indian Problem," *Arizona and the West* 31 (1971): 323-42.

[8] Winfred H. Ziegler, *Wyoming Indians, Describing the Work of the Episcopal Church* (Laramie: Diocesan Office, 1944); Edward S. Duncombe, "The Northern Arapaho Experience of Episcopal Mission Work and United States Indian Policy, 1883-1925," *Anglican and Episcopal History* 66 (1997): 175-98, 354-82, 520-42; Stamm, *People of the Wind River: the Eastern Shoshones, pp.* 241-42.

[9] M.J. Hofferer, "St. Stephen's Mission, Wyoming," *Woodstock Letters* 54 (1925): 40-49.

Chief Black Coal of the Northern Arapahos. Courtesy the American Heritage Center, University of Wyoming.

Creator for this school and so that our thoughts may be one. ... The priest called the chief and his people that were with him... The chief told the priest, 'I want to thank you for the worship that you have brought here. May this worship go on for a long time to come. Our children that go to school here might learn the white man's way of worship and that we might learn also. Our children may go to school and learn the white man's way of thinking'. ... That is the way how the missionaries and the Arapahos got acquainted with each other."[10]

After this agreement, Jutz and Nunlist officially founded St. Stephen's Mission and began the construction of a chapel and a school at Arapaho in the southeastern part of the reservation, four miles south of Riverton. The site was at the confluence of the Big and Little Wind rivers, in a beautiful valley with a mild and healthy climate during most of the year, but suffering from heavy snow storms in winter. The school was to become a focal point of the mission as educational institutions were funded by the federal government. However, federal support for the school was not yet guaranteed, and the donation of five thousand dollars from philanthropist Katherine Drexell was too little to start the new establishment on a secure footing. In the fall of 1885, both Jesuits were recalled by their superior, albeit against their objections.

O'Connor, through Father Stephan of the Bureau of Catholic Indian Missions in Washington D.C., subsequently again turned to the Jesuits of the Missouri Province, and even appealed directly to Father General in Rome for support. The necessity of a strong and visible presence in the Indian mission field in the American West was recognised by all concerned, and it was resolved that an experienced missionary would be sent to the Wind River Indian Reservation to further develop the modest and still insecure foundations that had been laid by Jutz. In the summer of 1886, Italian Father Paul Ponziglioni, one of the most experienced Jesuit Indian missionaries, with a long career of work amongst the Osages and Potawatomis in Kansas, reopened St. Stephen's. Soon after his arrival, Ponziglioni fell ill, probably suffering from dysentery, and was replaced by Belgian Father Francis X. Kuppens in September 1886. When the school season commenced, fifteen to twenty Arapaho children attended every day, but as their number increased, expansion of the brick building was begun. In 1887 sixty children were accommodated and the government awarded St. Stephen's a contract for the education of Arapaho and Shoshone pupils. Katherine Drexell, the heir of the wealthy Francis A. Drexell of Philadelphia who became a sister in 1891 and foundress of the Order of the Blessed Sacrament, provided ten thousand dollars for the construction of the boarding school. In early 1889, the building was finished and occupied, ninety Indian boys and

[10] "The Founding and Growing Years: a Shared Memory," *Wind River Rendezvous* 14/2 (1984): 3.

girls receiving religious training in addition to learning reading, writing, and arithmetic. In 1892, the boys were moved to a separate building.[11]

The Catholic diocese of Cheyenne, consisting of the whole of Wyoming, had been established in 1887, and the Arapaho mission was supervised by Bishop Burke. Father Francis X. Kuppens from Flanders (Belgium) worked at St. Stephen's from 1887-1889. He also started a farm, keeping a herd for beef production and a number of dairy cows. He enlisted the assistance of the Sisters of Charity of Leavenworth, Kansas, to operate the school. The "White Caps," as they were called by the Arapahos, arrived in January 1888 and occupied the small brick convent which had been built. For the missionary and educational work the services of an Arapaho interpreter by the name of William Shakespeare was enlisted. However, Kuppens did not succeed in obtaining the contract grant from the government for the costs of the school of $108 per child per annum in an efficient manner. A poor administrator, he did not provide the required paperwork. Kuppens' administration of the mission as a whole failed as he was unable or unwilling to cooperate with the federal government and because of poor financial management. When government funds for the school were not forthcoming in sufficient amounts and due course, he sent the children home, closed the school, and was about to leave the mission, the institution burdened with debts.[12]

THE REVEREND SHERMAN COOLIDGE.
Canon of St. John's Episcopal Cathedral, Denver, Colorado.

Sherman Coolidge was the first Native American to become an Episcopalian deacon and minister. Courtesy the American Heritage Center, University of Wyoming.

Ignatius Panken at St. Stephen's, 1890-1891

St. Stephen's found itself in crisis with the impending departure of its superior, and an unannounced visit by U.S. Indian Inspector General F.C. Armstrong in October 1889. The federal civil servant reported his findings to his federal superior and to the Bureau of Catholic Indian Missions in Washington, D.C. The latter bureau immediately sent its secretary George Willard to the Interior Department to ward off negative government action, notably the withdrawal of funding which would inevitably lead to closure. Although Commissioner of Indian Affairs Morgan threatened to withdraw financial support, the situation was saved when the Sisters of the Sacred Heart of Leavenworth, Kansas, agreed to come to St. Stephen's to teach the Indian children, and by the

[11] A.C. Zuercher, "History of St. Stephen's Mission on Indian Reservation is One of Service," *The Riverton Review and Riverton Chronicle*, June 4, 1936; Gilbert J. Garraghan, *The Jesuits in the Middle United States* (New York: America Press, 1 1938), pp. 512-15; Joseph Henry, *Catholic Missionaries on the Wind River: The Saint Stephen's Mission to the Arapahos, 1884-1911*(Milwaukee: University of Wisconsin, M.A.-thesis, 1984), p. 38.

[12] Panken to Marty, March 23, 1890, Papers of the Bureau of Catholic Indian Missions (BCIM), Marquette University Library, Milwaukee, Wisconsin; Henry, pp. 25-27; Garraghan, p. 515. The latter author does not mention Kuppens' maladministration and lack of social skills as causes for his departure and the succession by Panken. He simply states that Kuppens was unwell and instructed to return to Kansas. During the research for this article it became increasingly clear that Kuppens suffered a mental breakdown as the result of the strains of his work, a phenomenon which has received little attention in the historical literature, although there is frequent mention of missionary administrators who "failed."

willingness of a new Jesuit priest to take over the frail establishment in Wyoming: the Dutch Father Ignatius Panken.[13]

Panken was born on November 28, 1832, in Duizel, a small village in the province of North Brabant, in the southern part of The Netherlands. On entering college he fell severely ill and was almost incapacitated for seven years. However, when he finally recovered and determined to become a priest, he entered the seminary at Sint-Michiel's-Gestel and graduated in 1849. In 1857, he made the acquaintance of Father Pierre-Jean DeSmet who was in Europe recruiting young missionaries and collecting funds, and soon Panken crossed the Atlantic with him to become a Jesuit missionary. He entered the noviciate at Florissant, Missouri, and subsequently studied and taught at St. Louis University, being ordained on September 29, 1862. In 1870, he joined DeSmet on a tour of the Dakotas. In 1873, Panken established Saint Elizabeth parish in an African-American neighborhood centring on Fourteenth and Gay streets in St. Louis, and somewhat later a parochial school and a school for orphaned and abused children. Saint Elizabeth was regarded as one of the most successful missions of the Jesuits among non-whites, both spiritually and financially.[14]

On January 5, 1890, Missouri Province superior Father Frieden made an urgent and successful appeal to Panken to take over St. Stephen's Mission. The Dutchman reached his new station later that month, after a long journey by rail and stage-coach across the plains, struggling through deep snows and blizzards. Black Coal accompanied him on the final leg of his journey, and assisted Panken in crossing the Popo Agie and Little Wind rivers. After a good night's rest he sat down with a despairing Father Kuppens who informed him about the dire financial straits of the mission: twenty-five hundred dollars were required to pay off debts and re-open the school, and running costs needed to be secured by regular payments if the educational institution was expected to function properly. Kuppens also shared his fears with Panken about dismissal because he suspected that his superiors had doubts about his character and qualities. Thus Panken made his entry into the difficult Indian mission field. While he wrote his first letter to Provincial Father Frieden, his hands were numbed by the severe cold and the ink froze in the well, cutting short his first communication with the mission authorities in St. Louis.[15]

Panken immediately set about investigating the circumstances of the mission. After examining the papers and talking to former employees of St. Stephen's, Indian parents, Black Coal and the Indian agent, he travelled to Creighton College in Omaha to collect funds that would enable him to re-open the school. From Panken requested twenty-five hundred dollars before hurrying back to the Wind River Reservation where Kuppens had become so ill that he was given the last sacraments on February 2.[16] Father Willard from the Bureau of Catholic Indian Missions visited St. Stephen's shortly after Panken's return, and was disappointed about the conditions at the mission. In the meantime, Frieden of the Missouri Province informed the Bureau of Catholic Indian Missions that his province had shown more than its good intentions by accepting the original two or three-month temporary assignment of St. Stephen's in 1886 that had meanwhile extended into a four year supervision and responsibility. He gave the bureau final notice of the intent of the Missouri Province to recall its staff at St. Stephen's by the summer of 1891 when the school year ended.[17]

In February 1890, Panken reported his findings to Provincial Father Frieden in St. Louis. He pointed out that the mission and school could only be maintained successfully if the funding from federal sources was secured, payments arrived timely, and St. Stephen's was staffed by two missionaries to take care of the Arapaho parents and the religious teaching of the children in school, two brothers for the daily running of the two establishments, and sisters to teach the children in academic subjects. His views of Kuppens were mixed, and he stressed that his col-

[13] Commissioner Morgan to Frieden, Jan. 28, 1890; Stephan to Commissioner Morgan, Jan. 29, 1890, Midwest Jesuit Archives (MJS), St. Louis, Missouri.

[14] *St. Louis Globe*, March 25, 1906; John R. Maguire, ed., *St. Elizabeth's Seventy-Fifth Anniversary* (St. Louis: Model Printing Company, 1948), p. 6-8.

[15] Panken to Frieden, Jan. 23 and 24, 1890 (MJA).

[16] Panken to Marty, Feb. 7, 1890 (BCIM).

[17] Frieden to Stephan, Feb. 19, 1890; April 26, 1891 (BCIM).

league had to work under almost impossible circumstances, and had shown much perseverance against all odds. On the other hand, he also acknowledged that Kuppens had cracked under the strain and exhibited increasing erratic and paranoid behavior. He accepted no advice from others and seemed beyond reason, refusing Panken any assistance and even obstructing him, amongst others by destroying the mission's financial records. Such behavior fuelled suspicions of financial mismanagement, suspicions that were affirmed a short while later. The only work Kuppens was fit for at that time were daily practical chores, including selling produce from the mission garden. Panken also warned Frieden that he suspected the Indian agent of trying to get control of the school, and that Kuppens' staunch opposition to its re-opening without secure funding increased the risk of losing the school.[18] In March, Kuppens was recalled and sent to Creighton College in Omaha to regain his mental and physical health.[19]

Back at St. Stephen's, Panken spent considerable time talking to Arapaho parents whose questions about Kuppens' erratic behavior, the closure of the school, and the Jesuits' intent for the future needed to be addressed. The missionary was able to answer most criticisms and queries and allay most fears. On March 18, 1890, he was able to re-open the school, and Black Coal came over for the occasion at which thirty Arapaho pupils were registered. As the Chief had heard that provisions for the school had arrived, he asked for a feast and a dance to be given to commemorate the re-opening of the school, and Panken promised that he would arrange the affair. Soon the school was instructing thirty Indian children during the spring months. Father Paul Ponziglioni, at that time in his seventies, was sent to Wyoming again to provide Panken with assistance in the emergency situation that had arisen. The Italian priest travelled around the reservation on business and spiritual matters. In addition, Father Scollan assisted at the school, teaching the oldest boys. The mission was still in dire financial straits, and Panken demonstrated that the federal government owed the school more than eight hundred dollars in back payments for the teaching of the children. From the Bureau of Catholic Indian Missions a shipment of groceries was received, but the clothing for the children was delayed because of heavy snows. Panken even lacked the money to send a telegram to the mission office in Washington, DC. To make matters worse, the two Sisters of Leavenworth who had come to teach the Indian children had been disappointed with conditions in Wyoming and returned home before the school re-opened. There were no funds to hire help to plow and sow the fields, thus undermining the self-sufficiency of the mission.[20]

Panken's frequent requests for urgent material assistance were rewarded in late March and early April 1890. The mission bureau in Washington sent funds, and part of the money missing from the mission was recovered. Food and clothes were received from the East, and bishop Marty arranged for additional shipments of food. Panken accepted the position of postmaster which assured the mission of free mail. Marty also provided funds for the mission farm, and soon fields were plowed and sown. Food was very expensive in this isolated area and it was hoped that soon the mission farm would provide the establishment with sufficient fresh food to sustain the staff and the Indian pupils throughout most of the year, and possibly a surplus for sale, generating much needed cash. An irrigation ditch was constructed to ensure a better crop. Money was also made available to purchase dairy cows.[21] Several new Sisters of Charity arrived to teach at the mission school. On St. Stephen's Day the children, their parents, and other Arapahos were treated to the distribution by the missionaries of potatoes, beef, bacon, coffee, sugar, flour, and candy. They all congregated around the tipi of Black Coal where a communal meal was prepared and eaten.

[18] Panken to Frieden, Feb. 2, Feb. 21, March 7, and undated letter, 1890 (MJA).

[19] The Washington Bureau had already come to this conclusion much earlier. Father Willard had been sent to St. Stephen's to reopen the school, and employ the police if necessary to overcome the physical opposition that Kuppens threatened Willard to Panken, April 22, 1890 (MJA).

[20] Panken to Willard, March 20, 1890 (BCIM); Cummiskey (Vicar General of the Diocese of Cheyenne) to Panken, April 2, 1890 (MJA); St. Stephen's School Report for April-May 1890, National Archives and Records Administration (NARA), Wind River Indian Agency Files, Denver, CO.

[21] Panken to Stephan, April 2, April 12, 1890; Panken to Marty, April 27, 1890 (BCIM); Panken to Frieden, undated letter (MJA).

Ponziglioni observed: "as fishes are taken by the mouth, so are aborigines."[22]

Black Coal regarded the mission as a resource to maintain his position as leader. Although the government had given permission to the Jesuits to build the mission, the chief had demanded and received several payments from Father Jutz to allow the mission to be situated at the confluence of the Little Wind and Wind rivers. He demanded additional payments for every new building, and on three occasions he confiscated improvements when the mission was temporarily insufficiently supervised. Even Indian Agent Thomas Jones was indignant about such behavior. However, the Jesuits wished to maintain the chief's goodwill and periodically treated him and his band to a feast, providing bread, coffee, meat, and beans. Black Coal also controlled the wagework the mission provided, notably the cutting of firewood. Thus he was able to solidify his position as leader as he fulfilled all the social requirements of a band leader.[23]

The Bureau of Catholic Indian Missions and Panken were still concerned about the future of the school. It was realized that the institution as it had been operating until then would not become a flourishing establishment if conditions did not change. The teaching of academic subjects and instruction in the Catholic religion held little attraction for most Indian children and their parents. Attendance would therefore always fall short of expectations. This would defeat the primary aim of the mission and school: to salvage heathen Indian souls from the devil, to gain them for the Kingdom of God, and turn them into civilized American citizens. Only if children were aggregated fulltime in a controlled environment could the promotion of the gospel and a Christian and civilized way of life meet with any success. Moreover, only a considerable number of Indian pupils would guarantee the government grant for their education. Finally, there were fears that the federal government would step in to take over the school at St. Stephen's and turn it into an agency school.[24] Father Stephan of the Bureau of Catholic Indian Missions therefore asked Panken to propose a plan for the institution's further development.

On May 28, Panken sent his ideas to the mission bureau in Washington. He envisioned a school that was more responsive to the practical concerns and needs of daily life of the Indians on the Wind River Reservation. Thus he advocated turning the school into a vocational institution for 100 to 125 Indian children, mostly Arapahos. This would enable the training of the girls in homemaking, and the boys in farming and a variety of vocational skills. The Sisters of Charity would teach the girls and the younger boys, and the Jesuits would teach the older boys. The mission farm, to be enlarged to fifty acres, would provide ample opportunities to teach boys the basics of farming and dairying.

Panken had already begun to put these ideas into practice in the spring of 1890, albeit on a modest scale. The mission school soon had fifty-one acres of farmland under cultivation. The crop consisted of potatoes, turnips, onions, beans, cabbage, lettuce, pumpkins, and melons, in addition to corn, wheat, and oats. The stock consisted of twenty-five cows, six pigs, eight horses, and a number of chickens and turkeys. It was an ideal environment in which to train Indian boys. The girls were taught western style homemaking, and learned cooking and sewing clothes.[25] With the school in operation again, Panken succeeded in re-obtaining the education grant from the government. However, because the funds were long delayed, the financial situation remained precarious for a considerable time. Under the contract between the government and the mission, the Bureau of Indian Affairs paid $108 per year per student in attendance. Although most schools were able to cover all expenses with this grant, St. Stephen's and some others came up short due to a variety of reasons. Delays in receiving the government grant necessitated loans and the payment of interest, an extra financial burden. Government rations were often of poor quality and required replacement purchases. The Wind River Indian Agent S.R. Martin in 1884 asked the Bureau of Indian Affairs for more and better food. In some areas at certain times the price of food and goods

[22] Ponziglione, "The Arapahoe Indians," p. 315.
[23] Fowler, *Arapaho Politics*, pp. 82-86,136.
[24] Panken to Stephan, May 27, 1890 (BCIM).
[25] Panken to Stephan, May 26, 1890; Ponziglione to Stephan, August 2, 1890 (BCIM); St. Stephen's School Report, April-May 1890 (NARA).

delivered from the East were extremely high due to regional shortages and transportation costs. Mismanagement also played a role occasionally. St. Stephen's was plagued by all these factors at various times in its early decades. Another major problem was the health of the children in the boarding schools. Cramped conditions in wooden buildings stood in stark contrast to life in tipis and the open air. This transformation of lifestyle contributed to the frequent occurrence of lung diseases, notably tuberculosis. The Episcopalians reported that between 1883 and 1889 about one third of the Shoshone and Arapaho school children died from malnutrition and lung disease at the school in Ethete. However, at St. Stepen's the health situation was much better.[26] One can imagine the reluctance of Indian parents to send their children to school under such devastating circumstances.

Soon after the children were sent home for their 1890 summer vacation, a terrible windstorm struck the mission area. On July 17, devastating winds and rushing floods caused considerable damage, but the mission narrowly escaped full destruction. Panken's plan for the mission school soon faced defeat when the Sisters of Charity were withdrawn from the mission that summer, and the Sisters of Mercy were unable to provide the five teachers that Bishop Marty had hoped to make available.[27] Undeterred, Panken hired three white women from Lander instead, all of them Protestants. The Arapaho parents were not happy with this new development, but seventy-two children were registered at the beginning of the new school year. Panken took it upon him to assure parents that he would enlist the services of sisters again. Father Cornelius Scollan, a secular priest with considerable missionary experience among Canadian Indians, was in charge of the education of the boys. He worked on Arapaho grammar, and taught the catechism to all pupils in the Arapaho language which he had mastered to some degree. This skill and his personality made him rather popular with the children.[28]

All children were taught the three Rs and received religious teaching. They mastered English in the classroom and eventually could read and write on at least a basic level. However, outside of class they spoke Arapaho despite continuing efforts of the staff to have them talk in English. Bestowing an English name on them had only a symbolic impact. These names were often given them by the missionaries, and when children used these the mission staff, sometimes erroneously, regarded this as an indication of the civilization and Christianization process gradually taking effect. From the fall of 1890 the boys were trained in farming and learned vocational skills required to operate a farm and becoming self-sufficient. The girls were trained in all domestic skills, including sewing, cooking, and cleaning, with the aim of turning them into efficient homemakers or into domestic servants. The mission's farm and the school not only provided ideal environments for such training, but the work the children put in contributed to the development of both. Soon the number of stock increased and a new harvest of potatoes, beans, and peas came in. Testimonies to the success of the new approach were the prizes received by several of St. Stephen's students at the county fair. However, the farm operation was still small-scale, and it would take more time to develop it into a profitable resource.

In 1890 Wyoming was admitted to the Union as the forty-fourth state. In the spring of that year, the mission and school at St. Stephen's were threatened by unrest among the Indians on the reservation. Panken was confronted with an "unusual excitement" among the Indians about "a prophesy," which "interfered with the success of the school." The Indians attended dances frequently, and tension was in the air. Father Superior hoped that the unrest and tension would subside as soon as possible.[29] The unusual excitement among the Arapahos was indeed caused by a new prophesy, announcing the disappearance of the whites from the ancestral lands of the Indians, the resurrection of deceased relatives, and the return of the buffalo herds, by performing a spirit or round dance to mobilize the supernatural powers able to effect that transformation. The Arapahos were known for their intensely spiritual world view, permeating

[26] Henry, *Catholic Missionaries*, pp. 33-35; Duncombe, *The Northern Arapaho*, p. 357.
[27] Marty to Panken, May 8 and July 1, 1890 (MJA).
[28] Ponziglioni to Frieden, Dec. 31, 1890 (MJA); Ponziglioni (1890), 314; (1891), 222-224.
[29] Panken to Stephan, May 26, 1890 (BCIM).

all aspects of their life, and they were receptive to prophesies. The traditional religious leaders were not opposed to the new religious movement, but reminded their people that allegiance should remain first and foremost to the tribal Sacred Flat Pipe ceremonies. Sharp Nose was one of the principal Arapaho leaders in what has become known as the Ghost Dance movement, but Black Coal remained skeptical throughout.[30] White settlers soon went in a state of panic and frontier newspapers fired up public fears of an imminent Indian uprising. The Wind River Indian agent noted that many Arapahos neglected their duties and were absent from their homes, taking part in the dances of the "Ghost Dance craze." However, Panken never believed that the Arapahos were inclined to hostile action, and made his views publicly known.

The new religious movement did interfere with the work at St. Stephen's, although only temporarily. When the new school year began on September 1, only fifteen children were present at that time. Many more had been registered by their parents, but most families were still attending dances or on their annual communal hunt. However, in the course of September the Arapahos returned to their homes on the reservation and the number of pupils increased to sixty-six. An Indian inspector from the Bureau of Indian Affairs visited St. Stephen's in November and reported his findings to the commissioner in Washington, D.C. By the end of October, Panken noted that the worst was over and that the Indians became less hostile. In late November the Arapahos sent a delegation to Panken to express their support for the mission and school, after which a peace council was convened to re-affirm good relations.[31] Apparently a breakthrough had been reached in the Indians' attitude towards the Ghost Dance, preventing possible military action by the American army. The new peyote religion gained a following among the Northern Arapahos soon after, but due to its peaceful nature and rituals in private seclusion, drew relatively little attention from whites in those early days.[32]

However, all was not well at St. Stephen's. The fate of the Indian children deteriorated in the course of the new school year. The women from Lander lacked the motivation and qualifications required for successful teaching and counselling, and the children thus learned little under their guidance. Their salaries drained the mission's already strained resources.[33] The meals pupils received were still often inadequate, the children were poorly dressed, and periodic epidemics occurred. Medical care was poor and the agency physician had more work on his hands during epidemics than he could handle. Because the federal government was still not paying the education grant in full and on time, Panken could not provide better material care for the Indian pupils. Christmas passed without the usual presents for the children, usually provided by charitable organizations from the East. The number of pupils dwindled to twenty-nine. In the course of January 1891, the mission and school ran out of money. Food stores had been virtually depleted, and new shipments of goods could not come through because of heavy snows. Panken again pleaded with the mission bureau to send the necessary funds, this time showing his growing impatience and desperation by ending his request with a curt "Please see to it."[34]

The Arapaho parents were concerned about this deteriorating state of affairs and on January 29, 1891, wrote a letter to the Bureau of Catholic Indian Missions. Their most urgent request was that the children at the school were provided with sufficient clothing and decent meals. They also complained that the Father Superior frequently turned away parents who came to visit their children, after having travelled twenty-five or thirty miles to see them. The letter bore fifty-one signatures, with that of Black Coal at the top of the list. William Shakespeare, the mission's

[30] James Mooney, *The Ghost-Dance Religion and the Sioux Outbreak of 1890* (Washington: Fourteenth Annual Report of the Bureau of American Ethnology, 1896), passim. Trenholm, *The Arapahos*, pp. 283-84, 290-91; Fowler, *Arapaho Politics*, pp. 122-24.

[31] Panken to Stephan, Sept. 5, Oct. 14, Oct. 30, and Dec. 3, 1890 (BCIM); Annual Report for 1890-1891, Wind River Indian Agency (NARA).

[32] Alfred L. Kroeber, *The Arapaho* (New York: Bulletin 18 of the American Museum of Natural History, 1902-1907), pp. 398-410; Molly P. Stenberg, *The Peyote Cult among Wyoming Indians* (Laramie: University of Wyoming, M.A. thesis, 1945); Trenholm, *The Arapahos*, pp. 294-303.

[33] Panken to Stephan, Oct. 14, 1890 (BCIM).

[34] Bishop Burke to Stephan, Annual Report by Applicants for Aid, 1890; Panken to Stephan, Jan. 30, 1891 (BCIM).

interpreter, drew up the letter and the signatures were verified by Paul Hanway from Lander, a white man married to an Arapaho woman.[35] Father Stephan of the Mission Bureau requested additional information from Hanway who wrote back that Panken had sufficient stores of fresh food and groceries available to re-open the school in September 1890. However, the priest had sold the stores for cash and had paid the Indians for work with part of the foodstuffs. This the missionary did with a profit because he charged the Indians and his own personnel much more than his own costs. Charles Sweeny, mission farmer at St. Stephen's since August 1890, confirmed to Stephan what he regarded as the mismanagement by Panken. The superior had bought poor quality cows with the money he had received. Moreover, he had let the animals starve, not providing the hay they needed to survive on the range. In all this he had disregarded the farmer's advice. Sweeny wrote that the Catholics had become the laughing stock of the Protestants because of the sorry state of affairs at St. Stephen's.[36]

The mission bureau asked St. Stephen's superior for a reaction to the letter of the Arapaho parents. Panken reported back that the Indian children were properly fed and clothed, but that many parents regularly came to the mission also expecting to be fed and clothed. Occasionally this was done, but these handouts seemed only to increase the frequency of the visits to the mission, some parents showing up several times each week. Some of them gambled their new clothes away as soon as they were back in camp. The mission could not afford to continue the handouts and had begun turning Arapaho visitors away. Moreover, St. Stephen's had not received any of the government aid it was entitled to between July 1890 and February 1891, and that it was impossible to continue under such circumstances. A bit later incumbent President Theodore Roosevelt, member of a prominent American family with Dutch roots, expressed his opinion of the Arapahos in strong terms by denouncing them as lazy and wild robbers.[37]

It took until February 1891 for the Bureau of Indian Affairs to confirm the education grant for St. Stephen's. However, it was only for forty-five pupils, much less than the children actually in attendance and reported on by the U.S. Indian inspector. Stephan approached the secretary of the interior with an urgent request to reverse this unjust decision of Commissioner Morgan, but this was of no avail. It soon transpired that the Wind River Indian Agent John Fosher had tried to delay signing the required vouchers as long as possible. Whereas the agent gave all support to the government school under superintendent John Roberts, he obstructed the Catholic establishment at St. Stephen's. However, the Indian agent was instructed by his Washington superiors to enforce school attendance of Indian children, irrespective of the school's denomination. In March, Panken still had not received any money from the government, and the extremely harsh winter held up food and clothing shipments, and caused cows and horses to die. A cattle herd of two thousand of the mission's neighbor perished. Dissatisfied with working conditions and outstanding pay, the teachers from Lander quit their jobs. Panken was also unable to pay the salary of the mission farmer. Sweeny also left and Panken had to send the Indian girls and younger boys home. This resulted in letters from the Wind River Indian Agent Fosher to the mission bureau and the commissioner of Indian affairs. By that time Panken had fallen ill, possibly partly due to the stress he had been working under.[38] The mission finally began receiving small instalments of the government grant by the spring of 1891 and Father Superior was able to put the administrative side of the finances of

[35] The Arapaho People to the Catholic Bureau, Jan. 29, 1891 (BCIM); Henry, 74, writes that the Indian parents also complained about harsh and corporal punishment, but no such complaint is in their letter. Paul Hanway was one of an increasing number of white men who married Arapaho women, and who sent their mixed-blood children to the government and mission schools.

[36] Hanway to Stephan, April 14, 1891; Sweeny to Stephan, May 8, 1891 (BCIM).

[37] Panken to Stephan, Feb. 17, 1891; Stephan to Hanway, Feb. 6, 1891; Stephan to Burke, Feb. 7, 1891 (BCIM); William T. Hagan, *Theodore Roosevelt and Six Friends of the Indian* (Norman: University of Oklahoma Press, 1997), p. 5.

[38] Stephan to Panken, Feb. 11, 1891; Panken to Stephan, March 3, 1891; Fosher to Commissioner of Indian Affairs, March 13, 1891; Stephan to Panken, March 24, 1891; Stephan to Panken, March 27, 1891; Panken to Stephan, April 8, 1891 (BCIM); Annual Report for 1890-1891, Wind River Indian Agency (NARA); Henry, pp. 27-29, 37, 39, 49; Hofferer, pp. 40-49; Ponziglioni (1890), pp. 386-88.

the mission in order and pay the longest outstanding debts. However, the adverse conditions seemed insurmountable: the opposition from local and federal officials, the lack of qualified teachers, the harsh winters draining already strained resources. For the duration of Panken's stay, St. Stephen remained on the verge of bankruptcy. Although Panken kept up efforts to secure teachers and funds, the Bureau of Catholic Indian Missions could do little, and the superior was officially informed that he was on his own. The difficulties with the school contract, friction with the Indian agent, the letter of complaints of the Arapaho parents, and the virtual closure of the school in the spring of 1891, necessitated a new approach. For strategic reasons this included a new superior.

Panken's renewed efforts to secure sisters as teachers had been to no avail, and Father Stephan continued the effort. Some money was forthcoming from the government, but it was too little too late. In March, the mission had to feed dozens of Arapaho parents who had been starving because of their government rations, given out in January, were used up, and the severe weather conditions prevented hunting. In June 1891, Panken was informed that the mission bureau had run out of money and was again unable to assist St. Stephen's. However, the Father Superior refused to give up hope and enlisted the aid of Bishop Burke and Sister Katherine Drexell to have the school's contract renewed for the year 1891-1892. More money from the government grant was received that month, but it was too little to pay off all of the debts incurred. In the summer of 1891, Panken's health deteriorated rapidly. The Bureau of Catholic Indian Missions and Panken's St. Louis superior decided to recall St. Stephen's Superior, and sent him to the Jesuit facility at Florissant to recuperate. Just before he left it became known that the government grant would be delayed again.[39]

At several earlier occasions Father Frieden had pointed out to the Bureau of Catholic Indian Missions that the Missouri Province had only accepted temporary responsibility for St. Stephen's Indian mission in 1886. Faced with continual difficulties at the mission in Wyoming, he now resolved to sever the ties with the establishment. He sent a formal and final notice to the Mission Bureau in Washington that the Missouri Province would terminate its responsibility when the school closed for the summer. The bureau thereupon was able to persuade the Rocky Mountain Jesuit Province, of which Father Cataldo was in charge, to step in and take over.[40]

The decision of the Bureau of Catholic Indian Missions to continue support for St. Stephen's Indian Industrial Boarding School was based on the strong view of Bishop Burke of the Diocese of Cheyenne that "no tribe of Indians ever were better disposed towards the church than the one among whom the mission is located. Nothing but mismanagement can mar complete success in the future," showing an underestimation of the financial, practical, and cultural problems involved.[41] Father A.M. Folchi of the California Province succeeded Panken, receiving assistance from the Sisters of Saint Joseph. However, the mission did little better under him or his successor Father Philip Turnell who estimated that at least twelve thousand dollars were required to put the establishment on a firm financial footing. The completion of a separate dormitory for the boys in 1892 improved their living conditions at the boarding school. The Sisters of Saint Joseph left and their place was taken up by the Sisters of Saint Francis.[42]

New dark clouds were gathering in the distance above the mission. Public and political criticism of federal funding of Indian education by missionary societies gathered momentum in the late 1880s when it transpired that Catholic Indian schools were the principal beneficiaries. Panken experienced the first effects of such developments. In response, Commis-

[39] Stephan to Burke, March 31, 1891; Panken to Stephan, April 13, 1891; Stephan to Panken, May 9, 1891; Panken to Stephan, June 5, 1891; Chapelle to Panken, June 6, 1891; Panken to Stephan, June 22, 1891; Chapelle to Panken, June 29, 1891; Panken to Stephan, July 7, 1891; Chapelle to Panken, Aug. 25, 1891 (BCIM). After recuperation, Panken returned to his parish in St. Louis. He died on March 20, 1906 at the Jesuit community in Florissant (*St. Louis Globe*, March 25, 1906); Ponziglioni (1891).

[40] Frieden to Burke, March 4, 1889; Frieden to Stephan, April 26, 1891; Frieden to Stephan, April 26, 1891; Lusk to Frieden, April 30, 1890 (MJA); Lusk to Frieden, April 30, 1891; Lusk to Van Gorp, April 30, 1891 (BCIM).

[41] Diocesan Secretary Nugent to Stephan, Annual Report by Applicants for Aid, 1890 (BCIM).

[42] "One Hundred Years Ago and Moving Forward: St. Stephen's Arapaho Mission," *Wind River Rendezvous* 22/3 (1992).

sioner of Indian Affairs Thomas J. Morgan, a staunch anti-Catholic, announced in 1892 that from 1895 the federal government would phase out funding to denominational schools by cutting grants each year by twenty percent so that by 1900 all material support for mission schools would be terminated. A non-denominational public school system would take its place, and was being developed through the federal day and boarding schools. While the Protestant missionary societies were assured that Protestant education was secured at government schools because superintendents and teaching staff were predominantly Protestant, the Catholic Church saw the future of Catholic Indian education threatened, and rallied to secure their future. Letters were sent out by the Mission Bureau to the mission superiors urging them to take appropriate measures to make their establishments as much self-supporting as possible. Panken had been among the first to take the signs of the times to heart and improved the farm and herd. However, in order for St. Stephen's to survive, the mission would need to obtain increasing material support from the Bureau of Catholic Indian Missions and the Catholic community.[43]

The early history of the Jesuit mission to the Arapahos exemplifies insufficient commitment by the Jesuit Order because neither a permanent or adequately qualified staff nor sufficient operating funds were provided. However, the difficulties of operating a remote mission among Indians who were skeptical of the white man's beliefs and culture also should not be underestimated. Moreover, government regulations and policy at the reservation level also exacerbated an already difficult situation and sometimes required drastic action, including closure of school and mission, even as a means of putting pressure on federal and church authorities and eventually securing federal financial support. Moreover, the Jesuit Order was also working in a variety of fields, all requiring money that was not always readily available, and frequently difficult decisions had to be made about which endeavors received the available funds. Eventually the Jesuit Order realized that a stronger financial commitment was required to maintain St. Stephen's, and in the early 1890s the mission and school gradually received a more secure financial footing. With the arrival of the Sisters of Saint Francis from Philadelphia in 1892 a permanent and qualified teaching staff became available. Father Feusi was appointed as superior in 1894 and remained until 1901, putting much effort into improving relations between the mission school and the Arapahos. The Catholic establishment of St. Stephen's for the first time in its history seemed to come out of its state of virtual permanent crisis, and seemed to root more firmly.

Aloysius van der Velden at St. Stephen's, 1902-1904

Successfully laying the foundations for a mission never meant that all major problems were solved. New problems arose, created by federal government policy, state politicians and local Indian agents, attitudes and expectations of Indians and local whites, financial constraints, climate and weather, character and competence of missionaries, teaching staff and civil servants, etc. However, under Superior Feusi's leadership the funding of the school became more secure, the buildings and fields improved significantly, the number of pupils increased substantially, and a number of adult Arapahos accepted baptism.[44] However, the position of the school changed markedly in 1900 when the federal government terminated its contracts with all mission schools. As many more Indian pupils were registered at Catholic mission schools than at Protestant mission schools, the former were much harder hit by this measure.[45] The government continued with its policy that favored public school education for Indian children. A ruling by Commissioner of Indian Affairs Daniel M. Browning in 1896 stated that mission schools could not register Indian pupils as long as government schools still had vacant places, and that Indian pupils

[43] Baulness to Panken, May 2, 1890 (MJA); cf. Francis Paul Prucha, S.J., *The Churches and the Indian Schools, 1888-1912* (Lincoln: University of Nebraska Press, 1979); Prucha, "Thomas Jefferson Morgan, 1889-1993," R.M. Kvasnicka and H.J. Viola, eds., *The Commissioners of Indian Affairs* (Lincoln: University of Nebraska Press, 1979), pp. 193-204; David H. DeJong, *Promises of the Past: a History of Indian Education* (Golden: North American Press, 1993), pp. 71-85.

[44] Hofferer, St. Stephen's Mission, p. 46.

[45] The figures for 1902 are: 3.367 Indian pupils in Catholic mission schools, and 2.583 pupils in Protestant mission schools (Hagan, 164).

could be taken away from mission schools and used to fill such vacant places. This essentially abolished the freedom of Indian parents to choose the school for their children. From 1900 St. Stephen's mission school increasingly had to rely on financial support from the Bureau of Catholic Indian Missions which was primarily funded by charitable donations, including those from the Society for the Preservation of the Faith among Indian Children that was explicitly founded for that purpose.

All non-governmental Indian boarding schools faced a new threat to their existence when Commissioner of Indian Affairs Jones targeted the mission schools specifically and implemented his policy of reducing rations to encourage Indians to become more self-sufficient. In 1901, he announced that food and clothing rations would no longer be available for pupils at such schools. Father Ketcham who headed the Bureau of Catholic Indian Missions at that time immediately took action against the government measures. Archbishop John Ireland of St. Paul was received at the White House by Theodore Roosevelt and gained the presidential guarantee that Indian parents could freely choose to which school to send their children, abolishing the Browning ruling. However, it took Father Ketcham several years to fight withdrawal of the rations from all mission schools, a measure repealed by Congress in early 1904. Another success for Ketcham and the Mission Bureau was the restoration of tuition payments to a number of large mission schools. However, these payments were no longer taken from the annual federal appropriations by the government but from tribal trust funds, and were thus conditional upon a tribal request for such a measure. This required that missionaries who supervised schools had to become increasingly sensitive to the expectations and ambitions of Indian parents.[46]

In the winter of 1902, the bishop of Helena, Montana, appointed Father Aloysius Van der Velden of Pendleton, Oregon, as the new Superior of St. Stephen's. This Dutch Jesuit already had a distinguished career behind him. In 1848 his cradle stood in the city of Eindhoven, in the eastern part of the province of North-Brabant, the Netherlands. After studying theology he was ordained in Maastricht in 1881, and four years later crossed the Atlantic to accept an assignment to St. Labre's Mission among the Northern Cheyennes of Montana, fulfilling a long cherished dream to become an Indian missionary.[47] For twelve years he labored among them, mostly under difficult circumstances. Subsequently, he was stationed at the Coeur d'Alene Indian mission in northern Idaho, but for health reasons was recalled, recuperating in Pendleton. It was agreed that his services at St. Stephen's were required for an interim period, so a permanent replacement could be secured by the Jesuit Superior who was then in Europe recruiting novices. Van der Velden was the favourite candidate not only because of his twelve years of experience with the Cheyennes in Montana, but also because of his administrative and financial skills. It proved to be a good choice.[48]

The new Father Superior arrived at St. Stephen's in early 1902, and found the Arapahos much easier to handle than the Northern Cheyennes or any other tribe he was acquainted with. However, this related only to daily affairs, as it became soon obvious to him that the Indians were hardly interested in Christianity as a substitute for their tribal religion. A number of them had become nominally Christian, but in addition to attending mass on Sundays and sending their children to the mission boarding school, they continued to participate in their Native religious ceremonies, sometimes even as ritual leaders such as Yellow Calf, Scarface, and Buffalo Fat. The new teachings of the missionaries were interpreted from a Native perspective and integrated into their religious life. By adopting Christianity on their own terms, they did not need to abandon cherished beliefs, and were thus able to maintain spiritual integrity and social stability. The religious teachings of the Jesuits apparently had little impact on the school children,

[46] Prucha, *The Churches*, pp. 57-95; Hagan, *Theodore Roosevelt*, pp. 165-72.

[47] Van der Velden to Father, March 4, 1884, Archives of the Netherlands Province of Jesuits (ANPJ), Nymegen.

[48] F. Van Hoeck, *De Manke Zwartrok: een Noord-Brabantsch Missionaris Onder de Indianen* (Leuven: VI. Drukkerij-Xaveriana, 1928), pp. 13,135; Pieter Hovens, *The Spirit and the Cross: Dutch Missionaries and the North American Indians* (in preparation).

even after a stay of four to seven years.[49]

Another problem Van der Velden had to address was the relation with the Indian agent, Captain H.G. Nickerson. Fathers Feusi and Sansone had been unable to establish good relations and thus encountered many difficulties during his administration. The Indians were also dissatisfied with the federal official, and the former enlisted the support of Father Sansone to prevent the renewal of the federal official's term in office in 1902. Van der Velden knew that the Indian agent was a Westerner and disliked tenderfeet. He countered this problem by visiting the official immediately on arrival in midwinter and impressing him with washing up with cold water from a tin pail in the kitchen instead of the using the warm water and facilities in the guestroom. He further gained admiration from the Indian agent by telling him stories about his adventures amongst the Cheyennes and in the Rockies. The BIA official took a liking to the plucky Dutch Jesuit Father, and thus an effective basis for communication and cooperation was established between the local representatives of the church and the state. However, a little later Nickerson was recalled and succeeded by Indian Agent H.E. Wadsworth.[50]

Soon after his arrival at St. Stephen's, Van der Velden was joined by French Father Couffrant and Brother Mutsaers, the latter also from the Netherlands and an erstwhile colleague at St. Labre's. Mutsaers took care of all household duties at the mission and the farm, which relieved the superior from these time-consuming chores. The Pendleton parishioners supported their pastor's work among the Indians with a variety of gifts, both money and much needed goods such as clothing and foodstuffs. Van der Velden was also appointed as government postmaster, a position that entailed little work but which service was rewarded with being allowed to send the entire mission's mail free of charge.[51]

In July 1902, the Bureau of Catholic Indian Missions inquired about the success and the prospects of St. Stephen's. In his reply to Father Ketcham, Van der Velden admitted that the adult Arapahos had not shown much interest in the missionary work. However, he did not blame the Indians but pointed out that none of his predecessors had learned to speak the tribal language fluently and use it in sermons and classes. If religious instruction in their native tongue was not given, little could be expected. He was trying to master some of the language but discovered that age had put limitations on his linguistic skills, and usually an interpreter was employed and sign language used. He pleaded to give the Arapahos a "fair trial."[52] This the Arapahos received with the arrival of Father J.B Sifton in 1905. He mastered the tribal tongue so expertly that he was able to preach in Arapaho. This significantly contributed to the number of adults that were baptized by him. However, the period of exposure to Christian teaching was a contributing factor.[53]

Sometimes Indian parents attended Sunday mass at St. Stephen's, only partially because they were interested in the white man's religion, but especially because they wished to see their children. Many Arapahos frequently visited the mission to talk to the missionary in order to procure food and trade goods. However, Van der Velden had nothing to spare and was familiar with the Indian strategy to soften up a missionary with talk before successfully extracting gifts of various kinds. The Dutch Jesuit played the talking game as well as the Indians, the latter always losing out. One of them remarked: "This blackrobe has a heart of steel; we can talk as much as we want, but we waste all our arrows; they are deflected by his strong heart." Van der Velden replied "You tell the truth" and extended his hand, which was grasped by the Indian while both burst out in laughter. However, at several occasions the missionary had to feast the Indians, usually at Easter and Christmas, and Van der Velden was repeatedly amazed by the seemingly "bottomless stomachs" of the Arapahos.[54]

[49] Van der Velden to brothers and sisters, *Arapaho Politics*, Jan. 20, 1903 (ANPJ); Van Hoeck, *De Manti Zwartrok*, p. 139; Fowler), *Arapaho Politics*, pp. 125-27, 136-37.

[50] Van der Velden to his brothers and sisters, August 21, 1902 (ANPJ); Van Hoeck, 139-140; Fowler (1982), 104-107.

[51] Van der Velden to brother Piet, March 25, 1902; to brothers and sisters, Jan. 20, 1903 (ANPJ); Van Hoeck, 141-142.

[52] Van der Velden to Ketcham, July 16, 1902 (BCIM); Van der Velden to his brothers and sisters, August 21, 1902 (ANPJ).

[53] Hofferer, 46; Van Hoeck, 140.

[54] Van der Velden to his brothers and sisters, August 21, 1902; Jan. 20, 1903 (ANPJ); Van Hoeck, 141.

When Van der Velden had arrived at St. Stephen's in early 1902, the mission had no farmer. Most of the farm was left untended, and the prospective harvest would be correspondingly limited. The year 1903 was disastrous. A flood washed away the dam in the spring, releasing the water needed for the irrigation of the fields during the hot summer months. Inevitably that year's crop failed, and the mission and school became strapped for funds as one had to purchase the bulk of the food needed to feed the pupils on the market. Farming had proved to be difficult in central Wyoming because of the climate, while the raising of livestock yielded better results. However, by being frugal and inventive, Van der Velden gradually managed to put the finances of the mission in order by the end of 1902.

During Father Van der Velden's superintendency, the boarding school at St. Stephen's was supervised first by Father Sansone and from December 1903 by Father Feusi. Three teachers were in charge of academic subjects, two of them sisters of the Order of St. Francis from Philadelphia. From 1903 another sister taught music, and others were in charge of teaching homemaking to the Indian girls. Instruction took place in the classroom as well as in practice, when the girls assisted the sisters in cleaning the dormitories, kitchen and classrooms, in preparing food, baking bread, and cooking the daily meals for the staff and the pupils, in mending clothes and sewing new ones, and doing the laundry. Sister Columba was the matron who oversaw order and maintained discipline. Obedience and discipline were regarded as the cornerstones of civilized upbringing and behaviour. One of the priests acted as disciplinarian. Punishment usually took the form of withholding privileges, or adding extra chores to the regular daily tasks. Possibly, instances of corporal punishment also took place. However, the school seemed to create a positive environment as there were no problems with runaways in 1903.

The boys were taught ranching and farming, with an emphasis on stock raising, including sheep and cattle, and dairy farming. They also received instruction in masonry and carpentry, and a variety of other practical skills necessary to operate a family farm. Their teacher was a hired employee who received free room and board, and a monthly salary. In 1902, the position was occupied by Frank Marin who was paid forty dollars per month, but in 1903, Edward Peters replaced him because he was satisfied with thirty-five dollars. George Robinson succeeded him in 1904, drawing the same salary. That was also the first year that there was a shortage of Jesuit fathers to take up teaching duties, necessitating the hiring of John Parker for thirty dollars per month, in addition to free room and board.

The number of registered and attending pupils at St. Stephen's Industrial Boarding School increased significantly during Van der Velden's superintendency of the mission. During good years in the 1890s their number averaged around seventy, but gradually registration and attendance rose to 115 in 1904. If one assumes that the mission truthfully filled out the quarterly reports for

Table: Indian pupils at St. Peter's Industrial Boarding School[55]

Year/ Quarter	Number	Boys/Girls	Arapahos/ Shoshones
1902/2	78	38/40	64/14
1903/4	89	45/44	81/9
1904/4	115	54/61	107/8

The Commissioner of Indian Affairs, attendance seems not to have been a great problem. Occasionally a registered child did not turn up at all for the whole quarter. A few only attended a short time but terminated their attendance because of their own or their parents' volition, or because of illness. Illness probably also explains the mild absenteeism that is registered. The practice of children being absent during the spring and fall hunts had virtually ended as the hunts had declined in importance and parents had become used to keeping their children in school during the whole term. Moreover, the school could enlist the support of the Indian police to go after truant children. Indian parents could be punished for the truancy by withholding rations, although this

[55] Annual Reports of Indian Missions: St. Stephen's Mission, Wyoming (BCIM).

practice was phased out in the first decade of the 20th century. However, during Van der Velden's administration more than ninety percent of the pupils were in class, in workshops or the fields on all regular schooldays.[56]

In 1904 the Arapahos and Shoshones of the Wind River Indian Reservation faced a forced land cession, strongly supported by Theodore Roosevelt who wished to assist white settlers in obtaining more lands in Wyoming. The tribes lost more than half of their reservation at that occasion.[57] In the spring Van der Velden fell seriously ill again and was recalled, to be succeeded by Father John Sifton.[58] In 1908, the Arapahos ceded ownership of the land on which the mission complex stood to the Jesuits, and three years later expressed their satisfaction with the education of their children at St. Stephen's by agreeing to partial tribal funding.

Epilogue

St. Stephen's Mission survived its first two decades despite the fact that it was beset by a multitude of problems: inadequate funding, frequent changes in provincial administration and local superiors, lack of qualified missionaries, opposition from Wind River Indian agents, from some elements from the mostly Protestant local population, and from federal Indian Bureau in Washington D.C. Historian Joseph Henry aptly defined the pragmatic attitude of the Jesuit missionaries at St. Stephen's mission during the first two decades, an attitude stemming from the environmental constraints in which they had to carry out their missionary labor: "The policy of the missionaries was to accept what they could not easily stop, ignore that which may have been a direct challenge to them, and support anything that would put them in a favourable light."[59]

Regardless of the realities of life on the Indian reservations, the Catholic Church and its religious orders and missionaries had an agenda of their own. They regarded themselves as the bearers of the ultimate religious truth, the truth of God, encoded in the Bible, given to man for the salvation of mankind. Theirs was a powerful message which they delivered with great zeal to anyone who would or could be made to listen. Great effort was put into Indian missions, as this endeavor was financially supported by the federal government as a means of civilizing the Indians.

Indians had to listen because they had witnessed the white man's tremendous powers and wished to share in them to face life's new challenges. They also were obliged to listen because their environment had completely changed, and required new strategies for survival for which the missions might contribute required knowledge and skills. Church and school attendance assured material support for families during a time when subsistence was extremely tenuous and poverty widespread. Finally, they were obliged to listen because the government which had conquered and defeated them explicitly required the tribes to abandon their traditional way of life and adopt the white man's ways. In this agenda government and missionary societies became allies in the breaking up of tribal societies.

However, the Arapahos responded to the new conditions of life in an active and strategic manner. They soon learned to make use of the new economic opportunities the missions provided, and sought to acquire the knowledge and skills required to maintain a degree of independence from the white man's world. They also explored the spiritual powers the newcomers seemed to possess, and initially a number of Arapahos converted to Catholicism, at least nominally. They continued to adhere to traditional beliefs and rituals, including the Sacred Flat Pip ceremony and the Sun Dance, albeit in adapted formats and shielding such practices from unwanted attention. The Shoshones on the Wind River Indian Reservation acted likewise when confronted with Episcopalian missionary work.[60]

In the course of the early twentieth century Arapahos became more involved with Catholicism when a new generation of parents emerged that had been educated at the St. Stephen mission school, and

[56] Henry, *Catholic Missionaries*, pp. 41-42, 48.

[57] Larson, *History of Wyoming*, p. 351; Hagan (1997), pp. 111-12.

[58] Van der Velden to his brothers and sisters, April 28, 1904; June 8, 1904 (ANPJ); Van der Velden died on November 21, 1925 in Portland, Oregon.

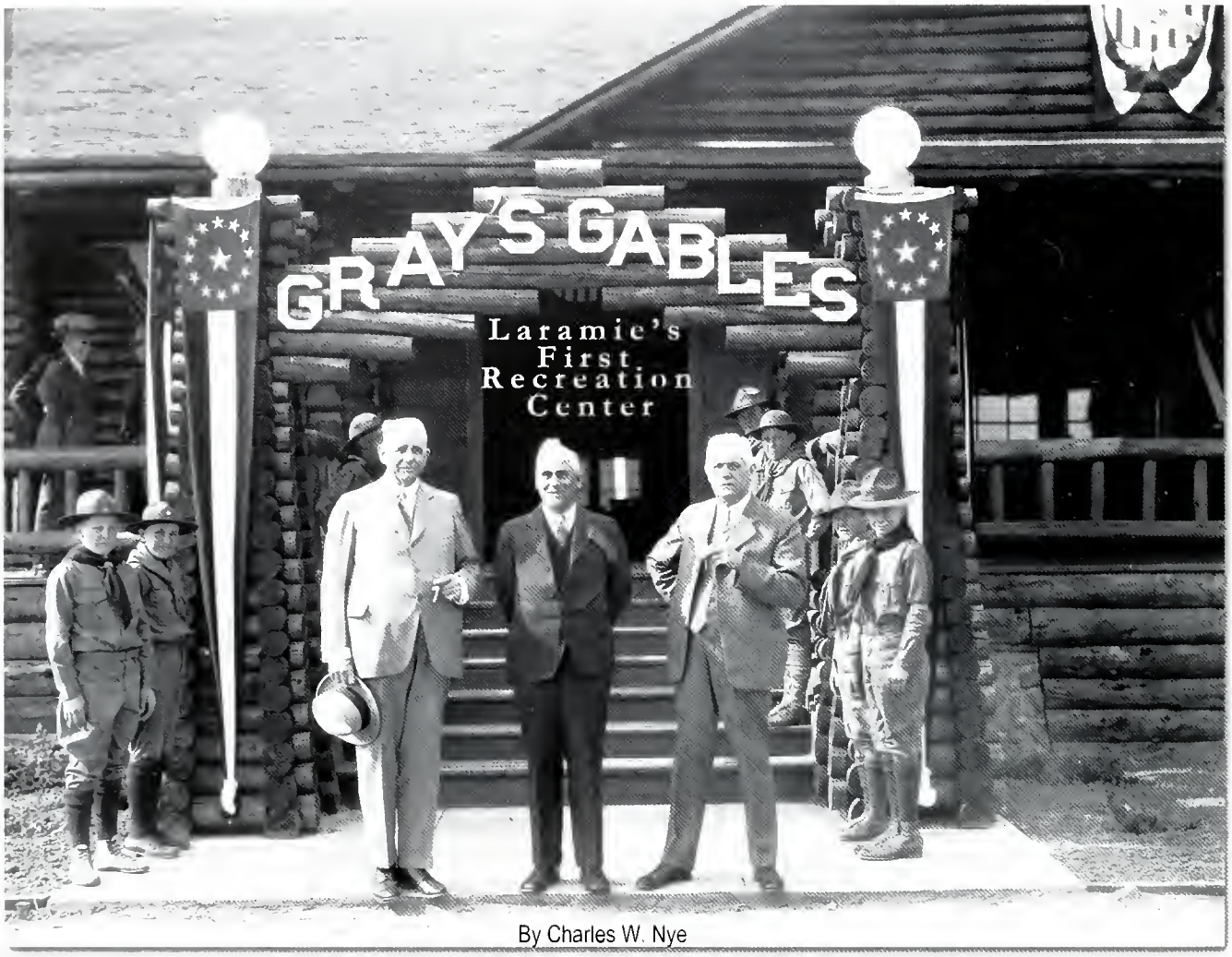
[59] Henry, *Catholic Missionaries*, p. 50.

[60] Fowler, *Arapaho Politics*, pp. 125-26; Stamm, *People of the Wind River*, p. 225.

wished to raise their children in a similar manner. The white man's world also changed and in the 1930s federal policy was significantly amended. Aboriginal rights received increased recognition in Franklin Delano Roosevelt's New Deal policy and the Indian Reorganization Act of 1934. The American civil rights movement of the 1960s and 1970s also deeply affected Native Americans, and in the sphere of religion Jesuits played a leading role in recognizing the value of traditional tribal philosophies and ceremonies, forging positive syncretism between Catholicism and tribal religions in belief and ritual.[61] Father Carl Starkloff, who was teacher at and superior of St. Stephen's in the 1970s, formulated the contemporary Jesuit vision as follows: "The Christian's desire to communicate Christ to mankind must not obscure his appreciation of the cultural differences of those with whom he dialogues. The Church should not think in terms of proselytising missions to the American Indian, but rather in terms of sharing what is valuable and precious in each culture. Indian culture, as exemplified ... by the Arapaho tribe of Wyoming, is gifted with a high form of religion that renders it capable of such dialogue, given a renewal of tribal rraditions and understanding on the part of Christians. ... while the Christian may wish to offer Christ to the Indian ..., he will do well to let the Indian educate him in poetry of religious expression, joy in creation, reverence for all things, and a passionate attachment to the divine."[62]

[61] Paul Steinmetz, *Pipe, Bible and Peyote among the Oglala Lakota* (Stockholm: Stockholm Studies in Comparative Religion, 1980); William Stolzman, *The Pipe and Christ: a Christian-Sioux Dialogue* (Pine Ridge: Red Cloud Indian School, 1986); Carl F. Starkloff, "American Indian Religion and Christianity: Confrontation and Dialogue, *Journal of Ecumenical Studies* 8/2 (1971): p. 317.

[62] The assistance of the following people and institutions with the research is gratefully acknowledged: Mark Thiel of Marquette University Archives and Special Collections, Milwaukee, WI; Nancy Merz and staff at the Midwest Jesuit Archives, St. Louis, MO; John Waide of the Pius XII Memorial Library of St. Louis University, St. Louis, MO; Sharon Kahin of the Wind River Historical Center in Dubois, WY; Cindy Brown at the Wyoming State Archives in Cheyenne, WY; Mike Jording of the Wyoming State Historical Society; Eric Bittner at the National Archives and Records Center in Denver; and the staff at the American Heritage Center, University of Wyoming, Laramie, WY. In the Netherlands practical support was obtained from Eugene van Deutekom of the Archives of the Netherlands Province of Jesuits, Nijmegen; and my volunteer Jiska Herlaar. The material support for the research by the Netherlands Research Council (NWO) in The Hague, and United Airlines is greatly appreciated. Finally, my wife and archival research assistant Jeanne has been a constant source of support for many years, contributing substantially to the research in a variety of ways.



Dedication of Gray's Gables, May 20, 1929. Courtesy, Ludwig-Svenson Collection the American Heritage Center, University of Wyoming.

By Charles W. Nye

Ordinarily, we look at buildings as places where events occur in the present and overlook what they can tell us about the past. By studying the history and intricacies of the design of a building we can learn about the people who inhabited it and their values. One such building is Gray's Gables in north eastern Laramie. Every day, people drive past this seventy-five year old log structure on their way about their daily lives, and never stop to wonder how it got there. What is this large log building doing here, so different from the modern homes around it? Who built it and why? The fascinating story of Gray's Gables helps us appreciate the enduring interest of Laramie's citizens in recreation, for Gray's Gables is Laramie's first community recreation center.

In the 1920s, Laramie was an important division point on the Union Pacific Railroad, with maintenance shops and two large engine roundhouses.[1] The Union Pacific at this time was headed by Carl R. Gray, who had become president in 1920. He encouraged the growth of a family spirit in the Union Pacific Railroad, starting a company magazine for employees called *Union Pacific Magazine*. The

[1] A.J. Wolff, "The Laramie Locomotive Facilities." *The Streamliner* 18 (2004): 8-31.

magazine featured upbeat reports about railroad employees and their jobs, and social and athletic events. Amateur athletics were popular in the 1920s, and in 1925 the Union Pacific Athletic League was formed. The employees organized local clubs and raised money for equipment and facilities. In 1925, there were twelve clubs and fifteen hundred members. By 1930, there were fifty-two clubs and eighteen thousand members.[2] The Laramie club was one of the earlier ones, founded in 1926.[3]

The members of these clubs were part of an organization that had accomplished one of the greatest engineering feats of all time—that is, the building of the trans-continental railroad. The Laramie Union Pacific Athletic Club members showed their initiative in carrying out an ambitious project of their own, the building of an extraordinary athletic facility. The Laramie club flourished under UP carman George Bond (1869-1936), elected president of the club in January 1927.[4] The club had little in the way of money or facilities and as yet no clubhouse, only forty-six dollars, and an unmaintained golf course on land leased from the railroad. But the club had a good basketball team, so Bond arranged for them to practice at the University of Wyoming gym twice a week. The team soon beat Pratt's Bookmen, a famous Denver team, and the UW varsity team. Then in 1927 and 1928, they won the UP unit championship.[5] Laramie UP employees participated in a UP system track meet in Provo, Utah, in September 1927,[6] and the Laramie UP Athletic Club fielded a baseball team to challenge the team from Medicine Bow in June 1928.[7] These early successes generated interest, and the quest for good facilities was underway.

First, the men leased a vacant motor car shop along the tracks in Laramie from the UP, laid eight thousand square feet of flooring, and converted the oddly-shaped room into a gymnasium. They also used the room for Saturday evening dances, which earned some income for the club. Then they copied blueprints of the rifle range at the University of Wisconsin and built a modern rifle range. They associated with the National Rifle Association and received free material for the range and free ammunition. Next they borrowed money from their members to buy gymnasium equipment.[8]

The club continued to grow. The members raised money by selling advertising space on the picket fence around their athletic field located at the corner of Pine and Grand,[9] and by taking in associate members from the community. When the group incorporated under Wyoming State Law in January 11, 1928, they had 250 members.[10] They renovated the golf course in east Laramie, built two tennis courts (located at Seventh and Grand) and set up volleyball, calisthenics, boxing, and wrestling at the gymnasium.[11] By spring 1928, the members anticipated a clubhouse, a large bore rifle range, archery courts, croquet lawns, and a playground for children.

William Isberg, a local pioneer, donated the clubhouse site,[12] a four-acre plot north of the golf course, several miles from the center of Laramie. The property was situated beside a small limestone ridge and faced south to an ephemeral stream that meandered across the rustic Union Pacific golf course. To the north was open prairie. Isberg, who operated a dairy northeast of the golf course and clubhouse site, eventually became the first caretaker.[13] The club purchased an additional eighty acres adjoining for five dollars per acre.[14] The clubhouse, which cost under nine-

[2] Maury Klein, *Union Pacific, the Rebirth 1894-1969* (New York: Doubleday, 1989).

[3] George Bond, "The Inspiring Story of a Union Pacific Athletic Club." *Union Pacific Magazine* (April 1929): 10-12.

[4] "Bond Funeral will be held tomorrow." *Laramie Republican-Boomerang* September 11, 1936, p. 8, col. 4.

[5] Bond, "The Inspiring Story.".

[6] "Railroad Notes," *Laramie Daily Republican-Boomerang* , August 16, 1927, p. 7, col. 4.

[7] "Railroad Notes." *Laramie Daily Republican-Boomerang,* June 26, 1928, p. 3, col. 3.

[8] Bond, "The Inspiring Story."

[9] "U.P. Employees running active sport program," *Laramie Daily Republican-Boomerang,* June 1, 1927, p. 5, col. 1.

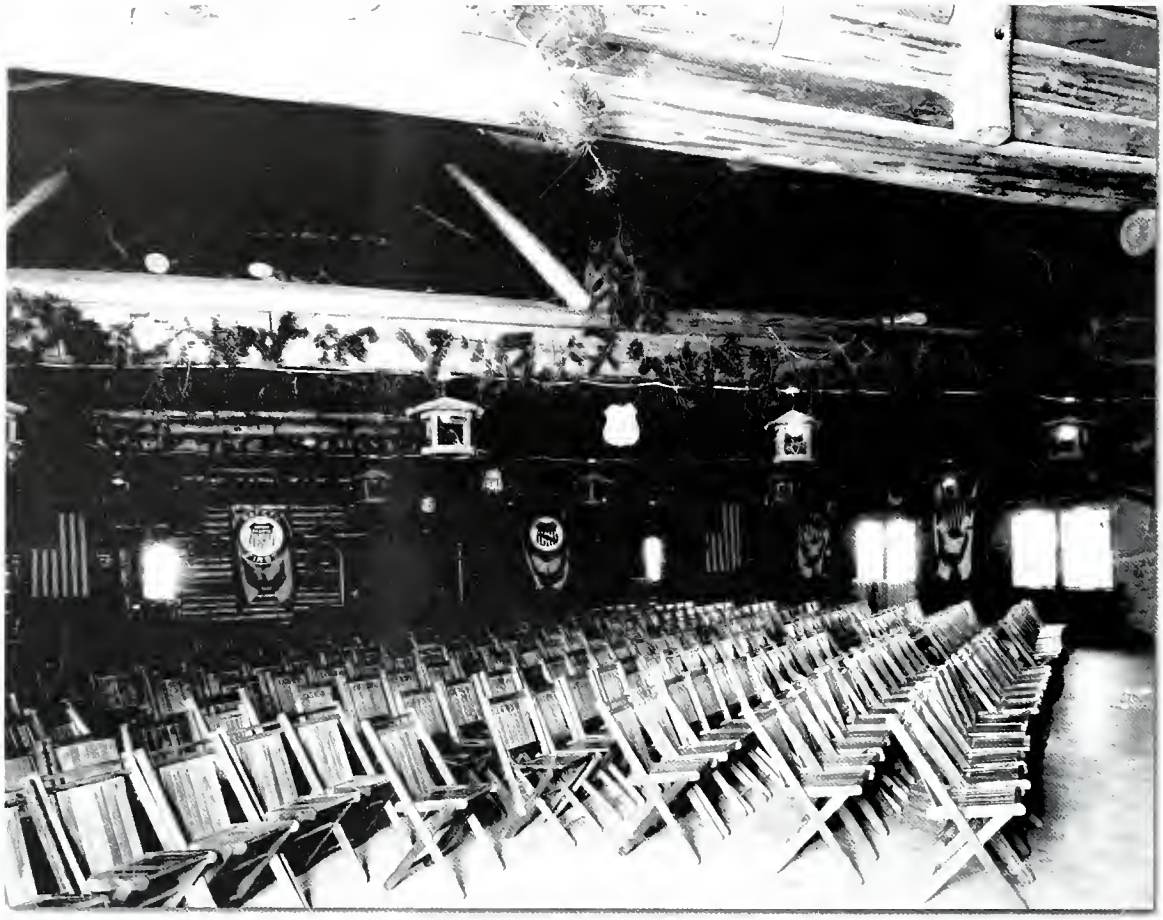
[10] "Union Pacific Athletic Club – Gray's Gables." National Register of Historic Places Nomination Form, U.S. Department of the Interior, for building 78002814, entered on the register on 9/13/78, 9 pages. Hereafter cited as Gray's Gables."

[11] "U.P. Employees running active sport program," *Laramie Daily Republican-Boomerang*; June 1, 1927; Bond, "The Inspiring Story."

[12] "William Isberg, Local Pioneer, is dead at 68," *Laramie Republican Boomerang* December 12, 1947, p. 1, col. 8.

[13] "William Isberg, Local Pioneer"; Bond, "The Inspiring Story": "Railroad Notes." *Laramie Daily Republican-Boomerang* October 31, 1928, p. 8, column 3-4.

[14] Bond, "The Inspiring Story."



Gray's Gables decorated for the dedication ceremony, May 1929. Courtesy the American Heritage Center, University of Wyoming.

teen thousand dollars to construct,[15] is of rustic design. Mads C. Justesen, a Laramie sand, gravel, and concrete contractor, was hired to pour the concrete foundation.[16] The log construction was supervised by Johannas (Jack) Haugum (1888-1953), a UP carman who was born in Norway, and who worked in the timber industry when he first came to Laramie before he joined the railroad in 1914.[17] Jack Haugum was an accomplished big bore rifleman as well as a log builder.[18] Although many members participated in the design and building of the clubhouse, everyone was paid for their labor.[19]

The building, which measures sixty-four by ninety-six feet, was made of Lodgepole and Ponderosa pine logs brought from the Medicine Bow Mountains.[20] The logs were purchased from Neil Roach timber company and were brought to Laramie by the Laramie, North Park and Western Railroad.[21] The building is of Swedish cope construction, in which the logs are cut in a concave shape and fit together perfectly so as to shed water without leaking, to be windproof, and to need no chinking.[22] The window frames are also made of logs. Along the entire south front of the building is a porch, fourteen feet nine inches wide. The steps up lead through a decorative log arch. Old-fashioned globed street lights are on top of each side of the arch.[23]

[15] Bond, "The Inspiring Story."

[16] *R.L. Polk and Co.'s Laramie City and Albany County Directory*, 1928-29, Vol. IX (R.L. Polk & Co., Publishers, Salt Lake City); "Gray's Gables."

[17] "Johannas Haugum dies at home at age of 64." *Laramie Republican-Boomerang* April 27, 1953, p. 5, col. 4; "Gray's Gables."

[18] "Haugum wins rifle match at Cheyenne." *Laramie Republican-Boomerang* August 19, 1946, p. 3 col. 6.

[19] Bond, "The Inspiring Story."

[20] Bond, "The Inspiring Story"; "Gray's Gables."

[21] "Gray's Gables"; "Railroad Notes." *Laramie Daily Republican-Boomerang* June 26, 1928, p. 3, col. 3.

[22] George Bond, "U.P. Clubhouse Asset to City," *Laramie Daily Republican-Boomerang* November 9, 1928, p. 9, cols. 1-4.

[23] "Gray's Gables."

The main door into the building opens to a large central room, sixty-three by fifty-nine feet in size, with a twenty-five foot high gabled roof. No inside supports are needed, because a bridgework system of log beams supports the roof. The beams are joined by iron bolts manufactured at the Union Pacific machine shop.[24] The floor is made of thick planks of polished maple. Smaller rooms at the east and west ends of the building are approached through wide log arches. To the west were three rooms: a locked equipment room, a wide central lounge with an impressive brick fireplace, and a ladies' restroom. (The lounge is now used as a stage, and the restroom has been moved downstairs to make space for a coatroom.) At the east end are a kitchen and a soda fountain. This end also has an ample brick fireplace. The kitchen (since remodeled) was equipped with large sinks, iron range, and a dumbwaiter to the dining room in the basement.[25] Rustic log touches are found throughout the interior: the soda fountain room, now the refreshments area, has a distinctive chandelier made from an unusually shaped Lodgepole Pine tree found near Brooklyn Lake, and bits of unusually-shaped wood are used throughout, for example as armrests on benches.[26]

Stairs at the west and east ends lead down to the lower level. The central, maple-floored basement room is used as an assembly hall, dining room, and, formerly, as a roller rink. Dressing rooms, bathrooms, and furnace and utility rooms are on the east end. In the west end were a caretaker's apartment and smoking rooms for men; the latter have since been incorporated into an enlarged apartment.[27]

The club bought a well rig for $175 and used it to dig their own eight inch diameter, 125 foot deep well, 100 feet northeast of the building.[28] The drill bit came loose when the drill was still forty feet from the target water sand, but when finally complete the well water was pumped into the building under constant forty pound pressure.[29] Subsequently the club rented out the well-rig and earned additional income. The sewer outflow was piped into several tank cars that were buried at the foot of the low hill on which the clubhouse stands.[30] Next, the road was constructed. It ran north from the Lincoln Highway along what is now Thirtieth Street, and turned east to the building along what is now Gray's Gables Road. As Bond describes it, "The heavy work was done by a large machine, and other work by a small grader which had been abandoned by the State Highway department and which our boys at the shops were able to repair and put in good working condition." Some discarded street lamps from the city of Laramie were put up along the approach to the new clubhouse. The new large-bore rifle range was an exact copy of the one at Fort D.A. Russell in Cheyenne, funded in part by the Laramie National Guard unit.[31]

The first event held in the new clubhouse was a Christmas party on December 28, 1928, for children of Union Pacific families. Six hundred youngsters were the honored guests. Santa appeared, there was a giant Christmas tree, the UP band performed, and there were a play and readings. A New Year's Day party for adults followed on January 1, 1929.[32] More Laramie residents continued to join the club, so that by May 1929, the membership was more than five hundred. The *Laramie Republican Boomerang* reported that the Laramie club was believed to have more members than any other on the system with the possible exception of Los Angeles.[33]

Preparations were underway for a grand dedication of the clubhouse, to be named in honor of UPRR President Carl Gray, who had agreed to come as the honored guest. A disused flagpole that had stood for more than thirty years at the old Junior High School was erected at the clubhouse.[34] Trees and shrubs were

[24] Bond, "The Inspiring Story."
[25] Bond, "The Inspiring Story"; "Gray's Gables."
[26] "Gray Hails U.P. Family in Dedicating Club House," *Laramie Daily Republican-Boomerang* May 21, 1929, p. 1 cols. 6-8, p. 2, cols. 4-5.
[27] Bond, "U.P. Clubhouse Asset," *Laramie Daily Republican-Boomerang*, November 9, 1928; "Gray's Gables."
[28] Bond, "The Inspiring Story"; Registration of Well, SWSES26T16NR73W, undated; "Gray's Gables."
[29] "Railroad Notes," *Laramie Daily Republican-Boomerang* June 26, 1928, p. 3, col. 3; Bond, "The Inspiring Story."
[30] "Gray's Gables."
[31] Bond, "The Inspiring Story."
[32] "Union Pacific Clubhouse Opened with Mammoth Christmas Party." *Laramie Daily Republican-Boomerang* December 24, 1928, p. 1, cols. 5-6 and p. 8 col. 1.
[33] "Railroad Notes," *Laramie Daily Republican-Boomerang* May 9, 1929, p. 9, col. 2.
[34] "U.P. Club will fly flag soon," *Laramie Daily Republican-Boomerang* May 7, 1929, p. 3, col. 3.

Gray's Gables decorated for the dedication ceremonies, 1929. Courtesy Ludwig-Svenson Collection, the American Heritage Center, University of Wyoming.

planted with assistance from the forest supervisor,[35] and the clubhouse was decorated with American and Union Pacific flags, deer heads, animals and birds, and rustic lamps.[36] President Gray arrived in Laramie on the evening of May 19, 1929. He was taken on tours of the gymnasium, tennis courts, rifle range, Gray's Gables clubhouse, and Monolith Portland Midwest's new plant. Dinner was served at the clubhouse at 6:30 pm for the officials. The women accompanying the guests on the official visit were taken on a scenic trip through Telephone Canyon and had dinner at the Connor Hotel.[37] The formal dedication took place at 8:00 pm, and more than five hundred UP Athletic club members and their families and guests were invited. Boy Scouts met the visitors at the door. Gray spoke on the "Railroad Family": "we dedicate this building to the living, pulsating heart of the Union Pacific family, so well built, so expressive, and so happily finished," he said. UW's President A.G. Crane also spoke, as did a number of UP officials and employees, city officials and businessmen. Neal's Syncopators provided music for the dance afterwards.[38] In an editorial dated May 20, 1929, the *Laramie Republican Boomerang* lauded the dedication of the clubhouse and recognized the important contributions the UP and the Athletic Club made to the well-being of Laramie.[39]

In 1929, the Union Pacific employed 892 people in Laramie. Together with their dependents, they

[35] "Union Pacific President Here to Open Club House,." *Laramie Daily Republican-Boomerang* May 20, 1929, p. 1 cols. 6-8 and p. 2 cols. 4-5.

[36] "Gray Hails U.P. Family in Dedicating Club House," *Laramie Daily Republican-Boomerang*, May 21, 1929, p. 1 cols. 6-8, p. 2, cols. 4-5.

[37] "Union Pacific President Here to Open Club House," *Laramie Daily Republican-Boomerang*, May 20, 1929, p. 1 cols. 6-8 and p. 2 cols. 4-5.

[38] "Gray Hails U.P. Family," *Laramie Daily Republican-Boomerang*, May 21, 1929, p.1, cols. 6-8 and p. 2 cols. 4-5.

[39] "Gray's Gables," *Laramie Daily Republican-Boomerang* May 20, 1929, p. 2, cols. 1-3.

numbered 2,734.[40] From the start, the goal of the UP Athletic Club was to provide a place where its members could go to develop physically in an alcohol-free atmosphere, and where other UP organizations, such as the Old-Timers Club, could meet.[41] Although Gray's Gables was built primarily as a facility for UP employees, the club grew to become a Laramie institution that served the entire community. Every Saturday night, a dance was held with a small admission fee. University fraternities also rented the facilities for dances.[42]

The "railroad family" that Gray fostered began to suffer after 1930. The depression, unemployment, changing technology, and a world economic crisis took their toll. In 1937, Gray retired and the athletic clubs lost their greatest champion.[43] Cheyenne gradually supplanted Laramie as a center for locomotive maintenance.[44] By 1949 Gray's Gables was up for sale.

The Quadra Dangle Square Dance Club was founded in 1944 in Laramie.[45] At first it held its dances in the West Laramie Community Hall. In 1949, its active membership was two hundred, and there was a large waiting list of prospective members. The club had just acquired land north of Laramie as a site for a clubhouse when Gray's Gables went up for sale. The dance club instead decided to purchase the athletic club's property.[46] They forwarded five hundred dollars as evidence of their intention to purchase. In a meeting on April 5, 1949, the Union Pacific Athletic Club agreed to prepare an option to purchase for twenty thousand dollars.[47] The Quadra Dangle Society scrambled for funds. In an undated letter to a Mrs. Tyvold, the club president, Harry Davis, explained that the Union Pacific Athletic Club had just spent four thousand dollars on repairs to the building and a new roof. He explained that the Union Pacific Athletic Club valued their property at seventy-five thousand dollars and had a cash offer of thirty-five thousand dollars from another party. Nevertheless the Quadra Dangle received the option to purchase because they would prohibit "drinking and rowdyism," whereas other interested parties wanted to use the clubhouse as a nightclub and bar.[48] Even though the Union Pacific Athletic Club was almost defunct, they still believed in promoting clean recreation. In the event, Mrs. Tyvold did not loan the money, and instead Charles and Madge Coolican put up ten thousand dollars loaned for ten years at five percent interest with the remainder raised from small loans from members to be repaid within twenty years at two percent interest.[49] The property was transferred from the Union Pacific Athletic Club to the Quadra Dangle Society on June 4, 1949.[50] The sale included the building, furniture, and fixtures, eighty-four acres of land, and the lease of the land used as the golf course.[51] The Quadra Dangle Society celebrated the paying off of all their mortgage and promissory notes on March 4, 1955, when 250 members watched the mortgage burn.[52]

The Quadra Dangle Society inherited three slot machines, which cost two hundred dollars a year to license.[53] They also assumed a lease of the trap shooting range to the Moose Lodge.[54] Members set about refurbishing the property. They placed new tables in

[40] "Gray Hails U.P. Family," *Laramie Daily Republican-Boomerang*, May 21, 1929, p. 1 cols. 6-8 and p. 2 cols. 4-5.

[41] "Old Timers of U.P. Plan Party." *Laramie Daily Republican-Boomerang* May 31, 1929, p. 8, col. 1.

[42] "Gray's Gables."

[43] Klein, *Union Pacific, the Rebirth.*

[44] Wolff, "The Laramie Locomotive Facilities."

[45] Articles of Incorporation of Quadra Dangle Society of Laramie, Wyoming, notarized December 30, 1948; "Square Dance Group buys Grays Gables," *Laramie Republican-Boomerang* June 6, 1949, p. 1, cols. 4-6.

[46] "Square Dance Group Buys Grays Gables," *Laramie Republican-Boomerang*, June 6, 1949, p. 1, cols. 4-6.

[47] Hubbard, D. (Donald). Letter to Harry Davis. Undated. Quadra Dangle Society Scrapbooks, Laramie, hereafter cites as "Scrapbooks"; Option to purchase, signed by Russell R. Davis, President, and attested by Donald Hubbard, Secretary, U.P.Athletic Club, dated May 11, 1949.

[48] Davis, Harry R., and Ray L. Jackson. Letter to Mrs. Tyvold. Undated. Quadra Dangle Society Scrapbooks, Laramie.

[49] Mortgage Deed dated June 4, 1949, record of filing on June 8, 1949, and associated letter describing terms of repayment. "Scrapbooks," Laramie; Promissory Note for $50 issued August 11, 1949, by the Quadra Dangle Society to Lorine and Leonard Scott. Quadra Dangle Society Scrapbooks, Laramie.

[50] Warranty Deed dated June 4, 1949 and filed June 8, 1949, in Albany County, Wyoming.

[51] Davis, Harry R., and Ray L. Jackson. Letter to Mrs. Tyvold.

[52] "A Clubhouse All Our Own." *Sets in Order* (July 1955): 10.

[53] Hubbard, D. (Donald). Letter to Harry Davis. June 14, 1949. "Scrapbooks."

[54] Hubbard, D. (Donald). Letter to Earl Smith. June 14, 1949. "Scrapbooks."

the dining room, hung new curtains in the dining room and kitchen, painted the kitchen, and fitted new electric ranges. A speaker system was installed in the dance hall, and the trap shooting facilities were reconditioned[55]. Later the club added an entrance directly to the basement, and log entryways to the side and front entrances. In the 1950s, the shooting facilities were leased to the Prong Horn Pistol and Rifle Club. The Quadra Dangle had trouble collecting their rental money from the Prong Horn Club. A letter dated June 26, 1953, notes that payments were overdue, and another on August 6, 1958, directs that the rifle club must abandon use of the facility[56]. Finally in June 1960, a judgment filed in District Court ruled that the lease was terminated.[57] In 1965, the society lost any remaining interest in the golf course, as on November 1, 1965, the Union Pacific Railroad donated the land on which the golf course was located to the University of Wyoming.[58]

The Quadra Dangle Society was very successful in their main mission, the promotion of square dancing. The president at the time the clubhouse was purchased, Harry Davis, was active as a caller through the 1950s into the 1960s. A Junior Square Dance Club for junior and senior high school students was active from 1950 to 1980.[59] In 1955 there were 250 Junior Square Dance Club members.[60] In 1957, 250 square dancers attended an eighth anniversary dance. The Small Fry Club was composed of about three hundred children in third to sixth grade.[61] The club still holds regular square dances twice a month and a family dance once a month.[62]

Although a popular club, the Quadra Dangle Society has found the clubhouse expensive to maintain. Road crews blasting rock to extend Gray's Gables Road to Indian Hills caused damage to the building in January 1977. One large rock ripped through the roof, penetrated the main dance floor, and fell into the basement. Many smaller rocks made additional holes in the roof. Bricks were loosened in the chimney, and all the windows were broken. The estimated cost of repair was $8,769.[63] All the electrical wiring was replaced in 1980 for $14,528, funded by the club and a historic preservation grant.[64] The roof was replaced and the building painted in 1983-84, the $18,600 cost of which was split between the club and federal funds.[65] In April 2003, the club took out a mortgage for $40,390.50 to finance a remodeling of the caretaker apartment.[66] In 1986, the club estimated that they had lost on average $2800 a year for the past seventeen years.[67] These losses were recognized years earlier as well. On September 17, 1964, the club extended an option to purchase eighty of its eighty-four acres to Progressive Builders, Inc. for the price of $121,000.[68] The land sold was developed as Alta Vista in seven additions from 1965 to 1978 and as Alta Vista Heights in 1983 and 1988.[69] In addition, the society obtained tax-exempt status from the Albany County Commissioners on July 20, 1987, so that they no longer owed property tax.

[55] "Quadra Dangle Square Dancing Club Members Beautifying Gray's Gables." Newspaper clipping dated by hand October 27, 1949. Scrapbooks."

[56] Jackson, Jean M. Letter to Prong Horn Rifle Club. June 26, 1953. "Scrapbooks"; Williams, S.R., and Jean M. Jackson, Letter to Pronghorn Pistol and Rifle Club. August 6, 1958. "Scrapbooks."

[57] Quadra-Dangle Society of Laramie, Wyoming, a corporation, versus the Prong Horn Pistol & Rifle Club, June 10, 1960, Albany County Real Estate Office.

[58] Deed number 513452 filed November 1, 1965, held in Albany County Real Estate Office Book 151, 104-106.

[59] Mary Kay Mason, *Laramie—Gem City of the Plains* (Dallas: Curtis Media Corporation, 1987).

[60] "A Clubhouse All Our Own."

[61] "Eighth Anniversary Square Dance." *Laramie Republican Boomerang* June 23, 1957.

[62] Mason, *Laramie—Gem City*; Quadra Dangle Dance Schedule, 2003-04.

[63] Rankin, Myrna L. Memo filed with Gray's Gables nomination for historic landmark status in SHPO office, Cheyenne. February 15, 1977; District Court, Second Judicial District, Civil Action no. 18003, of Quadra Dangle Society, plaintiff, vs. Yeoman Construction Company, Plaintiff's Answers to Interrogatories filed and notarized on January 22, 1980.

[64] Final Report, NPS 56-11845, of a project to replace the electrical system of Gray's Gables to be complete by 12/31/80. State Historic Preservation Office, Cheyenne.

[65] Final Report, SHPO-State of Wyoming, of a project to replace the roof of Gray's Gables, dated 8/23/84. State Historic Preservation Office, Cheyenne.

[66] Mortgage Deed dated April 30, 2003, document number 3398 in Albany County Real Estate Office.

[67] Sexton, Robert. Letter to Albany County Commissioners. 1986. Albany County Assessors Office, Laramie.

[68] Option to purchase real property, dated Sept. 17, 1964, at Laramie, Wyoming.

[69] Alta Vista Addition. Maps. Albany County Real Estate Office. Laramie, 2004.

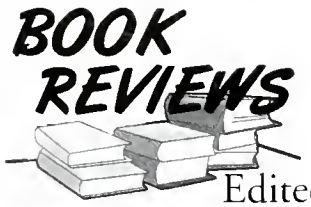
Gray's Gables was enrolled in the National Register of Historic Places on September 13, 1978.[70] The club proposed the nomination as part of the fiftieth anniversary celebrations of the clubhouse. They also held an open house on May 13, 1979, from two to four pm to commemorate the building's fifty-year use as a community center. Union Pacific Athletic Club members were invited, as were Old Timers' Club members, Quadra Dangle members, and members of the Albany County Historical Society. Speakers talked about the golf course, the sale of the clubhouse in 1949, and the original dedication.[71]

This building was Laramie's original recreation center. Today, seventy-five years after Gray's Gables was built, Laramie has constructed a new recreation center. The new center is a civic initiative, funded mainly by taxpayers following a ballot initiative. It is far larger than Gray's Gables (63,000 as opposed to 12,500 square feet) and more expensive ($10,752,600 instead of less than $19,000). The style is urban and modern with abundant glass and steel, compared to rustic and domestic with handmade wooden decorations and a broad front porch. Some of the differences reflect a change in the pace of life: people today need a place to exercise efficiently whether in the swimming pools, the weight room, or on the gymnasium floor, then to shower and change in modern locker rooms. When Gray's Gables was built there was as much emphasis on opportunities to socialize as to exercise, on recreation in the original sense of refreshing renewal. This is why Gray's Gables includes dance floors, assembly rooms, lounges, and communal kitchens but only modest dressing rooms. Important similarities still remain: then as now, the citizens of Laramie invested their time and passion to have a place for healthy social activity. And the omission of a dance floor from the new recreation center ensures that Gray's Gables will remain important to the future of the community. On May 16, 2004, the crowds converged on Gray's Gables once more to celebrate the seventy-fifth anniversary of its opening.

AV

[70] J.L. Wilson, and Mark Junge. Letter to Quadra Dangle Society, October 18, 1978. "Scrapbooks."

[71] "Quadra Dangle Club Open House to Honor Those Involved in 50-year Clubhouse History," *Laramie Republican-Boomerang* May, 1979.



Edited by
Carl Hallberg

Significant Recent Books on Western and Wyoming History

Montana Justice: Power, Punishment, & The Penitentiary. By Keith Edgerton. Seattle: University of Washington Press, 2004. 200 pages. Illustrations, notes, bibliography, index. Paper, $22.50.

Each western state that joined the Union had to deal with issues of crime and punishment and the eventual construction of a state penitentiary. There are many similarities in the construction and management of the western penitentiaries, but each is unique because of how citizens in each state saw themselves and still see themselves. Keith Edgerton's book looks at Montana's journey to "law and order."

The book begins with Montana's pre-territorial days when vigilantism was a common and sometimes embarrassing activity occurring in the rough, early mining towns. Even though many citizens did not like the idea of vigilantism, there seemed to be few other choices. When Montana became a territory in 1864, the federal government sent a governor and three judges to bring order to the vast expanse of territory. "The general political turmoil and acrimony they initially encountered was at a fever pitch, due mainly to the rapid influx of both northerners and southerners into the mining districts. The prevailing culture of vigilance and the pusillanimity of the local juries were of immediate and special concern," states Edgerton. The new territorial government quickly began looking for help from the federal government to construct a penitentiary for Montana. The early politicians saw the penitentiary as a way to bring justice to their land but also "as a means to raise revenue and offset the costs of incarceration to a frugal territory."

Construction of the territorial prison near Deer Lodge, Montana, began in the spring of 1870. It was "completed" by October 1870, even though the prison was missing some key features, and it sat unused for six months. "Even after its inauguration in July 1871, the completed penitentiary was but a shell and a little better than a warehouse," comments Edgerton. When the first inmates arrived, the brand new penitentiary had "only 13 six –by-eight foot cells on the bottom floor of the contemplated three stories; not enough money remained to complete the remaining 28 cells on the other two stories." The territorial prison had no offices, guards, or warden's quarters, no kitchen or outhouses, no hospital, and most significantly, no industries for the employment of the inmates. According to Edgerton, the Montana penitentiary progressed little over the years.

As soon as the penitentiary officially opened its doors, it was overcrowded and it remained so into Montana's statehood. This steady increase in prison population came not just because Montana was growing. The average monthly inmate census escalated from 19 per month in 1871 to 163 by statehood in 1889. This as an 850 percent gain in prison population, while the general population in Montana increased roughly 600 percent. In 1880 and 1890, Montana's prison population was more than double the national average. Edgerton investigates the unique mindset of the majority of Montana citizens that caused this interesting statistic.

The fourth chapter describes the tenure of Warden Frank Conley. Conley was initially employed at the territorial penitentiary as a guard. Once Montana became a state, Conley, along with Thomas McTague, ran the prison under a contracted lease agreement with the state. After the state took over

the management of the prison, Conley became the warden in 1908. He remained the warden until 1921, when his corruption finally became fully known. This is my favorite chapter because the complete control Conley had over the penitentiary and even Montana politics was just amazing.

Edgerton concludes the book with brief overview of the Montana penitentiary from 1921 (after Warden Conley) to the present day and according to Edgerton, very little has changed. I found Edgerton's book very educational and entertaining. It is useful to compare Montanan penological philosophies and history with Wyoming's because such a comparison will give us an insight to the people who have lived and are living in this part of the West.

Tina Hill
Wyoming Frontier Prison
Rawlins, Wyoming

Yellowstone: The Creation and Selling of an American Landscape, 1870-1903. By Chris J. Magoc. Albuquerque: University of New Mexico Press and Helena: Montana Historical Society Press, 1999.

Environmental history has become very popular in recent years; and Yellowstone Park is a favorite topic of environmental historians, perhaps because, as America's first national park, it has the greatest available documentation. Chris Magoc has put a slightly different spin on the topic by concentrating on the perception of the park as a commodity for market consumption.

Initially conceived by its proponents as a kind of remote spa accessible (and properly so) only to a leisured elite of cultivated tastes and refined sensibilities, the park was set aside by a consortium of scientists, politicians, and railroad magnates who believed that, by placing the area under government protection, they could avoid the "mistakes" that had turned the popular Niagara Falls into a crass commercial resort offensive to late nineteenth century romantic tastes. Development of comfortable lodging facilities by local entrepreneurs was discouraged; and the Yellowstone experience for its first decade was almost exclusively composed of wagon travel and camp life.

This ideal changed dramatically in 1883, when the Northern Pacific Railroad completed its line to the borders of Yellowstone Park and created its subsidiary the Yellowstone Park Improvement Company. The railroad began an aggressive campaign to lure tourists into the region, which it dubbed Wonderland, in conscious imitation of the Lewis Carroll fantasy. The railroad now insisted on the necessity for grand hotels and other development within the park, but the development was to be strictly controlled, for the good of the nation, by the Park Improvement Company. Such control, of course, would lead to immense profits for the Northern Pacific Railroad. Not everyone who supported the park, however, was concerned with profit for the railroad. Politicians like Senator George Graham Vest and scientists like Doctor George Bird Grinnell once more raised the alarm flag of crass commercialism, rallied public indignation against private monopolies, and stunted the Northern Pacific's attempt to dominate the park. Yet, although the Northern Pacific would not have exclusive rights of development within Yellowstone's border, its vision of the park as a playground for large numbers of spirit-wearied Americans would prevail for the next century.

In subsequent chapters, Magoc details the reduction of the park experience to a series of easily-viewed clearly-defined highlights. By this method, time-pressed tourists could be certain of having "done" the park by following a checklist of worthwhile attractions. These attractions were set apart from the surrounding scenery by the invention of appropriate romantic nomenclature: Old Faithful, Liberty Cap, Minerva Terrace, Mammoth Hot Springs. Road development within the park encouraged the stagecoach traveler to follow a loop leading from one curiosity to another. When the loop was completed, the traveler could return to the railroad, secure in the knowledge that the park had been well and properly viewed. Certain "noble" animals were designated as attractions as well, roving rather than stationary, which might be encountered at any time. Indians, however, were forbidden to enter the park. Their hunting practices, which often included firing of the land, were considered detrimental to the experience. Magoc resists the temptation to insist on the parallels between

the commodification of Yellowstone and the development of later theme parks, but the alert reader can scarcely miss the point.

In the 1970s, among environmentalists and park administrators, a new vision began to emerge of Yellowstone as an ecosystem and as a laboratory for experimentation in the proper management of nature. Business interests and large segments of the public have yet to fall in line with this new vision. Nevertheless, it seems likely that Yellowstone is ultimately headed for another massive change in public perception. It is particularly timely at this moment to stop and look back at the changes it has already weathered.

D.C. Thompson
University of Wyoming

Rodeo Time in Sheridan, Wyo.: A History of the Sheridan-Wyo-Rodeo. By Tom Ringley. Greybull: Pronghorn Press, 2004. Illustrations. 376 pages. Paper. $23.95.

Most rodeo committees across the nation would 'give their eye teeth' to have the historic information for their rodeo, that Tom Ringley compiled about the Sheridan-Wyo-Rodeo. Unfortunately most communities did not keep records such as were available to the author, nor do most active participants involved in rodeo committees devote the time and research that Ringley put forth to document their rodeo history.

The book is extremely detailed and easy to follow through the rodeo's beginning, successes, problems and administrative decisions. Although this is the story of the Sheridan-Wyo-Rodeo, many other rodeos throughout the country have experienced similar problems that the Sheridan rodeo committee faced—lack of community, financial problems, professional rodeo versus allowing only area cowboys to compete, best dates for the event, and so on. Ringley included it all.

The Appendix includes everything from the winners of each event, directors, queens and the Sheridanites who bought stock in the event, etc. The thorough coverage of this annual event since 1931 leaves very little out. Ringley not only has done his hometown rodeo a huge favor by publishing this history, but the community of Sheridan, as well. The account not only tells the rodeo story but the story of Sheridan through those years.

As a researcher of rodeo history I found the book an excellent read. I would have liked more stories about cowboy competitors, early day stock contractors (before Cervi), rodeo clowns, trick riders, contract acts, and bullfighters.

This book will be a 'must' read for people interested in rodeo and its past and everyone interested in western culture and heritage. Hats off the Tom Ringley for a thorough compilation of historic events that tell the story of a part of the American west that is still being held today. It is evident the project was a 'labor of love' for him.

Gail Woerner
Austin, Texas

Contributors

D. Claudia Thompson
The Image of Tom Horn, page 2

D. Claudia Thompson has been an archivist at the University of Wyoming for twenty years, working with primary resource materials from many periods of history. She has published articles in historical journals, such as *Annals of Wyoming* and *Montana: The Magazine of Western History*. She received an M.A. in Librarianship from the University of Denver in 1978. In 1984 she moved to Laramie, Wyoming, where she is presently employed as the manager of Arrangement and Description at the American Heritage Center: the archives, manuscripts, and rare books repository of the University of Wyoming.

Pieter Hovens, Ph.D.
Moccasins and Wooden Shoes: Saint Stephen's Arapaho Indian Mission and Its Dutch Jesuit Superiors, page 12

Pieter Hovens (1951) studied cultural anthropology at Radboud University (Nymegen, The Netherlands) and Native North American Studies at the University of British Columbia (Vancouver, Canada). Subsequently he was a governmental policy assistant in Gypsy affairs at the Department of Welfare, Health, and Culture in The Hague. When the National Museum of Ethnology in Leiden established a separate North American Department in 1991, he was appointed curator. Hovens has authored and edited several books on Gypsies and North American Indians, published a series of articles and book reviews on these subjects, and has served in various editorial capacities with the American Indian Quarterly (Houston), European Review of Native American Studies (Vienna and Frankfurt), and Yumtzilob (Leiden). He is currently working on two catalogues of the North American Indian collections in the Netherlands, and a series of publications on the history of Indian-Dutch relations in North America. He can be reached at: National Museum of Ethnology, P.O. Box 212, 2300 AE Leiden, The Netherlands; e-mail: **hovens@rmv.nl**.

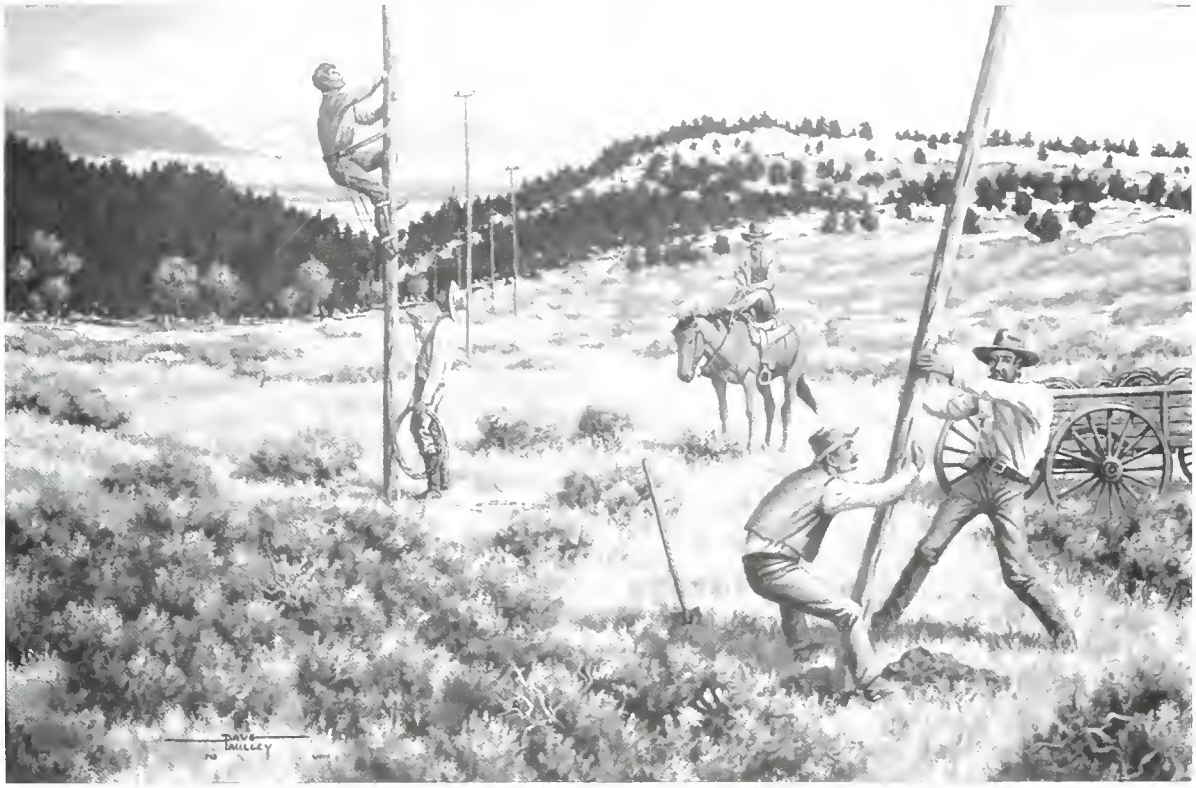
Charles W. Nye
Gray's Gable: Laramie's First Recreation Center, page 30

Charles W. Nye, a 9th grader at Laramie High School, grew up just a few blocks from Gray's Gables in northeastern Laramie. He enjoys history, and wrote this article as part of his Eagle Scout project that celebrated the 75th anniversary of Gray's Gables Athletic Club by replicating the original dedication ceremony.

Index

2006 Wyoming Historical Calendar

Produced by the Wyoming State Historical Society and the American Heritage Center.

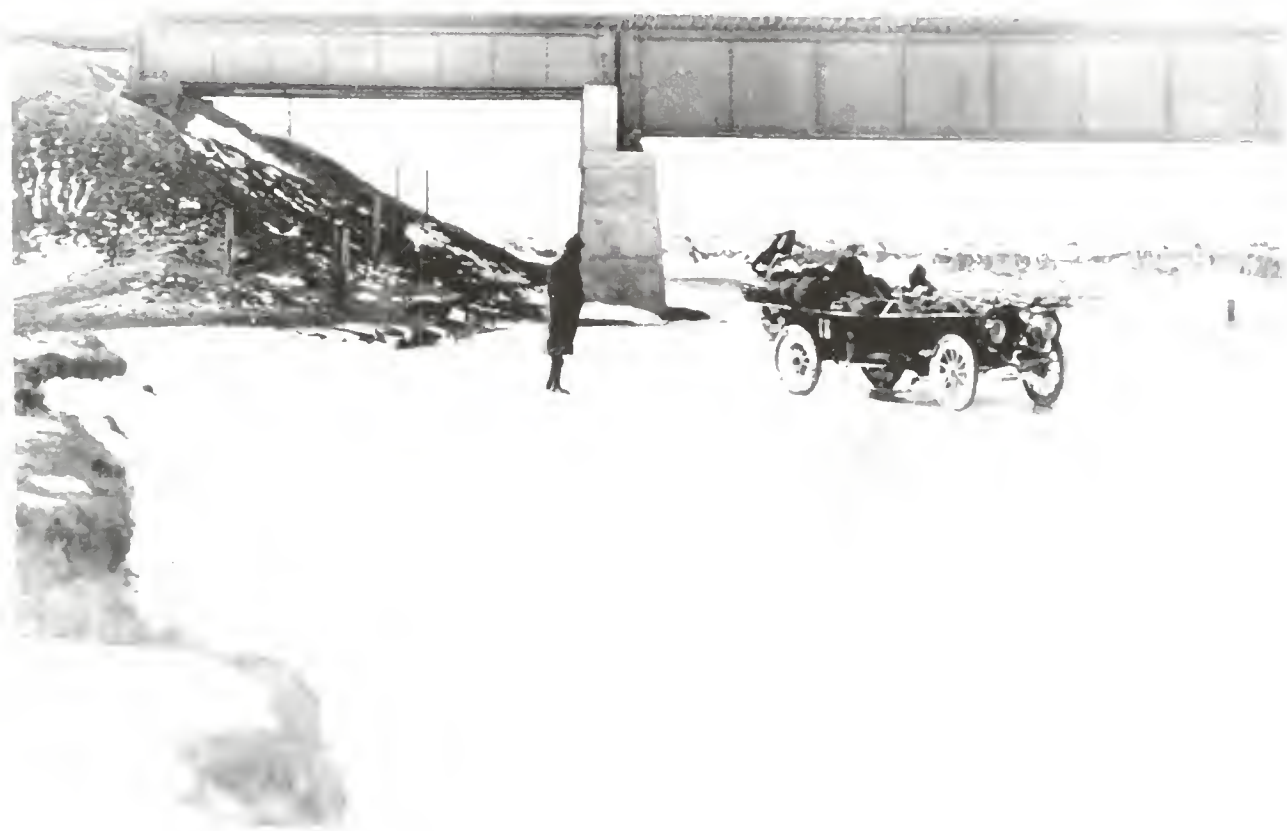


FRONT COVER. Dave Paulley painted a scene of the building of the first telephone line in Wyoming. The first line was installed in 1881 on the North Platte River connecting the Frewen Ranch with a store 20 miles away. This painting is part of the Wyoming State Historical Society's state centennial project, which depicted many scenes from Wyoming's past. Courtesy Wyoming State Historical Society Collection.

BACK COVER. This geyser in Yellowstone National Park is called "The Sponge," because the cone is sponge-like in hue. Mr. Henderson, a former superintendent of the park, is standing with Mrs. Aven Nelson and daughter during the Aven Nelson expedition to the park in 1899. Nelson was a botanist at the University of Wyoming. Grace Raymond Hebard Collection. Courtesy the American Heritage Center, University of Wyoming.

To order the calendar contact Judy West at 307-635-4881 or jwest@wyoming.com

Wyoming Picture



The Thomas Flyer crosses the frozen Medicine Bow River outside Laramie in March 1908 during the New York to Paris Race. The torturous New York to Paris Race route covered three continents and more than 22,000 miles. The American car, Thomas Flyer, ran the course in 169 days and ultimately won the race. The feat has never been equaled. The car still holds the world record nearly 100 years later.

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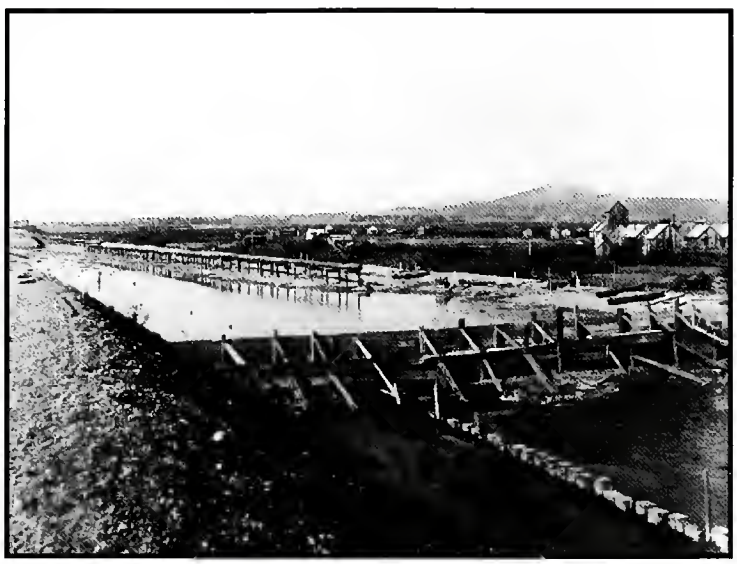
Annals of WYOMING

The Wyoming History Journal

Vol. 77, No. 3

Summer 2005

Cover Art



"Jackson Lake Dam"
American Heritage Center,
University of Wyoming

Jackson Lake Dam, constructed during the early 1900s, provided water to Idaho farmers. Hugh Lovin, in his article "Jackson Hole Water Resources, Federal Reclamationists, and Idaho Irrigationists," explores the controversy which arose in Wyoming over the use of the water.

Information for Contributors:

The editor of *Annals of Wyoming* welcomes manuscripts and photographs on every aspect of the history of Wyoming and the West. Appropriate for submission are unpublished, research-based articles which provide new information or which offer new interpretations of historical events. First-person accounts based on personal experience or recollections of events will be considered for use in the "Wyoming Memories" section. Historic photo essays for possible publication in "Wyoming Memories" also are welcome. Articles are reviewed and referred by members of the journal's Editorial Advisory Board and others. Decisions regarding publication are made by the editor.

Manuscripts (along with suggestions for illustrations or photographs) should be submitted on computer diskettes in a format created by one of the widely-used word processing programs along with two printed copies.

Submissions and queries should be addressed to:

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Annals of WYOMING

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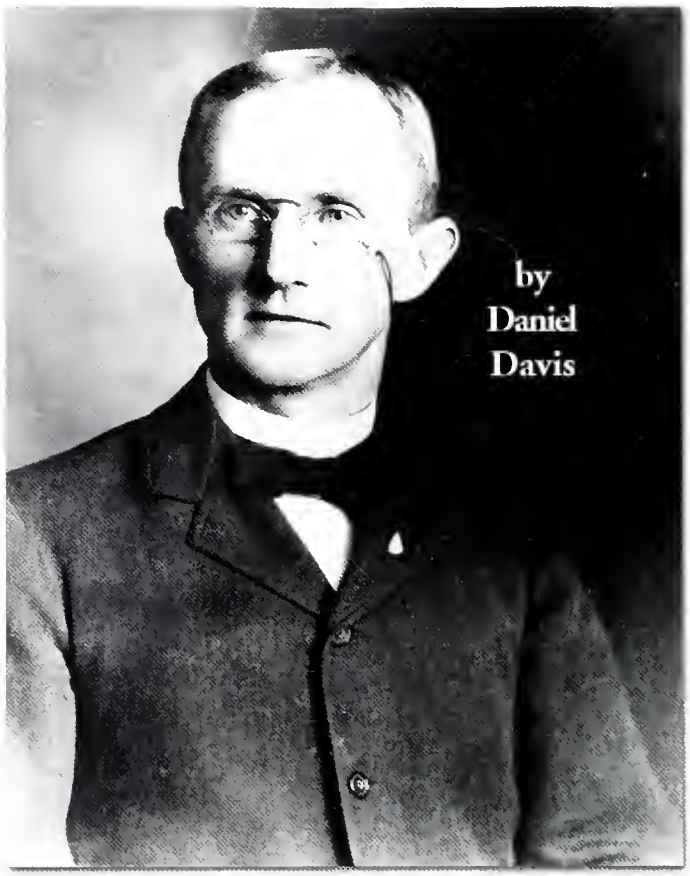
Elwood Mead, Arid Land Cession, and the Creation of the Wyoming System of Water Rights

by Daniel Davis



Elwood Mead, who served as Wyoming's first state engineer. Courtesy Wyoming State Archives.

Those acquainted with Wyoming history know that Elwood Mead was Wyoming's first territorial engineer and the father of the "Wyoming System" of water rights. This system has been widely praised as a progressive model and all the Western states, in one form or another, have copied it.[1] Even today, Wyoming's water laws are based on the foundation Mead built during his time in the state from 1888 to 1899. Mead's system has promoted irrigation development and limited expensive litigation for farmers and ranchers. Although Wyoming has less agriculture than its neighboring states of Colorado and Nebraska, this is a result of a short growing season and limited markets and not a flawed legal system. There is more, however, to the story. For Mead, the Wyoming system was supposed to be the opening shot in a war on, what he considered to be, misguided federal land laws.

Mead pointed out that federal land laws were ill-suited to the arid West. He believed they were a nuisance to existing ranchers and did not promote the development of irrigated farming. Mead advocated the idea that the federal government needed to cede its arid public land (land that today is administered by the U.S. Forest Service and the Bureau of Land Management) to the individual Western states. If this happened, then private irrigation companies, with the cooperation and encouragement of the state, could build irrigation works

[1] T.A. Larson, *History of Wyoming,* Second Edition Revised (Lincoln: University of Nebraska Press, 1978), p. 254. Also Robert G. Dunbar, "The Adaptability of Water Law to the Aridity of the West," *Journal of the West* 24 (January 1985): 62; and Mark Squillace, "A Critical Look at Wyoming Water Law," *Land and Water Law Review* 24 (1989): 308-09.

without federal involvement. The Wyoming system would be the start of a movement to reform both state water law and federal land laws. For Mead, the Wyoming system was not only a better way to administer water rights, but also the key to transferring ownership of federal land to the state.

This is surprising for several reasons. Mead had a long and distinguished career as an irrigation engineer. Eventually he became the first commissioner of the Bureau of Reclamation and a strong advocate of federal reclamation. In addition, the Wyoming system and arid land cession have traditionally been considered separate issues. Mead may have dabbled in writing land bills for Wyoming's first two senators, Francis E. Warren and Joseph M. Carey, but this seemed secondary to his main objective of creating a new water rights system. The issue of federal land policy, however, rears its head over and over again. In the mind of the typical nineteenth century Wyomingite, arid land cession was more important than the technicalities of who administered the use of water. For example, the newspapers from 1889 are filled with speculation and debate about arid land cession and new land bills. Land policy was a highly charged, partisan affair, but Mead's changes in state water law were lightly covered. At the time, the Wyoming system was a footnote to the main question whether millions of acres of federal land would be transferred to the state.

Arid land cession was so important because it held out the promise to expand and stabilize an economy which had seen its fair share of troubles. When Mead accepted the job of territorial engineer in 1888, the largest industry in the state, cattle ranching, was in the middle of a painful transition from the boom days of the open-range cattle industry to a more stable, but less profitable, closed-range system with winter feeding, irrigated fields, and selective breeding. Ranchers were in a rush to patent land along streams and irrigate fields lying adjacent to these streams for winter feed. This kind of farming required a relatively small amount of money and problems with other irrigators on the same stream could usually be worked out over a cup of coffee. In fact, by 1890, irrigation was practiced on nearly all of the small streams (outside of the Wind River Reservation and Yellowstone National Park) in Wyoming. Even today, all across Wyoming one can still find ranches with small irrigated fields providing winter feed and the surrounding hills providing summer forage.

For farming on a large scale that grew crops such as corn, wheat, barley, potatoes, and beets, irrigation was a much more complicated matter. Most of Wyoming has a short growing season. Forage crops can still be grown, but for cash crops one had not only to find readily accessible water, but also land that was low enough in elevation that May and September frosts would not ruin a year's worth of work—in other words, land under five thousand feet.[2] Finding the money necessary to construct bigger canals to transport water away from a stream or out of a big river was difficult in the cash poor economy of nineteenth century Wyoming. It is fair to say that what little money there was for investment in Western irrigation was better spent on projects in California or Colorado.

The way state water laws and federal land laws were set up was not helpful either. These laws did not offer security for the investment. In order for the building of big irrigation canals to be economically profitable, large areas of land needed to be irrigated. The federal land laws then in place did not allow one company or individual to buy large tracts of land. This gave no security against which a company or individual could raise money. In addition, once a canal company began construction, speculators could file upon the best tracts and demand higher prices from bonafide settlers. Getting a secure water right was also problematic. In Wyoming before 1890, a few early irrigators could hold up the entire stream with extravagant claims to water and the only way to quantify a water right was through the expense of proving a claim in court.

This is not to say, however, that large-scale irrigation was a failure everywhere in the West. Where natural conditions provided that irrigation could be practiced with little expense, or where there was a ready demand for produce (such as Colorado and California), or when farm prices were higher (such as for

[2] Wyoming's average elevation is 6,700 feet. Larson, *History of Wyoming*, p. 1.

wheat in the 1880s), irrigated farming could expand and even make a decent profit. The problem was that by 1890 individual initiative had gone about as far as it was going to go. If the backbone of the American republic was its strong yeoman farmers, however, than what did the future hold for a state based on mining, the Union Pacific Railroad, and ranching? Millions of acres of potential farmland could still be irrigated if enough water and money could be found. Available water was scarce in some places, but in Wyoming the big rivers were virtually untouched, and in places where water was dear, reservoirs could be built.

Although the amount of irrigated land would greatly increase in the twentieth century, it would not be an easy process. Looking back from our current perspective, we see that this expansion of large-scale irrigation required many things. It required money, finding available water, and getting legal title to land and water.[3] It also required a high level of cooperation among the participants, centralized regulation, and professional expertise. For example, in Utah and southern Idaho irrigation was successful because the Church of Jesus Christ of Latter-day Saints provided a degree of cooperation and centralized administration. In the twentieth century the expansion of irrigation was greatly aided through the vast resources and engineering expertise of the Bureau of Reclamation. Obviously, if irrigation was to expand in states like Wyoming, it would need much help from the government. Only the government could pool together the necessary money, provide the cooperative framework that was so lacking in the West, clear up the legal mess of water rights, and provide centralized administration.[4]

The cultural baggage of the nineteenth century Westerner, however, hindered that effort. Most Westerners were deeply suspicious of government. Territorial status restricted the power of government at a local level, but even when territories became states, their governments were still weak, and moreover, Westerners wanted it that way. Westerners did not want government making crucial decisions about who would receive natural resources and who would not. Furthermore, the purpose of government was viewed as providing a level economic playing field, not interfering with the economy. The typical white American who settled in the West saw the move as his or her chance to make it big. It was a widely held assumption among nineteenth century Americans that it was their "natural right" from God to pursue wealth however he or she may choose and if government (federal, state, or local) was interfering with this right, then that government was violating his or her God-given rights.[5] Mead wrote:

> The idea of public control which would operate was not readily accepted. In fact, it was generally objected to. This mental attitude was due to the fact that these early irrigators had built their ditches and diverted water without having to ask the consent of anyone. They had taken and used streams just as they used the grass on the public range, and they fought control of the stream just as they fought all leasing laws for governing the range. They looked on their water right as they did on a homestead filing, and they thought the claim which they had recorded gave them a title to the amount of water stated in the claim, just as their homestead filing gave them a title to 160 acres of land. They looked on the stream as they did the air, as something to be enjoyed without any limitation from a public authority.[6]

The typical assumptions of the boosters and pioneers of that time period were not, of course, so negative. The expansion of profitable irrigation seemed painfully just out of reach and the culprit for this lack of expansion increasingly became the federal

[3] Gordon Morris Bakken, *The Development of Law on the Rocky Mountain Frontier* (Westport, Connecticut: Greenwood Press, 1983), p. 6.

[4] Donald J. Pisani, *To Reclaim a Divided West: Water, Law and Public Policy, 1848-1902* (Albuquerque: New Mexico Press, 1992), pp. 39, 47-50. Also William Lilley and Lewis Gould, "The Western Irrigation Movement: A Reappraisal," in *The American West: A Reorientation*, Vol. 32 of the University of Wyoming Publications, edited by Gene Gressley (Laramie: University of Wyoming Publications, 1966), p. 58.

[5] Pisani, *To Reclaim a Divided West,* see introduction.

[6] "Recollections of Irrigation Legislation." A letter Mead wrote to Grace Raymond Hebard on March 27, 1930. Grace Raymond Hebard Collection, American Heritage Center, University of Wyoming, hereafter cited as "Recollections of Irrigation Legislation." Also see Daniel M. Davis, "Elwood Mead and Water Rights in Wyoming" (masters thesis, University of Wyoming, 1997), pp. 26-27.

government. Wyomingites were predisposed to see the lack of economic growth in Wyoming as a result of federal policies such as the tax-free land of the Union Pacific, federal land laws, territorial status, and the uncertain limits of federal water rights. As it turned out, the hiring of Mead would reinforce this anti-federal stance. Mead would give a professional voice to this general malcontent and he focused attention on federal land cession as a solution to these problems. Before 1888, however, there was still hope that with a little tweaking, the big rivers could easily be harvested. The first "tweak" was to hire Mead as Wyoming's first territorial engineer.

Mead came to Wyoming in 1888 by way of Colorado. His background uniquely suited him for his new job and in fact he was the only person seriously considered as a candidate.[7] Mead was raised in Indiana and from his father he acquired a love of books and farming. He maintained these interests through college and graduated from Purdue University in 1882 with an emphasis in mathematics and agriculture. He then moved to Fort Collins, Colorado, where he was an instructor of mathematics and physics at the Colorado Agricultural College (now Colorado State University). Mead became interested in the problems of irrigated agriculture practiced in northern Colorado and he assisted Colorado State Engineer E.S. Nettleton as a part-time watershed engineer in Larimer County. After teaching for three semesters in Fort Collins, however, he left Colorado and moved back to Indiana. Mead received a degree in civil engineering from the Iowa Agricultural College (now Iowa State University) and a masters of science degree from Purdue. Mead studied law briefly, but moved back to Fort Collins in 1885 and worked as the deputy state engineer. That fall he was named a professor of irrigated agriculture at the Colorado Agricultural College.[8]

With these two jobs Mead gained a solid understanding of the shortcomings of Colorado water laws as well as a theoretical understanding of the water laws of other countries. Even though Colorado had pioneered the development of the prior appropria-

[7] James R. Kluger, *Turning on Water with a Shovel: The Career of Elwood Mead* (Albuquerque: University of New Mexico Press, 1992), pp. 12-13.
[8] *Ibid.* pp. 12-15.

Elwood Mead (right) in the state engineer's office, 1895. Courtesy American Heritage Center.

tion water rights system, Mead was not satisfied.[9] He came to believe that water should be a public resource distributed by public officials well versed in the science of irrigation. Mead realized that on a stream from which many divert water, any change of use, change in place of use, or change in point of diversion could affect other appropriators. According to Mead, the decentralized nature of water rights regulation produced waste and inefficiency, while it also encouraged needless litigation. Through public control, he argued, supervision and planning of irrigation ditches could be exercised before the construction of irrigation ditches to eliminate waste. For example, in Colorado many small ditches were built on a stream where one would have been sufficient. Mead felt that rather than determine water rights through expensive litigation, the state governments should determine water rights as a public service before trouble occurred.

Mead also believed in public control of water to protect the small farmer. He was dedicated to the ideal of the family farm. As a boy in Indiana, he saw the loss of community spirit when family-owned farms fell into the hands of speculators who, in turn, rented them out to tenant farmers. Mead never forgot this lesson and he held a disdain for the speculator throughout his life.[10] In Colorado he was involved in a controversy between corporate canal companies and the farmers who irrigated from the companies' ditches. Under Colorado's water laws, these companies could actually claim ownership of water because they had built the ditch. These companies, in turn, charged a high fee for the right to use water as well as annual operational and maintenance fees. The farmers claimed that the prices they paid for the water was too high and they sought to have legislation mandating limits on the cost charged for water. Mead was concerned that water should not become a commodity owned by corporations and he came out in support of the farmers. He believed that the water should be owned by the state and that the rights to use the water should be attached to the land irrigated. Mead also argued that the farmers who used the water and who owned the land should also own the canal. Mead's outspoken defense of the farmer gained him recognition as an expert on irrigation. He caught the notice of Wyoming's leading irrigation engineer J.A. Johnston and influential politician Francis E. Warren. Johnston suggested to Warren that Mead would be an excellent candidate for the new position of territorial engineer that they proposed to the 1888 legislature. As it turned out, the same day the territorial engineer's bill passed, Mead was confirmed as the appointee for the job.[11]

The fact that Wyoming created a territorial engineer's position in 1888 was probably due to the concern that the federal government was hindering the expansion of agriculture. The leading industry in Wyoming was cattle, but overgrazing, overproduction, and the harsh winter of 1886-1887 had decimated cattle herds and dealt the young territory a severe blow. Not only had it hastened the trend towards a closed-range system with irrigated pastureland and winter feed, it also cast doubt on the future of cattle ranching as Wyoming's number one industry. Cattlemen had mixed feelings towards increased settlement in Wyoming. A few ranchers actively promoted farming where it did not seem to directly conflict with ranching, but others deliberately downplayed the possibilities of Wyoming agriculture. There is also evidence that they were opposed to the hiring of a territorial engineer.[12]

[9] The form of prior appropriation as it was practiced in Colorado had several key features. Every user on a stream was awarded a date of appropriation by the state (a date that a claim was made that water was put to a beneficial use). Beneficial use was defined as being agricultural, domestic, or industrial. The claim was for a quantitative amount of water usually measured in cubic feet per second. If the appropriation dated from the time that work began on the construction of an irrigation canal rather than at the time the water was actually applied to the land, then "due diligence" had to be shown toward the completion of the canal. An appropriation, however, could eventually be lost through nonuse. The doctrine of prior appropriation assumes that appropriations are awarded by the states and not by the federal government. Sax, Abrams, Thompson, *Legal Control of Water Resources* (St. Paul: West Publishing Company, 1991), pp. 324-27; Pisani, *To Reclaim a Divided West*, pp. 208-14; and Robert G. Dunbar, *Forging New Rights in Western Waters* (Lincoln: University of Nebraska Press, 1983), pp. 88-105.

[10] Pisani, *To Reclaim a Divided West*, p. 234; also Kluger, *Turning on Water*, p. 12.

[11] Kluger, *Turning on Water*, pp. 12-15.

[12] Davis, "Elwood Mead and Water Rights," pp. 14-15.

Reflecting this clouded future was a resolution passed in 1888 by the territorial legislative session.[13] It downplayed ranching and proclaims, in effect, that Wyoming's future was with irrigated farming. The key point to the resolution was that the reclamation of all irrigable land in Wyoming could not be accomplished by private enterprise and that federal involvement in the construction of reservoirs and irrigation ditches was needed. If the federal government was not willing to do this, then "lands sufficient to aid such reclamation," should be given to Wyoming.[14] The resolution also demanded that the federal government clarify the extent of potential federal water rights. After arguing that "the proper distribution of the waters of Wyoming for agricultural and beneficial purposes is of greater importance to the people of this territory than any other question pertaining to territorial matters over which the [C]ongress of the United States has control," the resolution goes on to state that "there are certain principles pertaining to water rights in the arid districts that ought to be settled principles of law, and should be determined by act of congress. Such laws ought to determine the extent and nature of the water rights in the territories in a way that will forever secure the greatest benefits to the greatest number in the use of the water of the territory."[15] Essentially, the resolution is a product of the common belief that the federal government needed to either facilitate the expansion of irrigation or get out of the way and let the state governments do it by transferring the public domain and all potential federal water rights to the individual western states.

Mead's first priority after coming to Cheyenne, however, was to drain the quagmire of confusing and illogical water laws. Because of his work in Colorado, Mead had a good idea about what should be done with water rights regulation at a state level. Mead faced some of the same problems in Wyoming as he had in Colorado. While the 1888 law creating the territorial engineer opened the door to reform, the law itself did little to correct some glaring deficiencies.

Wyoming formally adopted a water code in 1875. As was typical of the earliest water laws passed in the West, it was a compromise between riparianism and prior appropriation.[16] In 1886, Wyoming added to the 1875 law by borrowing Colorado's irrigation laws based upon prior appropriation for beneficial use.[17] In sum, these laws relied upon water users to regulate themselves and provided no centralized administration by an impartial agency. In comparison with the 1886 law, the creation of a territorial engineer who had "general supervision" of water rights in Wyoming was a bold move. The 1888 law declared all unappropriated water to be the "property of the public" and contained provisions to protect farmers who rented water from a ditch owner. Wyoming's territorial engineer, however, was limited both fiscally and legally. The law of 1888 created a position, not a bureaucracy. Mead's salary was set at twenty-five hundred dollars, and he was only allowed one thousand dollars for additional personnel. The seven thousand dollar two-year appropriation included no money for operating expenses.[18]

This may, however, have been the wisest seven thousand dollars the state of Wyoming has ever spent. Mead wasted no time in pointing out the deficiencies in Wyoming's laws. For example, the law left the determination of water rights and conflicts over those rights in the district courts. Mead argued that the district courts had enough to do without having to deal with irrigation questions. He pointed out that the complex questions dealing with water rights

[13] "Relating to the Reclamation of Arid Lands and the Preservation of Forests in Wyoming," *Session Laws of Wyoming Territory*, 1888, Joint Resolution and Memorials, pp. 233-34, hereafter cited as "Relating to the Reclamation of Arid Lands."

[14] "Relating to the Reclamation of Arid Lands."

[15] Ibid.

[16] Classic common law riparian doctrine holds that water rights belong only to the owner of land bordering a stream. If water is diverted by a riparian owner, then that water must be used on riparian land. Riparian rights are correlative, or any riparian owner has just as much of a claim to use water as any other riparian owner. Every riparian owner has the right, theoretically, for the stream to flow through their land undiminished in quality or quantity. David H. Getches, *Water Law in a Nutshell* (St. Paul, Minnesota: West Publishing Company, 1990), pp. 14-22.

[17] "Chr. 65. Irrigation," *The Compiled Laws of Wyoming*, 1876, pp. 377-79; and "Title 19. Irrigation." *Revised Statutes of Wyoming*, 1887, pp. 366-78.

[18] "Chr. 55 Irrigation - Appropriation of Water - Territorial Engineer." *Session Laws of Wyoming Territory*, 1888, pp. 115-22.

should be left to civic professionals. Mead felt that court determinations of water rights by their nature did not reflect the realities of irrigation from the stream. The law also divided power and responsibility among too many individuals in too many places. For example, the territorial engineer was appointed by the governor with the consent of the House. The responsibility for presenting the correct information for an appropriation lay with the appropriator himself, while the district court made the final ruling as to decreed water rights. The county clerk had to compile an accurate list of appropriators for the stream, and the county surveyor determined the location and carrying capacity of the ditch. Finally, the district courts made the final adjudication of water rights.[19]

The diffused nature of water rights determination and supervision could lead to a number of problems. Streams and rivers do not neatly confine themselves to a single district or county. Conceivably, water claims for a single stream could be adjudicated by two or more courts and every stream which crossed a county line had a separate set of certificates of appropriation from the county clerk (who could not verify as to the accuracy of the claim). Under the laws in force in 1888, Mead had no formal power to deny an appropriation unless it interfered with vested prior rights. Many ditches were constructed where one would have been sufficient. Through the approval or denial of water rights, Mead wanted to coordinate and plan the construction of irrigation works for better efficiency. By leaving the determination for the amount of water rights to the whims of individual irrigators, the law encouraged wasteful practices. Finally, there was no penalty for not filing a water claim in the first place.[20]

Because of Mead's background as an academic and a government worker, he saw the problems of irrigation in a broader way than politicians, boosters, or farmers. He would look to the state government to solve water rights problems, and luckily for him one line of the 1888 session laws opened up the door for greater reform in water law: "He [the territorial engineer] shall become conversant with the waterways of the territory and the needs of the territory as to irrigation matters, and in his report to the governor he shall make such suggestions as to the amendment of existing laws or the enactment of new laws as his information and experience may suggest."[21] Mead wrote that "requiring the engineer to suggest new laws opened the way for consultations with the territorial engineer, when the Constitutional Convention came to deal with irrigation and water rights."[22] Mead wanted to use the Wyoming Constitutional Convention of 1889 as a way to change both federal and state laws, but at first he was more concerned with water law and giving the state of Wyoming more control over individual water rights.

C.H. Burritt, a Buffalo attorney, and J.A. Johnston formed the irrigation committee of the constitutional convention. These two men met with Mead before the convention and hammered out the water law provisions that would eventually be adopted and included in the Wyoming constitution. Johnston and Burritt responded to concerns raised by other constitutional convention members about the water rights provisions. Although there was considerable discussion about the possibility of federal water rights and who would benefit (large or small ranchers) from the new provisions, in the end the water law section passed by a 35 to 2 vote.[23]

Article 8 of the Wyoming constitution and subsequent legislation would give Mead the system of regulatory power over irrigation that he wanted. Sections 1-3 of article 8 went far beyond the laws of Wyoming at the time and beyond the laws of any arid state in granting authority over the use of water to the state. Section 1 gave ownership of all waters in or flowing in Wyoming to the state. Section 2 created the Board of Control with power over "the supervision of the waters of the state and of their

[19] *Wyoming Territorial Engineer's Report*, 1889, pp. 3-4, 25-32, 72-76.

[20] Elwood Mead, *Irrigation Institutions: A Discussion of the Economic and Legal Questions created by the growth of Irrigated Agriculture in the West* (New York: The Macmillan Company, 1903), pp. 247-56; also *Wyoming Territorial Engineer's Report*, 1889, pp. 70-71.

[21] "Chapter 55. Irrigation - Appropriation of Water - Territorial Engineer," *Session Laws of Wyoming Territory*, 1888, p. 117.

[22] "Recollections of Irrigation Legislation."

[23] *Journal and Debates of the Constitution of the State of Wyoming* (Cheyenne: The Daily Sun., 1893), pp. 134, 288-95, 378-79, 496-513, 534-37; also Larson, *History of Wyoming*, pp. 253-55.

appropriation, distribution and diversion." Section 3 adopted priority of appropriation for beneficial use, and ruled that "no appropriation for beneficial use shall be denied except when such denial is demanded by the public interest." Section 4 divided the state into four water divisions which coincided with the four major drainage districts in Wyoming, each to be administered by a superintendent. Section 5 affirmed the state engineer as president of the Board of Control.[24]

The constitutional provisions were the basis for legislation passed in 1890 after Wyoming became a state. Colorado's constitutional provisions declared unappropriated water to be the "property of the public," and that the right to divert water "shall never be denied,"[25] but because Wyoming claims ownership of all water in the state, it has rights over water already appropriated. Furthermore, it can deny an appropriation if there is no unappropriated water available, if it conflicts with pre-established uses, or if it is not in the public interest. After proof has been submitted that the project has been completed, a certificate of appropriation is awarded. The amount of water awarded is based on how much water is being put to beneficial use. Beneficial use was defined as being irrigation, domestic, municipal, industrial, and stock watering uses. The maximum amount given for agriculture is a generous 1 cubic-foot per second per 70 acres or the "duty of water." The date for the award (the priority) is awarded as of the time the permit was filed, but due diligence must be shown towards the completion of the diversion works or the permit is voided. If a water rights holder fails to continuously use their permitted water, their right is (in theory) voided.[26]

The cornerstone of the "Wyoming System" is its permitting system. When Mead came to Wyoming he strongly advocated a permitting scheme, but in 1888 he had to be content to bide his time. Mead simply suggested that irrigators submit a copy of their claim to appropriate water to make sure that it was properly filled out.[27] In 1889, Mead pushed for a board of control that would review applications to use water and either accept or deny a permit. Mead felt this system was important for a number of reasons. As mentioned earlier, Mead wanted supervision over irrigation projects before they were built to ensure efficient use of water. Mead wrote: "There has been no preliminary control of the streams and the waters have been diverted in a haphazard fashion, rather than in pursuance of a definite policy, having for it's end their full utilization and economic distribution. In many instances defective works make the utilization of the waters wasteful and expensive. These evils will in time undoubtedly disappear, but they could almost wholly have been obviated by the exercise on the part of the territory of an intelligent preliminary supervision over the location and construction of all irrigation works."[28] Mead also hoped that a permitting system would prevent further diversions on streams that were already over-appropriated, curb claims to water that were purely speculative, and limit claims only to the actual amount of water used.

The federal policies and laws that Mead found so onerous, however, were not as easily changed as the water laws. In his first year in Wyoming, Mead merely remarked, "there is unanimity of sentiment as to the desirability of a more liberal policy in respect to the disposal of the public land."[29] A year later Mead, however, was strongly advocating federal land cession. The official report for the United States Senate Committee on Arid Lands stated that "the session held at Cheyenne, in Wyoming, was notable also for the vigorous presentation through Engineer Mead of the carefully prepared argument and demand on the General Government for the transfer in [s]upport of irrigation development of the public domain remaining [w]ithin the borders of Wyoming. The same policy was suggested in Nevada, but in Wyoming evidently it had been carefully considered by leading citizens, who put Engineer Mead forward as their representative."[30]

[24] "Article No. VIII. Irrigation and Water Rights." *The Constitution of the State of Wyoming.*

[25] Dunbar, *Forging New Rights,* pp. 99-105.

[26] "Chapter 8. Supervision of Water," *Session Laws of the State of Wyoming,* 1890, pp. 91-106.

[27] *Wyoming Territorial Engineer's Report,* 1888, pp. 10-11.

[28] *Wyoming Territorial Engineer's Report,* 1889, p. 3; also Mead to Joseph Nimmo, Aug. 21, 1889, Mead Letterbook, State Engineer's Office, Wyoming State Archives (WSA), Cheyenne.

[29] *Wyoming Territorial Engineer's Report,* 1888, p. 16.

[30] "Irrigation and Reclamation of Arid Lands," Senate Reports, 1st Session 51st Cong. 1889-1890, Vol. 5, No. 928, Part 1, Serial Set 2707, pp. 84-85.

Displeasure with federal land policy and how it was administered was nothing new to Wyoming. In 1879, a federal committee on arid lands investigated the possibility of a new federal land code which would encourage settlement and limit fraud. One of the suggestions made by the committee was to sell more federal land to ranchers at five cents per acre. The Wyoming Stock Growers Association voted against the new proposal. They preferred to keep using the pubic domain at no cost rather than buying land and paying taxes on it. Ranchers also argued that the Interior Department, through the land offices, acted arbitrarily and unfairly to Westerners by holding up the final patents to land in a misguided effort to prevent fraud.[31] By 1885, however, the range was overstocked and the ranchers of Wyoming had changed their tune. Cattlemen pointed out that under the land laws a stock grower could not possibly gain title to enough land to maintain a viable ranch.[32] The rancher had to either use illegal methods of gaining land such as land fraud or fencing the public domain, or he had to hope others would observe common custom and stay out of his "accustomed range."

How stock growers felt about federal land laws was just one example of the displeasure of many Wyomingites with federal policies. Joe Carroll, the Democratic editor of the *Cheyenne Daily Leader*, simply wrote: "Any casual reader can see at a glance how utterly nonsensical it is for the federal congress; unadvised and uninformed as to their wants, to attempt to legislate for the fast growing communities of the West, the intelligent, active, energetic citizens of the territories. To use a vulgarism, nine times out of ten it puts its foot in it."[33] From the government's handling of Indian affairs, to the desire for statehood, to federal land policy, people were upset because they believed the federal government was limiting Wyoming's economic opportunities. Prominent Laramie politician and businessman W.H. Holliday expressed the opinion of many when he wrote that, "I regard the early admission of statehood to Wyoming of such importance as to bring about the rapid settlement and development of the great resources of this Territory that [it] would seem in the nature of a calamity if the admission should be indefinitely postponed."[34]

The problems of state water law have already been discussed, but Mead as well felt (as did many Wyomingites) that federal land laws needed to be changed if Wyoming was to develop its resources even further. By casting Wyoming as the victim of unjust federal actions and of federal irresolution and uncertainty, Mead echoed the same sentiments expressed throughout Wyoming and the West. Mead used language very similar to the resolution passed by the 1888 territorial legislature:

> Local action is embarrassed by the limitation imposed by our territorial condition and by all the public lands being under the control of the national government. It is useless for the territory to take any steps toward securing a systematic irrigation development unless it can also control the settlement of the land. The control of the land by one authority and the water by another in a measure paralyzes the energies of the local authorities and makes it indispensable, if we are to have the utmost prosperity, that one of two steps should be taken by the national authorities, either the control of the land should be turned over to the local government, or congress should extend proper aid in the construction of works for reclamation.[35]

Even more to the point: "There have been repeated instances where arbitrary and unreasonable rulings have subjected our people to heavy and wholly unnecessary expense and caused the whole land policy to be regarded as oppression. It was, however, the inevitable result of land laws wholly unsuited to the needs of irrigation and of their enforcement by officials in Washington whose experience had not qualified them to deal with conditions which prevail here."[36]

Mead believed that through land cession Wyoming could unite the control of both land and water under the same authority. This would not only pre-

[31] Larson, *History of Wyoming*, pp. 173-78.

[32] Using all the land laws in place before 1891, a husband and wife could claim a maximum of 1,120 acres. This was more land than any one family could possibly irrigate, but it was far below what was necessary to maintain a viable ranch in Wyoming where between 10 and 40 acres of rangeland is necessary for each cow.

[33] *Cheyenne Daily Leader*, August 17, 1889.

[34] "Admission of Wyoming into the Union," House Reports, 1st sess. 51st cong. Serial Set 2807, Report No. 39.

[35] *Wyoming Territorial Engineer's Report*, 1889, p. 12.

[36] *Ibid.*

vent the possible abuses from water monopolization, but would also ensure that Wyoming could supervise and plan the construction of ditches. Mead felt that Wyoming should be able to "require all ditches to be located and constructed in accordance with the result of the surveys and limiting the number to the ascertained capacity of the stream. Such action would result in a greatly diminished cost of distributing works and a large extension of the irrigated territory. It would secure the reclamation of the most desirable lands and by preventing the construction of surplus canals the conflict and abuses now resulting from reclamation and from over-appropriation of streams would be avoided."[37] Mead also argued that federal land cession would provide the state with money to survey the land in order to determine the best sites for canals and reservoirs.

Of course, like most Westerners, Mead would have been happy to receive aid from the federal government with no strings attached, but he wanted this only extended to the building of reservoirs or to direct loans. A better way to "subsidize" irrigation was to let irrigation companies use land as security against which they could borrow money. Under federal land laws an irrigation company could not claim more land than any other individual and would have to use fraudulent means to secure large tracts of land for resale to would-be irrigators. If these companies did not secure this land, land speculators would file upon it and force legitimate settlers to buy them out at inflated prices. Mead argued that the irrigation company needed large blocks of land so that they could avoid land speculation and so they could secure investment. Mead's plan was for the state to contract out to irrigation companies to reclaim potentially irrigable land. If Wyoming owned this land instead of the federal government, it would reserve the land for bona-fide settlers while allowing the ditch company to use the reserved land as security against which it could borrow money. As Mead remarked, "what the ditch company needs is the assurance that the land will be settled when the water is there."[38] This arrangement would, according to Mead, prevent abuse by ditch companies by giving control of the land and water to Wyoming and ensure that Wyoming would get the funds from the sale of lands to help administer the costs of the system.

Another reason why Mead advocated land cession was the possibility that federal water rights might still be "out there." During the convention, J.A. Johnston argued that through the Desert Land Act, the federal government had given up its water rights. The 1888 Wyoming territorial resolution mentioned earlier also hinted at the possibility of federal water rights as did the debates in the constitutional convention. Henry Coffeen stated: "The water flowing upon the land is part and parcel to the land, and title to land gives title to the water. The United States, as owner of the public lands, is the owner of the water also and will not our claim as a state to the ownership of all this water not conflict with the rights of the United States and with the rights which settlers on those public lands may claim?"[39] Of course, if the United States turned over the public domain to the Western states through federal land cession, than this argument is void. The territorial status of Wyoming also added confusion to the extent of federal water rights because Wyoming had to gain statehood before the Wyoming constitutional provisions were passed which claimed all water to be the property of the state.

An editorial printed in the *Cheyenne Daily Leader* in August 1889 summarized the connection between state ownership of water and federal land cession in Wyoming. In this article the author wrote, "the people of that wide awake territory are alive to the importance of the questions involved in this matter of irrigation and are preparing to avail themselves of all its benefits. As a first step in that direction they will seek early admission into the union, after which they will endeavor to have congress cede the control of the arid lands to the states in which they lie."[40] If we follow this line of thinking than statehood itself would become a tool for promoting arid land cession. Statehood meant state ownership and control of water that would give general supervision and control over water to Wyoming, and it also meant the ability to introduce arid land cession bills into Congress.

[37] *Ibid.*
[38] "Irrigation and Reclamation of Arid Lands," pp. 483-85.
[39] *Journal and Debates*, p. 291.
[40] *The Cheyenne Daily Leader*, August 17, 1889.

Mead encouraged the thinking that the state ownership of water would allow for public control of irrigation, but also that state ownership of water was a solution to remedying the negative effect that federal land laws had on the state's economic growth. Mead built upon this conviction by pointing out in his 1888 and 1889 reports, in his correspondence, through the newspapers, and undoubtedly in his daily contacts, the deficiencies of the system. Mead promised that once Wyoming became a state, it could reform its water law and bring about the growth in farming that heretofore had proven elusive in Wyoming. The subsequent push for cession after statehood shows that the "Wyoming System" would be used as a justification for donation of federal lands to Wyoming.

In fact, on the very day that Wyoming officially became a state, July 10, 1890, Carey introduced a federal land cession bill. Mead would also write other federal land cession bills for Warren in 1891 and 1892, and one argument Mead used in urging their passage was that federal land cession was a logical outgrowth of state ownership of water: "Under the provisions of the state constitution, approved by Congress, all the waters of our streams are declared to be the property of the state. Nothing will be of greater service in securing their economical utilization or in promoting the extension of our agricultural area than the donation to the state of the lands along the borders of these streams."[41] Of course, no federal land cession bill was ever passed by Congress and, surprisingly, opposition came as much from within as from without.

In 1888 and 1889, Mead was adept at staying above the fray of land and water politics. In addition to a general anti-government cussedness and opposition from cattlemen, Democrats were wary of the system and its connection with arid land cession because of the possible negative effects on small ranchers and farmers. Then, as now, land issues were a dividing line between Democrats and Republicans. There were fewer Democrats than Republicans, but in 1889 and 1890 they were becoming increasingly vocal in their opposition to arid land cession. Mead wrote that, "handbills were distributed in Cheyenne, which had the lurid heading 'Do you want to live under a Czar?'"[42] A flyer of the Democratic Party in Sweetwater County in 1890 read:

> *"Home Sweet Home*
> *The Wyoming statutes of 1890 give to one man, the State Engineer, the power to control and dispose of all the waters of the state.*
> *The control of the water is the control of the land.*
> *The crime of 1873 is duplicated in the Wyoming crime of 1890.*
> *One robs the wage earner of his hire, the other robs the settler of his home.*
> *The [R]epublican party demonetized silver in 1873.*
> *The [R]epublican party of Wyoming in 1890 passed the laws on the appropriation of water.*
> *Is the [R]epublican party dearer to you than your wife, baby and fireside?"* [43]

During the constitutional convention debates, Democrat Henry Coffeen stated that "you have planted an injustice, as I believe, in the constitution which will be far reaching in the future, and do great injustice to many... It has been hinted and suggested, perhaps unwatrantably, that there are corporate interests involved in this question that are very serious and close to the surface."[44] Given the association at that time between the Wyoming system and federal land cession, it is reasonable to assume he meant that state ownership of water would lead to federal land cession, and federal land cession would benefit the big ranchers and corporations.

Mead countered this criticism by covering all his bases. He argued that his system would prove beneficial to existing irrigators while also making boosters happy by promising that it would stimulate the growth of farming. Despite some criticism, Mead still won widespread respect from farmers, politicians, and boosters. Mead believed in reform through open communication about water law problems. Furthermore, he was not viewed as a distant and unsympathetic bureaucrat. Mead was both a friend to irrigators and

[41] H.R. 11356 (Carey), 51st Cong., 1st Sess., July 10, 1890; also *Wyoming State Engineer's Report*, 1890, p. 6.
[42] "Recollections of Irrigation Legislation."
[43] Elwood Mead Scrapbook #1. WSA; also see "Recollection of Irrigation Legislation in Wyoming"; and *Cheyenne Daily Leader*, generally, in December, 1890.
[44] *Journal and Debates*, p. 291.

someone who knew a great deal about irrigation and irrigation law.[45]

By 1892, however, Democratic accusations that large Republican landowners such as Warren and Carey would use arid land cession to grab still more land reached a more sympathetic audience. Mead was a Republican and the Wyoming system was supported by Republicans. Republicans had controlled Wyoming and politics in Cheyenne almost from the inception of the territory. Democratic counties, especially Johnson and Sheridan, grew increasingly hostile to the control Cheyenne and the Republican Party exercised over the rest of the state. In 1892, a rare Democratic victory at the polls resulted from the Johnson County War and widespread anxiety that legitimate settlers were being driven from their homes. Typical of this sentiment was an editorial written in the *Wyoming Derrick* of Casper, Wyoming: "The law [Warren's cession bill] may benefit such men as Joseph M. Carey, who can form companies and file upon immense tracts along such streams as the Platte River, reclaiming them by large canals, and who have the influence to make the tracts appear to be desert lands whether such or not.... It will enable such men to gobble up and withhold these lands from settlement."[46]

As it turned out, 1891 would be the high tide of federal land cession. At the National Irrigation Congress (organized by William Smythe and held in Salt Lake City), the West was more united behind cession than they would ever be. Opposition from Democrats and the 1893 depression, however, killed the question as a national issue because investment in irrigation projects dried up, and many felt that private enterprise would never be able to reclaim all the land that could be irrigated. Furthermore, states with less federal land than Wyoming were only lukewarm towards the idea. Even though he still advocated a selective cession of federal lands, Mead himself acknowledged by 1892 that most people in the state were opposed to it.[47] Mead's work with Senators Warren and Carey on land cession bills was essentially done by 1893.

The irrigation boom that Mead was sure would come about and keep the state engineer's office happily engaged in reviewing irrigation applications never materialized. The Carey Act of 1894,[48] which was meant to stimulate irrigation projects through a carefully restricted donation of a small amount of land from the federal government, gave Mead a new role as state engineer. He would review the proposals for irrigation projects under the act and submit them to the secretary of the interior. This kept Mead busy in 1895 and 1896, but by 1897, there were no new proposals. The main work of the state engineer's office after 1890 was the adjudication of water rights on the streams and rivers of Wyoming, and this work was proceeding at a good pace by the mid-1890s. By 1897, there was not much left for Mead to accomplish in Wyoming and he looked for another challenge. His wife, Florence, died that same year of a toxic goiter leaving Mead with three small children. Although he had brought in extra money as an irrigation consultant, he was looking for a better paying job. Mead accepted the position of Expert-in-charge of Irrigation Investigations for the Office of Experiment Stations in the Department of Agriculture in 1898. In 1899, after finishing his work with the state engineer's office, he left for Washington D.C.[49]

[45] Mead was widely praised in Republican newspapers and in most Democratic ones; even when the editor disagreed with him. For example, in an editorial of the *Cheyenne Daily Leader* of October 9, 1892, the editor bitterly condemned a bill introduced into Congress by Senator Francis E. Warren and written by Mead. Almost in apology for indirectly attacking Mead, the editor stated, "The arid land bill was the conception of an abler and better man."

[46] *Wyoming Derrick*, March 12, 1891.

[47] *Wyoming State Engineer's Report*, 1891 & 1892, pp. 28-29.

[48] This act could potentially set aside up to 1 million acres in each of the arid states. A proposal was first submitted to the secretary of the interior who would either reject or approve it. If he approved then the land was withdrawn from settlement. Either the state would build the project or it would contract out with an irrigation company to do the work. Once 20 out of 160 acres (and under the act no person could acquire more than 160 acres) was irrigated, title passed to the settler. Quite a bit of land would eventually be irrigated in Idaho and Wyoming in the early 20th Century, but as of 1902 only 12,000 acres had been claimed under the act. Kluger, *Turning on Water*, pp. 23-25.

Mead saw the problem of expanding irrigated farming in terms of creating a condition by which business could invest money and make a profit while also protecting farmers from corporate abuse. Mead proposed dual, interwoven reforms. At the state level the centralized administration of water rights would promote efficient use of water and guarantee that a water right meant an individual right to an actual amount of water for irrigation. If Wyoming could convince the federal government that it was gaining control of its chaotic water rights system, than the government would cede either all or part of the public domain to the state. After the cession irrigable land would first be surveyed either by the federal or state government to determine both the proper sites for irrigation works and at what cost those works could be built. Wyoming would then contract with an irrigation company to build these works. The key to the success of this plan was that if Wyoming owned the land to be reclaimed, it would allow the ditch company to use that land as security against which it could borrow money. The state would then restrict settlement on these tracts only to legitimate settlers. Mead argued that if the irrigation company could be guaranteed that water was available, and that it could sell the land it was irrigating, new irrigation projects could secure ample funding.

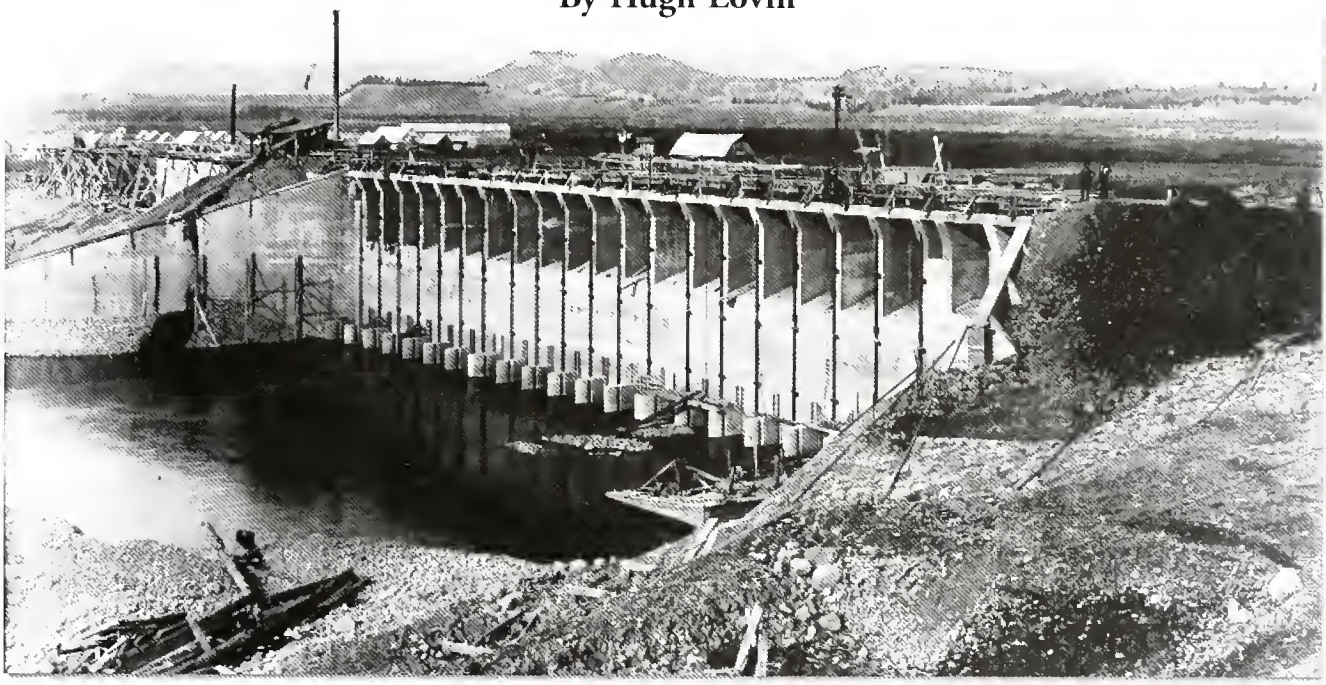
Mead was overly optimistic in thinking that the state could legislate away the limitations of high elevation and small markets. Perhaps because of his youth and relative inexperience, he was also naive in assuming that his grand scheme would not encounter stiff resistance. This should not, however, diminish the remarkable achievement of creating and implementing a water rights system that, at least on paper, would seem very unpopular. Mead was an opportunist; by linking state centralized water rights with arid land cession he would have made the system much less innocuous to possible opponents. Mead believed that Wyoming could experience an irrigation boom similar to the cattle boom of the early 1880s. He promised that his system (with its two components of state water rights reform and arid land cession) would create this boom and in a state with limited growth, the fruit that Mead held out was just too tempting to pass up.

Today, Mead is rightly regarded as a visionary in bringing order to the chaos of water use through legal institutions. The Wyoming system of water rights was an example of how laissez-faire settlement practices were slowly being modified to fit the realities of creating successful, large-scale irrigation. But he only got half of what he wanted. In 1889, Mead's best selling point was that his system was a foil to the federal government. By 1892, however, this point became one of its biggest drawbacks. For a variety of reasons, Wyoming and the West (as Mead himself was to do later in life) rejected arid land cession as a viable option.

[40] Kluger, *Turning on Water*, pp. 20, 23-26, and Pisani, *To Reclaim a Divided West*, pp. 251-72. Mead still championed state reclamation and state control of federal lands from the Department of Agriculture. The passing of the Reclamation Act of 1902, however, would inaugurate the era of federal reclamation. Mead stayed on until 1907 when he began to work for the Australian government. Mead returned to the United States with a new appreciation for the possibilities of national reclamation. From 1916 to 1923, he held a professorship at the University of California, Berkley, and in 1923 he became Commissioner of the Bureau of Reclamation. He held this position until his death in 1936.

Jackson Hole Water Resources, Federal Reclamationists, and Idaho Irrigationists

By Hugh Lovin



Jackson Lake Dam under construction, ca. 1910. Courtesy American Heritage Center.

Changing forever the American West after 1890, federal policymakers, western state governments, agricultural forces, and commercial expansionists created what historian Donald Worster has characterized a "hydraulic" agricultural order. Grand-scale irrigation of arid land followed in seventeen western states.[1] But this initiative caught Wyoming agriculturists off guard. Although they had been innovators of irrigated farming on 605,878 acres, even in the Big Horn, Platte, and Green River basins few farms could yield enough high-value crops like sugar beets so that the costs of such grand-scale irrigation were amortized economically.[2] Furthermore, under the Reclamation Act of 1902, federal efforts to transform large tracts of Wyoming land into irrigated farms faltered, especially at the Riverton project. Neither would free enterprisers advance big-time irrigation very far by operating under the federal Carey act of

Furthermore, under the Reclamation Act of 1902, federal efforts to transform large tracts of Wyoming land into irrigated farms faltered, especially at the Riverton project.

[1] Donald Worster, *Rivers of Empire: Water, Aridity, and the Growth of the American West* (New York: Pantheon Books, 1985), p. 276.

[2] Donald J. Pisani, *To Reclaim a Divided West: Water, Law, and Public Policy, 1848-1902* (Albuquerque: University of New Mexico Press, 1992), pp. 228-30.

1894. At these entrepreneurs' hands, only 180,842 out of more than one million potentially irrigable acres were patented to farmers after thirty years had elapsed.[3]

Under such conditions, Wyoming often lost water resources to outsiders when, after 1900, the expansion of grand-scale irrigation regionally caused greater competition for the West's water. Wyoming citizens balked after losing so much. In 1931, Thomas Cooper, president of the Wyoming Wool Growers Association, protested that irrigationists in surrounding states habitually used Wyoming "for a place to store snow for water" even though the state's own people should "use some of the [same] resource for the benefit" of themselves.[4]

In part, Cooper deplored what had already transpired along Wyoming's western slope. There, Idaho irrigationists staked claims to Teton Creek and Salt River waters that originated in Wyoming. Similarly, Utah and Idaho water users wanted to preempt the Bear River for themselves although the river flowed out of Wyoming's southwest corner into the other states.[5] Much was similarly at stake at Wyoming's Jackson Hole where federal reclamationists and Idaho irrgationists first became a thorn for Wyoming people early in the twentieth century. Eventually, Pacific Northwest hydroelectricity producers and Colorado water users also coveted the Hole's water riches.

Damming up Jackson Hole's water for grand-scale irrigation outside Wyoming was an old idea for which federal authorities became the strongest boosters after 1890. Finally, after John Wesley Powell and his U.S. Geological Survey staff had better publicized the plan, U.S. Reclamation Service Director Frederick Newell chose this approach to provide water for about 130,000 acres for his agency's new Minidoka project in Idaho.[6] His engineers dammed the outlet of Jackson Lake, the grandest of several lakes within Jackson Hole, so that 250,000 acre-feet of shored water emptied from the lake into the Snake River channel for transit to Minidoka in each irrigating season. By 1912, they had improved the damming so much that Minidoka could receive another one hundred thousand acre-feet of water each summer.[7]

Because of this water taking, to say nothing of similar incidents elsewhere in their state, Wyoming state officials protested. Governor Fenimore Chatterton deplored the preempting of resources that might otherwise be utilized by private irrigation entities within his state. Wyoming State Engineer Clarence Johnston accused Newell of enforcing his claims to be "bell cow" of all irrigation development in the West; a successor, A.J. Parshall, asserted that the Reclamation Service had persisted in "looting" Wyoming water for nearly two decades.[8] Then such opposition escalated after the Reclamation Service sold and diverted another three hundred thousand acre feet of Jackson Lake water to non-federal projects in Idaho during the 1910s. By 1916, 789,000 acre-feet of such water sustained federal and non-federal irrigation tracts in this state.[9]

For their own reasons, Jackson Hole stock raisers, hay farmers, and commercial elements detested

[3] Donald J. Pisani, *Water and American Government: The Reclamation Bureau, National Water Policy, and the West 1902-1935* (Berkeley: University of California Press, 2002), p. 129; Benjamin Horace Hibbard, *A History of the Public Land Policies* (Madison: University of Wisconsin Press, 1965 ed.), p. 454.

[4] Yellowstone National Park Boundary Commission, *Message from the President Transmitting the Final Report of the Yellowstone National Park Boundary Commission . . .*, House Doc. 710, 71 Cong. 3 Sess. (Washington: Government Printing Office, 1931), p. 86.

[5] D. Brooks Green, "The Idaho-Wyoming Boundary: A Problem in Location," *Idaho Yesterdays* 23 (Spring 1979): 10-14; John A. Whiting to Frank C. Emerson, August 2, 1927, Frank C. Emerson Papers, Wyoming State Archives (WSA), Cheyenne; W.L. Killpack to H.C. Baldridge, March 14, 1927, H. Clarence Baldridge Papers, Idaho State Archives (ISA), Boise; R. Scott Wren, "A History of Water Resources Development in the Bear River Basin of Utah, Idaho, and Wyoming" (master's thesis, Utah State University, Logan, 1973).

[6] J.W. Powell, *Tenth Annual Report of the United State Geological Survey to the Secretary of the Interior, 1888-1889, Part II—Irrigation* (Washington: Government Printing Office, 1890), p. 107; Pisani, *To Reclaim*, 147; *Second Annual Report of the Reclamation Service, 1902-03,* House Doc. 44, 58 Cong. 2 Sess. (Washington: Government Printing Office, 1905), pp. 272-74.

[7] F.A. Banks, "Jackson Lake Storage," *Proceedings of the Joint Conference of Irrigation, Engineering and Agricultural Societies of Idaho* (Twin Falls, Idaho: Kingsbury Printing Company, n.d. [1919]), p. 108; "Jackson Lake Dam the Savior of the Snake River Valley," *Engineering News-Record*, 83 (December 11-18, 1919): 992.

[8] *Twin Falls* (Idaho) *News*, November 11, 1904, p. 1; Clarence Johnston to Wayne Darlington, September 1, 1904, Idaho Reclamation Records, Collection AR-20, ISA (1st qtn.); T.A. Larson, *History of Wyoming* (Lincoln: University of Nebraska Press, 1965), p. 35 (2nd qtn).

[9] Banks, "Jackson Lake Storage," p. 108; Mark Fiege, *Irrigated Eden: The Making of an Agricultural Landscape in the American West* (Seattle: University of Washington Press, 1999), p. 142.

these federal irrigation works. When federal engineers satisfied Idaho irrigationists, they charged, some of their properties were flooded from raising Jackson Lake in the spring and others from emptying water from the lake into the downstream channel of the Snake River during the summer. According to Idaho water master Lynn Crandall, down streamers below the lake suffered the worst because ten thousand acre-feet of water continuously filled the Snake channel every summer until 1927. Finally, in this year, the outflow of the lake was reduced to no more than seven thousand acre-feet because spring runoff could be stored in a newly constructed reservoir in Idaho. But Jackson Hole residents still complained about the hydrological consequences of federal reservoiring of water. Besides instances of new flooding after 1927, they alleged that emptying even seven thousand acre-feet of water from Jackson Lake eroded the Snake's riverbanks and produced too much sediment before the water finally flowed out of Wyoming.[10]

Simultaneously, Jackson Hole people rued different instances of outsiders impinging on their area's resources. Taking advantage of Wyoming's liberal water laws, Idaho corporations and irrigation districts won court-decreed rights to additional Snake River water before it flowed past the Wyoming-Idaho boundary. Another group established water and reservoir-storage rights for Jenny and Leigh lakes. Just miles away, the Osgood Land Livestock Company, also an Idaho-based organization, gained similar rights at Emma Matilda and Two Ocean lakes (often characterized the Twin Lakes, a designation followed in this essay of brevity). As successor to the Osgood organization, the Utah-Idaho Sugar Company kept those rights until Wyoming state authorities rescinded them in 1941.[11]

Also because of Wyoming's water laws and indulgent state engineers and boards of control, Wyoming groups such as the Cheyenne-based Teton Irrigation Company easily became owners of Jackson Hole water and reservoir sites that could be sold to out-of-state agricultural and commercial organizations. For instance, in 1925, holders of Twin Lakes, Buffalo Creek, and Gros Ventre River water anticipated "a mighty nice income [for] the rest of our lives" by selling out to Idaho irrigation and hydropower interests.[12]

Even worse, Jackson people feared, they could lose additional water resources. Because of droughts during the 1920s in Idaho, irrigationists and their commercial allies demanded even more water from Jackson Hole sources. The Reclamation Service sided with them.[13]

Fighting back, Jackson forces attempted to banish all federal and Idaho intruders from Jackson Lake, several smaller lakes at the foot of the Teton Mountains, Twin Lakes, and the Gros Ventre River basin.[14] In this fight, their allies included prominent conservationists from outside the state. Particularly helpful were activists who had long accused the Reclamation Service of causing environmental disasters in order to sate western irrigationists' appetites; and especially was it offensive, these activists charged, that the shores of Jackson Lake had become an environmental "eyesore" of stinky mud flats littered with unsightly debris from constantly raising and drawing down the lake for the benefit of irrigation agriculture.[15] More-

[10] W.G. Swendsen to D.W. Davis, January 22, 1921, David W. Davis Papers, ISA; Minutes of [the] Committee of Nine, October 15, 1957, Henry C. Dworshak Papers, Idaho State Historical Society (ISHS), Boise.

[11] "Decreed Water Rights District No. 3 and 3C. . .," n.d., pp. 21-24 (mimeographed), Wyoming State Engineer Papers, WSA; *Seventeenth Biennial Report of the State Engineer to the Governor of Wyoming, 1923-1924* (Cheyenne, n.p., 1924), p. 24; Leonard J. Arrington, *Beet Sugar in the West: A History of the Utah-Idaho Sugar Company, 1891-1966* (Seattle: University of Washington Press, 1966), p. 169.

[12] Robert W. Righter, *Crucible for Conservation: The Creation of Grand Teton National Park* ([Boulder]: Colorado Associated University Press,, 1982), p. 10; William E. Cox to Charles C. Carlisle, January 28, 1925, Charles C. Carlisle Papers, WSA (qtn.).

[13] *Fourteenth Biennial Report of the State Engineer to the Governor of Wyoming, 1918-1918* (Laramie: Laramie Republican Company, 1918), p. 36; *Eighteenth Annual Report of the Reclamation Service, 1918-1919* (Washington: Government Printing Office, 1919), p. 414.

[14] In the Gros Ventre basin, the Idahoans' most sizable tract had been purchased from the Cheyenne-based Teton Irrigation Company, only for large-scale irrigation there to be precluded by the collapse, in 1927, of their reservoir holding 100,000 acre-feet of water, Minutes of [the] Committee of Nine, October 15, 1957, Dworshak Papers, ISA.

[15] David J. Saylor, *Jackson Hole, Wyoming: In the Shadow of the Tetons* (Norman: University of Oklahoma Press, 1970), p. 155; Finally, in 1934-1936, the federal Civilian Conservation Corps cleared the lakesides for the first time, Righter, *Crucible*, p. 90.

over, the same forces argued, Jackson Hold should realize its "highest use" as a playground instead of an agricultural zone or water exporter. Eventually, such a change happened with their help. Dude ranching proliferated in the 1920s with influential people like philanthropist John Rockefeller, Jr. boosting the industry. Outfitters and guides popularized outdoors recreation by visitors, and commercial elements capitalized on such promoting to grow a tourism-based economy. Because of agricultural deflation nationwide, causing Jackson stock raisers and the area's few dirt farmers to suffer in this farmer's depression, the agriculturists supported the new economy.[16]

At the same time, Jackson forces pressured Governor Robert Carey for help in expelling the Reclamation Service and downwind Idaho irrigationists so that Jackson Hole realized its new destiny more quickly. He responded, saying that these outsiders should not access "even an acre-foot of water" that could be utilized in Wyoming; however, he also opposed what he called "dog in the Manger" actions like engaging in what might be losing warfare with the Reclamation Service over Jackson Lake.[17] In part, he also shied away from challenging the federal agency because it might never expand its Jackson Lake waterworks so much that it expropriated water for Idahoans that could be utilized in Wyoming. In fact, certain federal studies, although not conclusive, had already indicated that drawing down the lake had peaked because procuring more water for Idahoans by higher damming at the lake would cost them too much money.[18] Moreover, Carey and his immediate successors let stand the federal place at Jackson Lake lest resisting make it difficult for them to secure federal help in exploiting different "water resources" so that Wyoming could become "an important agricultural state." To reach this end, at Carey's initiative, Wyoming's Board of Immigration attempted to attract more farmers to the state.[19]

Conversely, Carey and several successors, notably Frank Emerson in 1927-1931, placated their Jackson constituents save on Jackson Lake issues. On grounds of preserving scenery and preventing environmental despoliation, they deprived Idaho irrigationists of their rights at Jenny and Leigh lakes. Listening to U.S. Park Service Director Stephen Mather, who said that Twin Lakes should be "spared the fate of Jackson Lake, now completely desecrated by an [Idaho] irrigation project," Carey prevented the Osgood forces from enlarging their Twin Lakes waterworks in order to procure more water each summer. In 1930, Emerson forced Idahoans from their main holdings in the Gros Ventre River basin.[20]

Governor David Davis of Idaho attempted to change Carey's mind at least enough that Osgood forces got full usage of Twin Lakes. By Davis' arguments, Wyoming's western slope was mostly too "high" for much irrigated-farm cropping; hence, it had been "unusual conservatism, bordering on selfishness" for the Cheyenne government to hamstring the Osgood organization. But Carey stood his ground and persuaded the Wyoming legislature to reject a plan that Davis had concocted to help the Osgood camp. By this scheme, the two states would each allow water to be "appropriated" in one for irrigation in the other.[21]

Concurrently, Idaho irrigationists counted the Park Service another of their foes who wanted to deprive them of Wyoming water now that Mather had just announced a plan to expand the boundaries of

[16] Saylor, *Jackson Hole*, pp. 157-58, 171 (qtn.); Robert B. Betts, *Along the Ramparts of the Tetons: The Saga of Jackson Hole, Wyoming* (Niwot: University Press of Colorado, 1978), p. 196.

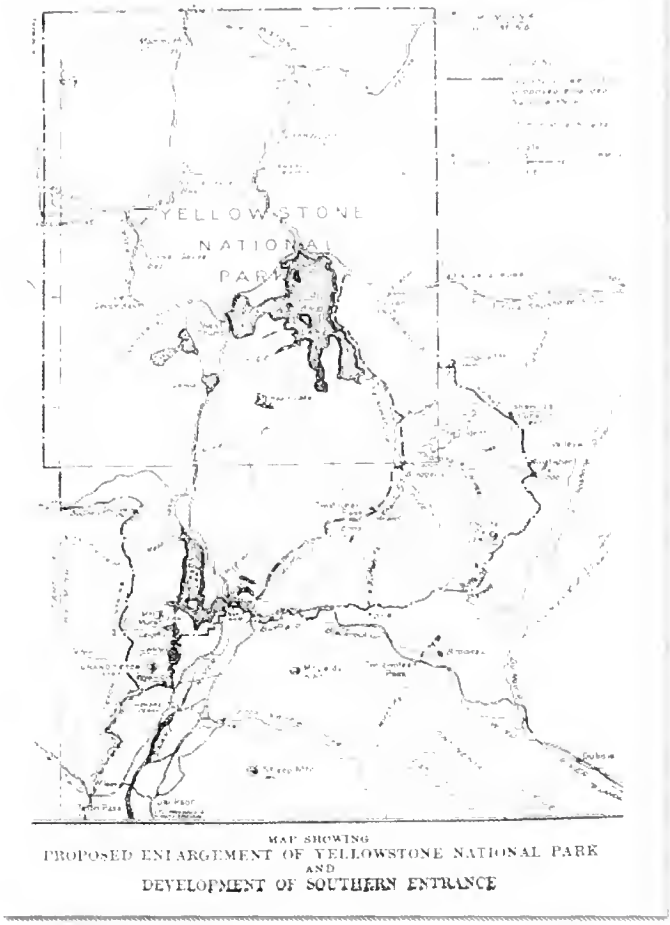
[17] J.A. Bristol to [D.W. Davis], n.d., Davis Papers; *Cheyenne State Leader*, October 3, 1919, p. 1 (qtns.).

[18] For a summary of these studies, see: Minutes of the Idaho Board of Land Commissioners, August 13, 1917, p. 3, Idaho Reclamation Records.

[19] "Article for [the] Wyoming State Tribune," January 16, 1926 (mimeographed), Frank C. Emerson Collection, American Heritage Center(AHC), University of Wyoming, Laramie (qtns.); Larson, *History*, pp. 415-16.

[20] *Seventeenth Biennial Report. . . Wyoming*, pp. 23-24; *Report of the Director of the National Park Service to the Secretary of the Interior for the Fiscal Year Ended June 30, 1921* (Washington: Government Printing Office, 1921), p. 67 (qtn.); Righter, *Crucible*, pp. 10, 32, 33.

[21] Swendsen to Davis, January 22, 1921, Davis Papers (qtn.); C. Clyde Baldwin to Swendsen, January 6, 1921, Emerson to Swendsen, January 24, 1921, Idaho Reclamation Records. By another plan that Wyoming authorities also rejected, Idaho irrigationists could procure more water by damming Salt River in Wyoming's portion of Star Valley, C. Clyde Baldwin to Herbert Fellensbee, November 21, 1921 [copy], Wyoming State Engineer Papers, WSA.



1920 s proposal of Stephen Mather, U.S. Park Service Director, to transfer a large portion of Jackson Hole to his Yellowstone National Park domain. Source: *Wyoming State Journal* (Lander), September 24, 1920. Courtesy the author.

Yellowstone National Park to Jackson Hole. By this plan, he could bar economic interests like mining and farming from the scenic Teton Mountains, a big chunk of Jackson Hole that included both Jackson and Twin Lakes, and considerable terrain at the western side of the Absarokas. In the words of Horace Albright, Yellowstone National Park superintendent, the government would save Jackson Hole's "scenic resources" before others ruined them.[22]

To the irrigationists' surprise, few Jackson people supported Mather's scheme even though he positioned his agency as an ally in their struggles with Idaho interlopers. Looking ahead to when the farmers' depression would end, Jackson stock growers mobilized to protect their old grazing regions from the Park Service's jurisdiction; Jackson commercial forces, increasingly gratified with the area's burgeoning tourism-based economy, saw little benefit for themselves from supporting Mather. More hostile to Mather, the Wyoming Division of Izaak Walton League, a politically potent force across the state, held that Wyoming authorities could better than the Park Service preserve the "primeval status" of northwestern Wyoming.[23]

Carey and many latter-day officials like Governor William Ross also deplored Mather's proposal. Carey charged that Mather and his "federalists" had launched a "severe attack" on Wyoming.[24]

This battling lasted for nearly a decade although, as of 1926, Mather's opponents had gained the upper hand. By this time, Wyoming's congressional delegation had chiseled so much from Mather's proposal that the Park Service could expect to absorb "practically no lands [ever] used for grazing." Such logrolling continued until Mather gained only 150 square miles that, in 1929, Congress set aside as Grand Teton National Park. Among many parts of Jackson Hole, Jackson and Twin Lakes remained outside the new park.[25]

In resisting Mather's scheme, Jackson Hole forces, Idaho irrigationists, and public officials of the respective states were on the same side for the first time. Furthermore, the new alliance thrived because Idahoans attempted momentarily to tap Yellowstone National Park water in lieu of getting more from

[22] *Cody Herald*, September 20, 1919, p. 1; Horace Albright to William B. Ross, January 26, 1923, William B. Ross Papers, WSA (qtn.).

[23] *Jackson Courier*, October 2 [?], clipping in Frank Mondell Papers, AHC; "Report of [the] Fourth Annual Convention, Izaak Walton League of America, Wyoming Division," December 11-12, 1928, p. 9 (mimeographed), Izaak Walton League, Wyoming Division Papers, AHC (qtn.).

[24] *Billings Gazette*, September 5, 1920, p. 1 (qtn.); Robert B. Carey to Albright, August 31, 1919, Robert B. Carey Papers, WSA; Carey to M.H. Kneedy, July 29, 1922 (copy), William B. Ross Papers, WSA.

[25] *Jackson Courier*, April 1, 1926, p. 1 (qtn.); *Jackson Hole News*, June 15, 1988, clipping in Chris Christensen Papers, WSA; Righter, *Crucible*, pp. 35, 40.

Jackson Hole sources. Carey publicly endorsed this alternative, and Jackson residents breathed sighs of relief because the Idahoans had finally shopped elsewhere for water. However, Mather thwarted the Idahoans, and the new concord between Wyoming and Idaho forces collapsed when the latter weighed again their chances of drawing additional water from Jackson Lake instead of Yellowstone.[26]

Subsequently, this discord worsened despite some conciliatory gestures from both sides. Relying belatedly on federal thinking that Idaho irrigationists could never inexpensively draw more water from Jackson Lake, the Idahoans decided to put a new dam across the Snake River downstream from the lake. They especially eyed several dam sites within Wyoming. But they also prepared for a stiff fight over the sites; it appeared that Jackson people, backed by their state government, would not only oppose such damming, but assert hegemony over water enough to fill a new reservoir on grounds that this Snake water belonged to them. Such claims rested on the water being of Jackson Hole origin. To counter such theorizing, irrigationists introduced new principles—Idahoans desired only water "surplus" to human needs at Jackson, and for that reason, "public policy" compelled Wyoming people to tolerate the proposed waterworks. Furthermore, this argument held that even though the Snake River's watershed was largely within Wyoming, it should "be administered as a [single] unit" through an interstate public authority.[27]

Generally, Jackson people were loath to surrender either more water or dam sites after having lost so much involuntarily at Jackson Lake; however, a dude rancher said, these people might relent if Wyoming authorities first compelled Idaho irrigationists to pay cash for the proposed damming and reservoir water.[28] From 1920 to 1931, the Robert Carey, William Ross, and Frank Emerson administrations at Cheyenne mostly adhered to the rancher's position. While he was still Wyoming state engineer in 1924, Emerson described the state government's policies: Wyoming would first "reserve" enough Jackson Hole water to sustain "all possible [economic] development; next, in allowing others to access the remaining portion of this "natural resource," Wyoming citizens would insist on monetary returns to be spelled out in a mutually acceptable interstate compact. Then, in 1925, Congress proposed that, in such a compact, Wyoming, Idaho, Oregon, and Washington decide the fate of Snake River water. In reaching such an agreement, prospectively Wyoming's Interstate Stream Commission could secure interstate sanction of Wyoming's water doctrines.[29]

For want of cooperation between these four states, no compact was written. Nonetheless, Idaho irrigationists intensified, in the wake of greater water shortfalls from 1930 to 1934, their pressure for new damming downstream from Jackson Lake. Congress listened to them. To decide the damming issue, it authorized compact making between only Wyoming and Idaho, and Wyoming's new governor, Leslie Miller, agreed grudgingly to the proposition. At last, after several months of negotiating in 1932, Wyoming State Engineer John Whiting, his Idaho counterpart, and a United States representative wrote a compact.[30] By this instrument, Jackson forces strengthened their grip on several water sources, notably at Twin Lakes. In return, the Bureau of Reclamation (successor agency to the Reclamation Service since 1923) and Idaho irrigationists were granted "continued and undisputed use of Jackson Lake," and Idahoans could additionally build a new dam on Wyoming soil in order to exploit "unappropriated and unused" Snake water.[31]

Despite objections by Idahoans to their proposed retrenching at Twin Lakes, Idaho legislators ratified

[26] Hugh Lovin, "Yellowstone National Park, Jackson Hole, and the Idaho Irrigation Frontier," *Idaho Yesterdays* 43 (Winter 2000): 10-13; also see Lovin, "Fighting over the Cascade Corner of Yellowstone National Park, 1919-1935," *Annals of Wyoming* 72 (Spring 2000): 14-29.

[27] *Seventh Biennial Report of the Department of Reclamation, State of Idaho, 1931-1932* (N.P.: n.p., 1932), 93 (1st, 2nd qtns.); George N. Carter to I.H. Nash, January 24, 1930, Idaho Reclamation Records (3rd qtn.).

[28] Yellowstone National Park Boundary Commission, *Message*, p. 93.

[29] *Seventeenth Biennial Report. . . Wyoming*, p. 232 (qtns.); *New Reclamation Era* 17 (October 1926): 173; Larson, *History*, pp. 415-16.

[30] *Idaho Statesman*, July 25, 1932 (clipping), John A. Whiting to R.F. Walter and Frank Martin, December 2, 1932, Martin to C. Ben Ross, December 6, 1932, C. Ben Ross Papers, ISA.

[31] "Wyoming-Idaho Compact—Snake River," June 5, 1933 (typescript), C. Ross Papers, ISA (qtns. 3, 5).

the new compact, and congressional concurrence seemed likely. Consequently, in the Wyoming legislature, the House of Representatives assented despite criticism that Miller and Whiting had "given away the rights of Wyoming" and got "nothing in return." Mostly on the same grounds, the Wyoming Senate never approved the compact.[32]

Compact negotiations began anew in 1934; the negotiators this time included six special commissioners, three each from Wyoming and Idaho; and an U.S Geological Survey engineer. Their deliberations dragged until Wyoming's representatives had secured terms acceptable to them—especially ironclad guarantees that, in the Snake watershed, any utilization of water would ahead of all else fill Wyoming's needs for it despite any priority claims of outsiders to the same resources. The new compact so written, Idaho irrigationists opposed it. They demanded no less than Jackson water being allocated to people such as themselves who claimed first rights to it under the West's historic first-in-time, first-in-right water doctrine. In short, Idahoans scuttled the new compact.[33]

When compact-arranging floundered again, Jackson commercial forces and dude ranchers seized on this turn of events, hoping at last to secure what they had always preferred—close down the federally-operated waterworks at Jackson Lake, cancel the outstanding rights of outside irrigationists to Jackson Hole water and reservoir sites, and block federal reclamationists and Idaho irrigationists from erecting a new dam below Jackson Lake. Wyoming state officials, legislators, and courts helped them. In fights that ensued, these opponents of Idaho's irrigationists won several innings. They blocked new schemes for raising the Jackson Lake dam, thus preventing the irrigationists from exploiting more than 789,000 acre-feet of lake water. In 1941, Wyoming authorities deprived the Utah-Idaho Sugar Company of the Twin Lakes water and reservoir rights that it had just purchased from old-time Osgood holders. The anti-irrigationists also supported a Wyoming Planning Board scheme to divert what Snake water that Jackson people could not use from the Jackson Hole watershed to Wyoming's Green River basin; there, the planners intended, the water would be used for irrigation purposes.[34] Also to thwart Idaho water users who might want even more dams in Jackson Hole, certain wealthy people gobbled up Jackson properties that could be "used for Reservoir Sites." Possibly by this tactic, too, for Wyoming they might lessen the impact at Jackson of a U.S. Supreme Court ruling (1931) that required states to share equitably in the benefits of their interstate streams.[35]

However, try as they might, the Wyoming forces could not eliminate the existing Jackson Lake waterworks inasmuch as, a federal lawyer pointed out, the government had virtually unassailable power "to construct irrigation works for the reclamation of arid land."[36] Neither could Wyoming tax Jackson Lake water holdings, as was instigated by Jackson people, in order to drive out-of-state irrigationists from the lake. In 1939, a federal circuit court barred Wyoming from taxing water that Idahoans owned at Jackson Lake. According to the court, this was appurtenant to the Idahoans land where they had long used it beneficially; hence, the water was beyond Wyoming's reach because it was situated in Idaho "for tax purposes."[37] Afterwards, Wyoming opponents of Jackson Lake damming continued to denounce the federal waterworks there, hoped that eventually the works would disappear on wearing out or becoming outmoded, and were later pleased that any expand-

[32] Carey to John Thomas, February 28, 1933, C.Ben Ross to Franklin Roosevelt, July 22, 1933, Martin to Ross, January 2, 1934 (qtns.), C. Ross Papers, ISA.

[33] C. Ben Ross to Leslie Miller, February 11, 1935 (copy), Barzilla W. Clark Papers, ISA; Crandall to Bishop, June 11, 1947 (copy), Charles A. Robins Papers, ISA; *Tenth Biennial Report of the Department of Reclamation, State of Idaho*, 1937-1938 (N.P.: n..p., 1938), p. 58.

[34] S.O. Harper, "39 Years of Federal Reclamation in Idaho," n.d., p. 3 (mimeographed), Sinclair Ollason Harper Papers, AHC; Crandall, "Water Distribution and Hydrometric Work, District No. 36, Snake River, Idaho," January 5, 1942, p. 16 (typescript), Idaho Reclamation Records; "Preliminary Report on [the] Proposed Water Development by Diversion of Waters of the Snake and Green Rivers in Wyoming," July [?] 1937 (typescript), Yellowstone National Park Research Library, Yellowstone National Park, Wyoming.

[35] Bert Crowther to Claude Wickard, March 27, 1940 (copy), Clarence A. Bottolfsen Papers, ISA; *New Jersey v. New York et.al.*, p. 283 U.S. 336 (1931).

[36] Stoutemeyer to Crandall, September 7, 1939, Idaho Reclamation Records.

[37] *North Side Canal Company v. State Board of Equalization of the State of Wyoming*, 17 F(2d) 55.

ing of these waterworks probably was precluded forever starting in 1950. In that year, Congress extended the boundaries of Grand Teton National Park to Jackson Lake and considerable terrain surrounding it, the Twin Lakes sector, and bodies of water like Jenny and Leigh lakes.

Meanwhile, Idahoans implemented their old plan for putting a new dam downstream from Jackson Lake. Federal reclamationists helped them. First, Bureau of Reclamation engineers determined that about 1,400,000 acre-feet of water could be impounded either at Johnny Counts dam site in Wyoming or at Palisades, an Idaho location eleven miles from Wyoming's western border. Secondly, federal reclamationists urged Idaho irrigationists to choose Palisades even though dam building at Johnny Counts would cost them fewer dollars. Such a choice might forestall new friction with Jackson people and prevent interference from Cheyenne authorities because the dam and nearly all of its water impoundment would be located within Idaho.[38] Irrigationists concurred. Finally, on December 9, 1941, Congress authorized the Bureau of Reclamation to build the Palisades waterworks; the bureau's reimbursement for its new outlays would come from payments by water users, sales of Palisades-generated electricity, and federal charge-offs for flood control benefits.[39]

This water plan alarmed Wyoming public authorities and plenty of Jackson people; worst of all, they argued, it sidestepped the big claims of Wyoming citizens to Snake water that originated in Wyoming, and filling Palisades reservoir yearly might even result in Jackson farmers losing water enough to sustain their stock raising and small-time hay growing. Responding to such threats, Governor Miller demanded that no Palisades construction happen in the absence of a Wyoming-Idaho water compact that protected Wyoming's interests. New negotiations began in 1937. But the talks bogged down mainly over the same issues that earlier bedeviled such discussions. Finally, two years later, Wyoming State Engineer L. C. Bishop offered another proposition: Wyoming state and local authorities would concede all control at Jackson Lake to the Bureau of Reclamation and its Idaho clientele and not oppose damming at Palisades provided a new compact guaranteed 2,500 second-feet of Snake water yearly to Wyoming entities.[40]

Bishop's proposal "astonished" the opposite side because, a Bureau of Reclamation lawyer pointed out, Bishop had proposed that, in dry years, Jackson people could monopolize nearly all of the Snake's "low water flow" ahead of any water ever flowing out of Wyoming. Subsequently, a water master claimed, the discussions degenerated to nothing because of an "unyielding attitude of Wyoming that it be allowed first right to all of the water" it wanted and an "equally unyielding" posture of Idahoans who would settle only when the Snake was finally "regulated according to priority of right" among water claimants.[41] Exacerbating this standoff, the sides bickered about unrelated issues. They disagreed mostly about Salt River water resources at Star Valley and the water of Teton Creek, a stream heading at the eastern slope of Wyoming's Teton Mountains and emptying into Idaho's portion of the Teton River basin.

Finally, the quarrel over Palisades subsided during World War II only for the issues to be revived again when after the war ended in 1945, Congress appeared likely to underwrite the proposed waterworks at Palisades. Finally, Wyoming Governor Lester Hunt, bowing to what could be inevitable, offered a better deal than what Cheyenne authorities had ever proposed in prewar times—with concurrence of Jackson residents, he would tolerate Palisades waterworks if, in Engineer Bishop's words, "a compact can be negotiated that will not adversely affect any established [water] rights" in Wyoming.[42] Subsequently,

[38] Stoutemeyer to Chief Engineer, October 3, 1935, Chief Engineer to Stoutemeyer, October 15, 1935, U.S. Bureau of Reclamation Records, Record Group 115, Engineering Correspondence Files, Box 784, Federal Archives and Record Center at Denver, Colorado; *Ninth Annual [Biennial] Report of the Department of Reclamation, State of Idaho, 1935-1936 (N.P.: n.p., 1936),* pp. 22-24.

[39] *Project Data 1981*, Water and Power Resources Service, U.S. Department of the Interior (Denver: U.S. Government Printing Office, 1981), p. 747.

[40] Walter Sheppard to C. Ben Ross, March 15, 1936, C. Ross Papers; Crandall, "Water Distribution to Hydrometric Work, District No. 36, Snake River, Idaho," January 1, 1938, p. 4 (typescript), Idaho Reclamation Records.

[41] Stoutemeyer to Crandall, September 7, 1939, Idaho Reclamation Records (1st, 2nd qtns.); Crandall to Bishop, June 11, 1947 (copy), Robins Papers (other qtns.).

[42] Bishop to Crandall, June 18, 1947, Robins Papers.

Dams at Jackson Lake and Palisades in the Snake River's south fork watershed played major roles in sustaining Idaho's downstream irrigation empire. Source: *Project Data 1981*, Water and Power Resources Division, U.S. Department of the Interior (Denver: Government Printing Office, 1981). Courtesy the author.

Hunt remained conciliatory because he believed that, like what had already happened at Jackson Lake, Palisades waterworks would eventually materialize despite all objections in his state. Moreover, Hunt opposed any litigating over Snake River water even though Palisades might be counterattacked by this tactic. As a consequence of lawsuits, he argued, Jackson people "might be denied the use of [Snake] water" even for their "reasonable needs." And to facilitate the interstate compact making that he desired, Hunt urged that nobody be "over-zealous in behalf of our respective states."[43]

Neither federal reclamationists nor Idaho irrigationists rejected the negotiations that Hunt proposed. In fact, his initiative especially pleased the irrigationists who were newly tantalized by the prospects of another 1,400,000 acre-feet of water at their disposal. Next, on July 3, 1948, Congress authorized Wyoming and Idaho, by a compact, at last to allocate Snake water among themselves; too, as Hunt insisted, Congress permitted no damming at Palisades until all sides had accepted a new compact.[44]

At four sessions, in 1949, where discussion were confined to Snake water originating at Jackson Hole, thus excluding distractions from different Wyoming-

[43] Bishop to L.C. Hunt, July 8, 1948 (1st, 2nd qtns.), Hunt to Robins, July 9, 1948 (3rd qtn.), Robins Papers.

[44] *Project Data 1981*, p. 747; "Minutes of the Third Meeting of the Snake River Compact Commissioners, Held at Pocatello, Idaho," July 29, 1949, p. 6 (mimeographed), Robins Papers.

Idaho quarrels over Teton Creek, Star Valley, and Falls River water resources, commissioners from the two states hammered out an agreement. Legislatures of the two states readily ratified it in 1950.[45] The agreement, in essence a "compromise," guaranteed Jackson people what water experts deemed their rightful share of Snake water while Idaho irrigationists got the lion's share of it on grounds that little of Jackson Hole's terrain was irrigable. More specifically, by complex formulas, Idahoans received ninety-six percent of the water in question, and Jackson people got four percent, an amount that included allowances for "existing and future uses for domestic and stock-watering purposes" and already "established water rights." In the opinion of Robert Newell, federal reclamationist who participated in the compact deliberations on behalf of the United States, the formulaic 96/4 allocation was so equitable that it precluded from the talking any gratuitous water grabbing by either camp. For sake of fairness, he explained, the 96/4 allocation was "closely based on estimates of supplemental [extra] water needed for lands now irrigated" in Idaho and "the requirements of the most feasible future development" in Jackson Hole.[46] On the off-the-record side of these deliberations, Jackson people won several concessions, one of which entailed putting a federally operated fish hatchery at Jackson. In 1950, Congress funded the new hatchery.[47]

Under the 96/4 allocation of 1949, the needs of Jackson property holders for water were filled nearly always during the next fifty years. Only at extremely dry moments was there any significant water insufficiency, and the Wyoming state government usually supplied remedies. For instance, in 1990, Governor Mike Sullivan acquired for Jackson users another thirty-three thousand acre-feet of Snake water that would ordinarily flow from Jackson Hole to storage at Palisades.[48] Partly Jackson's four percent allocation also sufficed because, in the 1950s, Wyoming authorities sidestepped Pacific Northwest forces, mainly makers of hydroelectric power and their federal allies such as the U.S. Army Corp of Engineers, that wanted a Columbia Valley Authority whose jurisdiction included Jackson Hole water resources.[49] Similarly, starting in the same decade, neither could Denver municipal officials nor water users in western Colorado succeed when they attempted to transfer water out of Jackson Hole to the Colorado River basin.[50]

In the same times, Jackson "resort interests" and other property owners unexpectedly benefited in different ways. After both states had ratified the Compact of 1949, Palisades waterworks were finished, in 1957, at a cost of $74,400,000, and because of the holdover water at Palisades in most years, Bureau of Reclamation engineers usually dumped less water out of Jackson Lake. Hence, the smaller drawdown at the lake reduced flooding of Jackson property from releasing water from it, and the lake's sides were less cluttered by debris to the delight of tourists and lodge proprietors. But not all was gold that glittered. On account of drought in 1961 and periodically thereafter, federal engineers emptied Palisades reservoir, and even after also drawing down Jackson Lake up to the allowable amount of 789,000 acre-feet of water, they could not satisfy Idaho irrigationists. Consequently, the latter demanded a third dam across the Snake River behind which to save more of the Snake watershed's spring runoff in wet years for use in dry ones. Their preferred dam site was the so-called Narrows three miles upstream from the Wyoming-Idaho boundary.[51]

[45] "Snake River Compact: Minutes of the Formal Meetings of [the] Snake River Compact Commissioners," February 1, June 29, July 29, October 10, 1949 (mimeographed), Wyoming State Engineer Papers, WSA; Wyoming Governor A.G Crane to Robins, February 6, 15, 1950, Robins Papers.

[46] "Snake River Compact to Allocate the Waters of the Snake River between Idaho and Wyoming. . .," October 10, 1949 (mimeographed), Wyoming State Engineer Papers, WSA; [Robert Newell], "Report to the Congress by the Federal Representative on the Snake River Compact," n.d. (mimeographed), Robins Papers (qtns. 1, 7).

[47] Dworshak to H.D. Forbush, May 23, 1956, Dworshak Papers.

[48] *Idaho Statesman*, October 10, 1990, p. 2A

[49] Robert G. Dunbar, *Forging New Rights in Western Waters* (Lincoln: University of Nebraska Press, 1983), p. 150.

[50] Dworshak to William A. Dexheimer, November 26, 1956, Dworshak Papers; *Eastern Idaho Farmer* (Idaho Falls), December 18, 1958, p. 4; Stephen C. Schulte, *Wayne Aspinall and the Shaping of the American West* (Boulder: University Press of Colorado, 2002), p. 103.

[51] H.T. Nelson to Frank Church, February 16, 1961 (copy), Crandall to Dworshak, June 10, 1961, Dworshak Papers; *Upper Snake River Basin: Wyoming—Idaho—Utah—Nevada—Oregon. Volume II: Land—Water—Flood Factors* (Boise, Idaho/Walla Walla, Washington: Department of the Interior, Bureau of Reclamation Region 1/ Corps of Engineers. U.S. Army Engineer District, 1961), p. 27

[52] Minutes of [the] Committee of Nine, October 15, 1957, Dworshak

The new proposal generally appalled Jackson residents for they had assumed that, with Palisades on line, no more dams would be placed in the Snake watershed. To do otherwise, local officials had already announced, would cause flooding of too much "more privately-owned land" in Jackson Hole.[52] In the end, nothing happened at Narrows. Instead of damming there, Congress barred federal reclamationists from building any more high-rise dams for Idaho irrigationists, and the latter found no private financiers to underwrite their damming at Narrows.

Meanwhile, Compact of 1949 agreements, as well as the newer cessation of federal dam building on behalf of Idaho irrigationists, encouraged better feelings among Jackson locals toward federal reclamationists and Idaho irrigationists. Nonetheless, vestiges of the groups' old conflicts remained. Still deploring damming at Jackson Lake for any irrigation purposes, Jackson holdouts complained on several counts. Worst of all in their opinion, Idaho farmers still drew too much water from the lake, and the Bureau of Reclamation had seemingly perpetuated such conditions in the 1980s. In this decade, the bureau refurbished the old Jackson Lake waterworks and even redesigned the works to withstand earthquakes of 9.0 magnitude.[53]

Secondly, there lingered irritants arising inevitably from certain environmental and hydrological consequences of using Jackson Lake for irrigation purposes. For instance, in 2004, recreational boaters and fishermen complained that, by releasing so much water from the lake each summer, the water washed enough vegetation and soil from downstream banks that silt muddied the Snake River too much. One of these people added that inasmuch as Jackson Lake and considerable downstream terrain were within Grand Teton National Park since 1950, a property belonging to all American citizens, "lot[s] of us are questioning whether Idaho irrigators have the right to destroy our property just because they own the water" emptying from this lake.[54]

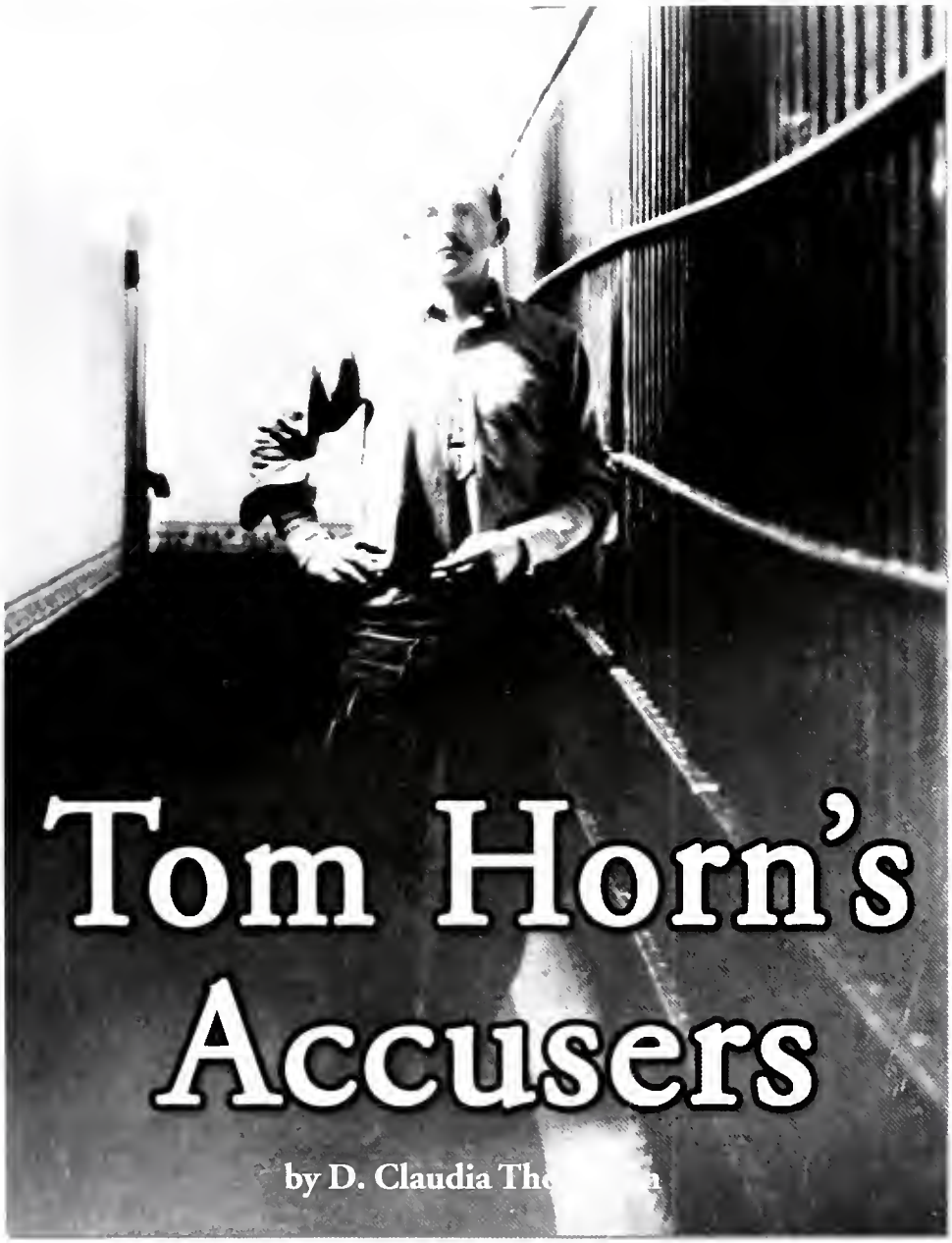
Such complaining underscored how, in order to sustain grand-scale irrigation in Idaho, so many hydrological consequences followed that the natural environment of Jackson Hole was altered for at least as long as irrigation institutions remained in place. Judging Jackson affairs from this environmental perspective, Wyoming State Engineer Bishop had justly observed in 1948, the "public interest" had been ill served when federal reclamationists and Idaho's down winders operated their Jackson waterworks and finally won hegemony over a big part of Jackson Hole's water resources. From this same vantage point, it could also be argued, such exploitation proved ancient charges from Wyoming citizens who believed that their state stored up snow that became water for others who paid too little for the resource.

Papers.

[53] John Rosholt, "Irrigation and Politics," *Idaho Yesterdays* 30 (Spring/Summer 1986): 22; *Idaho Statesman*, August 28, 2003, p. 6.

[54] *Idaho Statesman*, April 7, 2004, p. 4.

Jackson Lake Dam under construction. Courtesy American Heritage Center.



Tom Horn's Accusers

by D. Claudia Th[illegible]n

Editor's note. *The Spring 2005 issue of* Annals of Wyoming *included D. Claudia Thompson's article "The Image of Tom Horn." Unfortunately, when published, many of the article's footnotes were incorrect so Annals is republishing the footnotes in this issue. The notes follow Ms. Thompson's article "Tom Horn's Accusers." The article about Horn in this issue features a document written by George Banks about Horn's time in Brown's Hole in Colorado and was received by the American Heritage Center after the spring issue went to press. The document is an interesting footnote to Horn's story. The editor regrets the error of the footnotes.*

Tom Horn in prison for the killing of Willie Nickell. Courtesy American Heritage Center.

Tom Horn was hanged in November 1903, for the ambush murder of fourteen-year-old Willie Nickell. The case has generated controversy ever since, in large part because of the inadequacy of the evidence presented by the prosecution. Journalists at the time of the trial noted that only Horn's own "confession" tied him convincingly to the murder. He, himself, denied that the tale he told marshal Joe LeFors had been intended to be taken seriously. It was, he said, only part of a bragging match that both men were engaged in.[1] Horn's jury chose to believe the confession. One hundred years later, when the Wyoming State Museum took an unscientific poll of the public by setting up separate donation boxes for "guilty" or "not guilty," Horn was acquitted.[2] Certainly, by modern standards of jurisprudence, the Horn trial was a miscarriage of justice. The evidence in the Nickell case was too weak to justify the verdict.

[1] *Cheyenne Leader*, October 22, 1902.
[2] *Laramie Boomerang*, November 23, 2003.

But Tom Horn's contemporaries, and this probably included his jurors, did not try him in their minds only on the evidence presented in the courtroom.[3] Horn's occasional employment by the Wyoming Stock Growers Association (WSGA) as a cattle detective had given rise to rumors that he was a hired assassin, and that his true business was to dispose of homesteaders and small ranchers whose presence was obnoxious to association members. Horn was never tried, much less convicted, of any of these other killings, but the names of his supposed victims have been passed down. Two of the best known were Isom Dart and Matt Rash.

Dart and Rash were residents of Brown's Hole, a mountain valley in northern Colorado just under the Wyoming line. Dart was African-American and was well-liked by full-time residents of Brown's Hole. Rash was a leader of the local settlers. Both were gunned down by an unseen assailant: Rash in July and Dart in October of 1900. Brown's Hole residents believed that the killer was Tom Horn.[4]

A document recently acquired by the American Heritage Center, University of Wyoming, supports this belief. The document takes the form of a deposition, although there is no evidence that it was ever submitted to any court. Instead, it was passed down in the writer's family and was never published. It is signed by George Banks, who, according to his descendants, lived in Brown's Hole in the early 1900s. Unfortunately, Banks did not date his deposition, so it is impossible to know whether it was written before or after the two murders. However, if Banks's testimony is vague as to dates, it is very specific about names.

> I the undersigned wish to put in writing a Conversation which I over heared [sic] between three men one being H. H. Bernard and one known as Hicks or Tom Horn and one known as Mexican Pete working for the two bar...I heard Mr. Bernard say now we have got to get rid of these thieves and he says to Mr. Hicks: you kill Rash and that negro and Thompson and notify Annie and Elbert Bassett and Joe Davenport to leave the country and you can get your pay any time you want it.[5]

H. H. "Hi" Bernard was the manager of the Two-Bar Ranch in Brown's Hole. The ranch's owner was Ora Haley, a man with large cattle interests in Wyoming and a member of the WSGA. Hicks, a visitor in the valley, was also identified as Tom Horn by Anne Bassett, who ranched with her brothers Elbert and George. The Bassett family had been located in the area since the 1880s. Anne Bassett's story was published in multiple parts in *Colorado Magazine* in the 1950s.[6] She wrote about a man named James Hicks who came into the park looking for a location for a small ranch. He was invited to join the local roundup as cook.

> I did not take kindly to the new cook. His bragging that he had been a great Indian fighter, his boastful, descriptive accounts of the human slaughter he had accomplished single-handed, were exceedingly obnoxious to me. I emphasized this point with vehemence in several heated arguments...He seemed to recognize the "Indian sign" as unfavorable to his interests, and with a flimsy excuse to Mat Rash, he removed his carcass from the round-up. And that was the one and only time I saw Tom Horn, alias James Hicks.[7]

Shortly after the murders of Rash and Dart, Bassett was sitting alone at her living room table when two shots shattered her front door, barely missing her. In her mind, there was no doubt that Hicks had targeted her for murder just as he had previously targeted her friends.[8] She nearly lost another friend that year. The Bassetts' neighbors, Mr. and Mrs. E. B. Thompson, had cared for the Bassett children after their mother's death. On Thanksgiving Day in 1900, "Longhorn" Thompson narrowly escaped a shot fired from ambush. He left the valley soon afterwards.[9]

[3] See, for example, *Laramie Boomerang*, October 5, 1902: "Back of this are four other killings..."

[4] Grace McClure, *The Bassett Women* (Athens, Ohio: Ohio University Press. 1986), pp. 80-83.

[5] Undated statement signed by George Banks, George Banks Papers, Accession Number 11450, American Heritage Center, University of Wyoming.

[6] Ann Bassett Willis, "Queen Ann of Brown's Park," *The Colorado Magazine*, April, 1952-January, 1953 (Denver: Historical Society of Colorado).

[7] Willis, *The Colorado Magazine*, January, 1953, pp. 61-62.

[8] Ibid., p. 66.

[9] Willis, *The Colorado Magazine*, October 1952, p. 284; McClure, pp. 70-86.

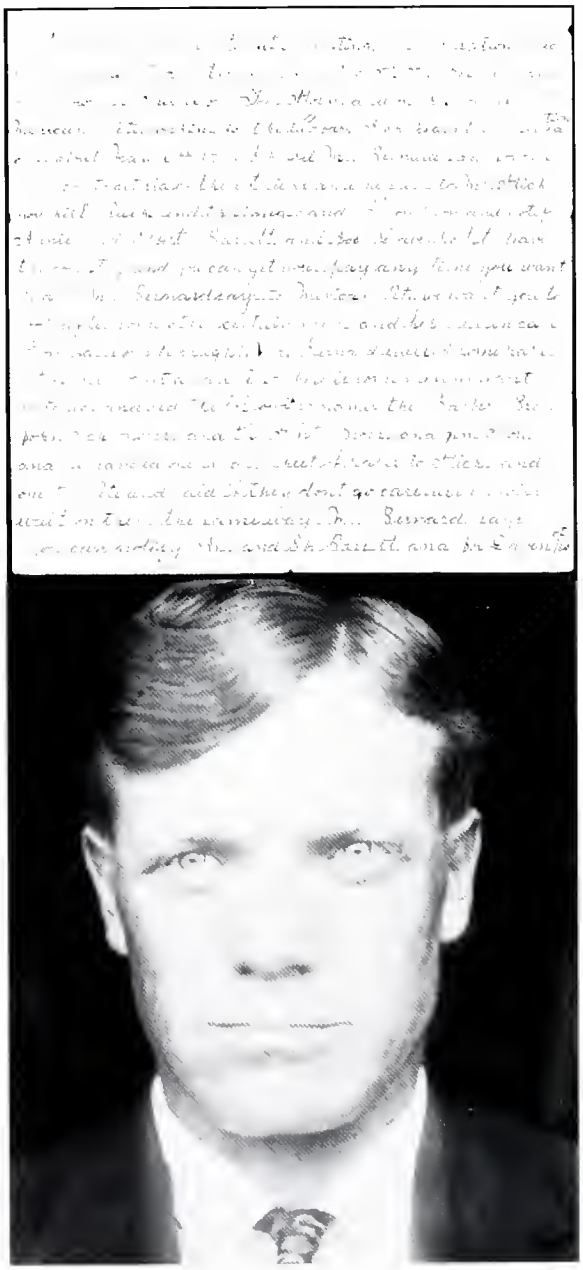
Banks' testimony is further supported by a story in the *Craig* (Colorado) *Courier* that, "a letter was found among the effects of Isam [sic] Dart...warning the Bassett boys and Joe Davenport to leave the Park inside of 60 days or suffer the same fate..."[10] If this letter was left by the murderer, it aligns with Banks' statement that these people were to be warned away. Before Christmas, the Bassetts and Joe Davenport had decided to visit friends in other parts for a while.[11]

Davenport later settled in Rock Springs, Wyoming, where he became a policeman. In 1929, he told his story to reporter George L. Erhard, who had a penchant for the poetic (not to say purple) in his prose.

> Harkening back into the misty, if not hectic, past to uncover the daring adventures of those sturdy pioneers who knew no fear...dauntless men parched with desire [who] played their roles of continued adolescence by getting their ambitions gratified far from the madding crowd.
>
> Those were the days of the real frontier west which has long since passed its vanishing point since civilized notions have severed all ties of fateful pioneering until it has dissolved into a mere epiphany with no absolute "west" remaining. It is for present day folks to recite the epilogue that reveals the truth.[12]

After this introduction, Erhard let Davenport tell his story. According to the former cowman, Tom Horn "was said to be a hired assassin...He seemed to be everywhere and often went by the name of Tom Hicks. I was in many roundups with him: in fact I was in the spring roundup with him before he picked off Matt Rash." Davenport also asserted that "Tom Horn unquestionably killed Isom Dart" whom Davenport regarded highly.[13]

Joe Davenport, Ann Bassett, and George Banks all accuse Tom Horn of the murders committed in Brown's Hole during the summer and fall of 1900. Their testimony is consistent with contemporary sources and each is consistent with the other, but none of it is sufficient for a modern courtroom. Bassett and Davenport merely reported popular rumors. George Banks only wrote down something that he overheard. Nevertheless, the three witnesses represent beliefs and attitudes about Tom Horn at the time. These stories were current throughout northern Colorado and southern Wyoming. They help to explain how a Cheyenne jury, just a few years later, managed to believe the unsupported confession of a drunken man.



(above) First page of letter written by George Banks about overhearing conversation between H. H. Bernard, Tom Horn, and Mexican Pete. (below) George Banks. Courtesy George Banks Papers, American Heritage center.

[10] *Craig* (Colorado) *Courier*, October 20, 1900, as quoted in McClure, p. 84.

[11] *Denver Post*, December 20, 1900, as quoted in McClure, p. 84.

[12] *Rock Springs Rocket*, March 1, 1929.

[13] *Rock Springs Rocket*, March 1, 1929.

Correction: Footnotes to *The Image of Tom Horn*, 2005 Spring Annals of Wyoming

[1] Details of the murder and arrest are to be found in the *Cheyenne Leader*, *Wyoming Tribune*, and *Laramie Boomerang*, October 11-22, 1902; book length biographies of Tom Horn are Dean Fenton Krakel, *The Saga of Tom Horn* (Laramie, Wyoming.: Powder River Publishers, 1954) and Chip Carlson, *Tom Horn, Blood on the Moon* (Glendo, Wyoming: High Plains Press, 2001); recent periodical literature includes Carol L. Bowers, "School Bells and Winchesters: The Sad Saga of Glendolene Myrtle Kimmell," *Annals of Wyoming*, 73 (Winter 2001); and Murray L. Carroll, "Tom Horn and the Langhoff Gang," *Annals of Wyoming*, 64 (Spring 1992).

[2] *Cheyenne Leader*, October 10, 1902.

[3] Tom Horn, *Life of Tom Horn, Government Scout and Interpreter* (Norman, Oklahoma: University of Oklahoma Press, 1964) p. 270.

[4] Horn, *Life of Tom Horn*, p. 225.

[5] *Laramie Boomerang*, October 5, 1902.

[6] *Laramie Boomerang*, January 15, 18, 1902.

[7] Charles A. Siringo, *A Cowboy Detective* (Lincoln, Nebraska, and London: University of Nebraska Press, 1988, reprint of 1912 edition published by W.B. Conkey Company, Chicago); D.J. Cook, *Hands Up; Or, Twenty Years of Detective Life in the Mountains and on the Plains* (Norman, Oklahoma: University of Oklahoma Press, 1958).

[8] "Bill Barrow [sic] Tells About the Corner that Tom Horn Has on His Business," *Laramie Boomerang*, February 4, 1902.

[9] *Rocky Mountain News* (Denver, Colorado), October 10, 25, 1902.

[10] *Laramie Boomerang*, October 5, 1902.

[11] *Laramie Boomerang*, January 15, 1902.

[12] *Rocky Mountain News*, October 5, 11, 1902.

[13] Gene Fowler, *Timber Line: a Story of Bonfils and Tammen* (New York: Garden City Books, 1951), pp. 99, 120. Bill Hosokawa, *Thunder in the Rockies: the Incredible Denver Post* (New York: William Morrow & Co., Inc., 1976), p. 78.

[14] Quoted in *The Wyoming Derrick* (Casper, Wyoming), October 30, 1902.

[15] *Rocky Mountain News*, October 25, 1902.

[16] *Cheyenne Leader*, January __?, 1902; November 21, 1903.

[17] *Laramie Boomerang*, November 21, 1903.

[18] *Cheyenne State Leader*, June __?, 1917.

[19] "Recalls Days of 'Cattle War' Against Farms" (E.T. "Doc" Pierce), *Chicago Sunday Tribune*, August 26, 1923.

[20] "Life of Tom Horn Recalled By Gun," *Rock River Review*, April 8, 1926 (reprinted from *Wheatland Times*).

[21] Charles H. Coe, *Juggling a Rope* (Pendleton, Oregon: Hamley & Company, 1927).

[22] William MacLeod Raine, *Famous Sheriffs and Western Outlaws* (Garden City, New York: Doubleday, Doran, & Company, 1929) p. 89.

[23] "Tom Horn's Gory Deeds Recalled 24 Years Later," *Laramie Republican-Boomerang*, November 19, 1927; "Tom Horn's Bloody Deeds Are Recalled 24 Years Later," *Torrington Telegraph*, November 19, 1927.

[24] "Will Use Twenty-Five Year Old Gallows Again," *Rock River Review*, December 20, 1928; "Horn Gallows Will Be Used," *Wyoming State Tribune*, December 20, 1928.

[25] *Denver Post*, November 23-December 12, 1930.

[26] *Sheridan Press*, November 23, 1931, May 15, 1932.

[27] *Worland Grit*, April 5, 1934; *Rock Springs Miner*, April 3, 1936.

[28] *Sheridan Press*, March 26, 1939.

[29] "Tom Horn Case Is Recalled By Durand Escape," *Sheridan Press*, March 26, 1939.

[30] Horn, *Life of Tom Horn*, p.225.

[31] See *Laramie Boomerang*, January 15, 1902. The article cites no informant, so it is unclear whether Horn or somebody else was fabulizing.

[32] Raine, *Famous Sheriffs and Western Outlaws*, pp. 80-91.

[33] Jay Monaghan, *The Last of the Bad Men* (Indianapolis: Bobbs-Merrill Co., 1946) p. 13.

[34] *Ibid.*, p. 17.

[35] Jeffrey Wallmann, *The Western: Parables of the American Dream* (Lubbock: Texas Tech University Press, 1999), p. 142.

[36] *Ibid.*.

[37] *Wyoming State Tribune*, "In Old Wyoming," by John Charles Thompson, December 2, 1947.

[38] *Wyoming State Tribune*, November 23, 1943.

[39] See *Wyoming State Tribune*, March 3, 1940; February 26, December 21, 1941; February 18, December 24, 25, 1942; May 4, 1944.

[40] *Wyoming State Tribune*, December 2, 1947.

[41] *Thermopolis Independent Record*, August 21, 1947.

[42] Unidentified, undated clipping (ca. 1950s) in Tom Horn, Biographical File, American Heritage Center, University of Wyoming.

[43] *Rawlins Daily Times*, July 24, 1952.

[44] See for example *Casper Morning Star*, November 20, 1952; *Laramie Republican Boomerang*, November 20, 1952; *Rawlins Daily Times*, November 21, 1952; *University of Wyoming Daily News*, November 26, 1952.

[45] Dean Fenton Krakel, *The Saga of Tom Horn*, p. iv.

[46] "Tom Horn's Barber" [Enos Laughlin], unidentified, undated (ca. 1956) clipping in Tom Horn, Biographical File, American Heritage Center; "Saga of Tom Horn Is No Legend To Cheyenne Man Who Knew Him" [Hugh M. McPhee], *Wyoming State Tribune*, November 18, 1954.

[47] "Books Today" review of Krakel with reminiscences of A.E. Roedel, *Wyoming State Tribune*, February 16, 1958.

[48] Wallmann, *The* Western, p. 152-53.

[49] *Ibid.*, p. 157.

[50] Mike Flanagan, *Days of the West* (Frederick, Colorado: Renaissance House, 1987), pp. 191-93.

[51] *Butch Cassidy and the Sundance Kid* (20th Century Fox, 1969).

[52] "'Just Couldn't Miss' Just Doesn't Make It" review in *Denver Post*, February 1, 1979. Details of the plot and casting are taken from this review.

[53] International Movie Database, http://us.imdb.com/title/tt0080031/plotsummary.

[54] *Casper Star*, October 31, 1979.

[55] Chip Carlson, *Tom Horn: Killing Men Is My Specialty* (Cheyenne, Wyoming: Beartooth Corral, 1991), p.2.

[56] *Wyoming Tribune-Eagle*, September 18, 1993.

[57] *Laramie Daily Boomerang*, May 22, 1998.

[58] *Casper Star-Tribune*, July 24, 1999.

[59] *Wyoming Tribune-Eagle*, November 14, 2003.

[60] Jon Chandler, *Wyoming Wind* (Waterville, Maine: Five Star, 2002).

[61] *Ibid.*, p. 204.

[62] *Wyoming Tribune-Eagle*, November 14, 2003.

[63] *Laramie Boomerang*, November 23, 2003.

[64] See interview with Chip Carlson, *Laramie Boomerang*, November 23, 2003; Phil Roberts quoted in *Laramie Daily Boomerang*, May 22, 1998; Carol Bowers quoted in *Laramie Daily Boomerang*, May 22, 1998.

[65] Carlson, *Tom Horn: Blood on the Moon*, p. xv.

[66] *Laramie Daily Boomerang*, May 22, 1998.

[67] Carol Bowers quoted in *Laramie Daily Boomerang*, May 22, 1998.

[68] *Laramie Boomerang*, November 23, 2003.

[69] *Cheyenne Leader*, October 22, 1902.

Edited by
Carl Hallberg

Significant Recent Books on Western and Wyoming History

John Clay, Jr.: Commission Man, Banker and Rancher. By Lawrence M. Woods. Spokane: The Arthur H. Clark Company, 2001. 285 pages. Illustrations, notes, bibliography, index. Hardcover, $42.50.

The West holds a special interest for not only Americans, but for people across the globe. It is the myth versus the factual West, but no matter what one reads, it is the cowboy who holds center stage for aficionados of the nineteenth century American West. Cowboy, cows, open range equals freedom. Or does it? It is more myth than reality. As with most business endeavors, the worker toiled long hours for little pay and owners/managers reaped the profits. So too it was with the western cattle industry of America.

This is the story of a Scotsman who came to America and struck it rich in the beef bonanza, who managed several large livestock companies and lived the high life in Chicago. Lawrence M. Woods, a retired oil executive and historian who lives in Worland, Wyoming, examines the life of John Clay. Born in 1851, Clay was educated in Scotland, managed farms, and worked for his father. All of this learning was put to good use in 1874 when he traveled to the United States and Canada. Visiting farms, such as Bow Park near Brantford, Ontario, he made business connections and impressed the right people, which in turn led to his appointment as manager of Bow Park in 1879. In the same year, Clay was appointed assistant commissioner of the new Royal Agricultural Commission which oversaw Scottish investments in the burgeoning cattle industry throughout the American West. Clay moved to Chicago in 1882 and it served as his headquarters throughout his reign as one of the most important cattle managers and financiers during the cattle boom of the 1880s.

Of special interest to Wyoming readers is the time Clay spent as manager of the Swan Land and Cattle Company and as president of the Wyoming Stock Grower's Association from 1890-96. Early experience had taught Clay that rustling was a serious problem in Wyoming. The Wyoming Stock Grower's Association set up a detective bureau in 1883. Well-financed range detectives, including Tom Horn, followed leads and brought action against rustlers – which might include lynching. Kate Watson, whom Clay called "Cattle Kate," and James Averell were two such casualties. Violence between small farmers/ranchers and the big cattle outfits escalated into a range war in Johnson County. Was Clay involved? Woods presents information to describe the circumstances and known events and lets the reader "...decide upon the most probable conclusion in an analysis that can never be made with certainty" (p.111).

Clay, "the Majordomo of the western cattle industry" (p. 141), continued to operate from Chicago, managing the Swan Land and Cattle Company during two tenures including the years the company raised sheep. Clay's business enterprises were extensive and he created a substantial financial empire. John Clay & Company owned lending banks in Nebraska, South Dakota, Montana, and Wyoming. As the nation's economy weakened in the early 1930s, some of these banks closed or were liquidated, but John Clay & Company continued to receive profits from other ventures. Clay died in 1934 and left an estate valued at more than $1.1 million.

Clay was a prolific writer and much of what we know about him comes from his own pen. His *My Life on the Range* (1924) is a classic. This current biography facilitates a renewed interest and compre-

hension of this talented man who lived through such important years in the history of the American West.

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Army Architecture in the West: Forts Laramie, Bridger, and D.A. Russell, 1849-1912. By Allison K. Hoagland. Norman: University of Oklahoma Press. 2004. 35 pages. Illustrations, notes, bibliography, index. Cloth, $49.95.

When most people think of forts in the American West, they envision a stockade with blockhouses on each corner, normally surrounded by Indians attempting to storm the walls. These popular images are carefully deconstructed by Allison Hoagland in her most recent book, *Army Architecture in the West*. Hoagland takes the reader on a tour of three forts in Wyoming and along the way paints a very different picture than that imagined through film and popular lore. These forts rarely had stockade walls and presented open ground plans that allowed access to anyone. They also expressed eastern cultural and social influences as officers and enlisted men attempted to recreate some of the comforts of home and served as examples of Anglo American culture and 'civilization.'

This book examines how the United States Army visibly expressed various ideologies through fort architecture. The three forts selected for this study—Laramie, Bridger, and D.A. Russell—offer Hoagland analytical tools for discussing the broader development of army posts in the western United States. Hoagland describes three distinct developmental phases that each fort experienced: the fort as outpost, as small village, and as modern institution.

Through each of these phases, Hoagland masterfully describes how the fort served the needs of broader societal forces as well as shaping the more intimate lives of the enlisted men, officers, and families stationed at these posts. During each of the developmental phases, the forts served as landscapes that instructed as well as defended United States citizens as they moved west. They were also places where class, gender, and racial hierarchies interacted and shaped the architecture and settings of the forts. Of particular interest is Hoagland's examination of the influence of gender on the material culture of these forts. Women, who accompanied men to these installations, shaped the interiors of the buildings and used the spatial relationships of the forts to recreate and affirm social and class hierarchies.

While the focus of the study is architecture, Hoagland also includes in-depth analysis of a wide-range of material culture at these posts. Her discussions of the evolution of various types of officer and enlisted housing focus on physical setting, furniture, and struggles to include heating, plumbing, and more room for soldiers and their families. As she described the development of these forts, Hoagland situates their material culture within the broader forces of standardization and professionalization evident in late nineteenth century American culture. For example, by the turn of the century, Fort D.A. Russell exemplified this trend as the army standardized the designs of buildings, contracted out construction to civilian firms, and rationalized the landscapes of military posts.

Army Architecture in the West is an excellent example of the how the study of architecture and material culture broadens our understanding of the West. Hoagland, through her analysis of these three forts, helps readers to understand that army forts articulated more than military power, functioning also as visible reminders of the power of American culture in the West.

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A View from Center Street: Tom Carrigen's Casper. By Mark Junge. Casper: The McMurry Foundation, 2003. Xvi + 272 pages. Illustrations, bibliography, index. Hardcover, $49.95.

Mark Junge's latest book is a look at the life and photography of Thomas Carrigen, a Casper commercial photographer and amateur artist who chronicled people and places in the central Wyoming city from the 1920s through the 1950s. The publication was a cooperative ven-

ture sponsored by the McMurry Foundation and the State of Wyoming and the first project undertaken by the Wyoming Department of State Parks and Cultural Resources in its Historian in Residency program. The book features more than two hundred of Carrigen's luminous images, providing a masterfully reproduced sampling of the photographer's extant collection of approximately thirty thousand negatives housed at the Wyoming State Archives. Junge's work brings to light the remarkable career and hardscrabble life of a respected Casper businessman who has been largely forgotten.

Tom Carrigen photographed the boom-and-bust city between World War I and World War II, a period in which the economy depended on the vigor of the oil industry. Most of the images were created at Carrigen's own DeLuxe Studio housed on the second floor of the Daly Building in the downtown district. This handsome book features shots of the oil town's local civic, fraternal, and social clubs, Casper denizens, school groups, buildings that have come and gone, and scenes of small-town life that have largely disappeared. Carrigen's own story is intertwined with Casper history and is told through one thousand family letters dating from Tom's birth in 1896 to his death in 1967. It includes charming letters written by Tom and his wife, Eva, during their WWI courtship. Without this family history providing context and background, the story would lose much of its depth and would have less reader interest.

It is surprising that the images have survived at all. Junge relates that Carrigen's delicate nitrate negatives went from his portrait studio to the basement of a Casper business. The collection was then transferred to the family cabin on Casper Mountain where it spent many years before Carrigen's daughter, Eleanor, donated the collection to the state. Junge notes that the photographer's radiant images were not "mechanical poses set up by a disinterested technician." The book beautifully captures this aspect of Carrigen's work by showcasing his interesting character studies, crisp interior shots of local businesses, and fascinatingly detailed on-the-spot images of town events, whether indoors or outdoors.

The pictures and book will probably have more local and regional interest rather than national, but that does not take away from the artistry of the images and the fact that they are a rich source of Casper history as well as small-town American life. Junge provides a large number of high school portraits, team photos, and class scenes. Although these photographs are equally as good as Carrigen's other work, it would have been interesting to see more variety from the large collection of existing images. Another good addition to the story would have been a few interviews with surviving subjects photographed by Carrigen to get a better feel for his personable style. In parts the text needs to be tightened, particularly in the sections pertaining to Casper history. The prehistoric record of the region and a look into the 1980s and 1990s seems inappropriate in this book that features a very specific thirty-five-year time period. But these are only minor flaws in an otherwise splendidly produced book that is a credit to Junge and the organizations that assisted in its creation.

Leslie C. Shores
American Heritage Center
University of Wyoming

Captain Harry Wheeler: Arizona Lawman. By Bill O Neal. Denton, Texas: Eakin Press, 2003.190 pp, including photos, index, bibliography and endnotes. $30.00

Harry Wheeler was the third Ranger captain, a man O'Neal calls "one of the most dedicated, controversial, and lethal peace officers ever to serve Arizona. Captain Harry Wheeler is the kind of man functioning as a hero in a Western film of the 1940s and '50s, except Harry Wheeler's story is true."

Wheeler applied to the two-year-old Arizona Rangers in 1903 and was accepted. Within four months, he was promoted to sergeant, reporting to legendary Ranger Captain Thomas Rynning. By 1905, Wheeler had reached the rank of lieutenant and had been involved in his first gunfight, killing a robber who was trying to hold up a Tucson saloon (Wheeler would eventually rack up another three victims, all in the line of duty). When Rynning resigned

in 1907, Wheeler took his place as captain of the Arizona Rangers. He was the only man in the brief history of the force to carry all ranks.

For the next two years, Wheeler would prove to be a formidable leader of the organization. But by 1909, the Rangers was disbanded, a victim of political infighting, and Wheeler had to find another job. In 1911, he was elected sheriff of Cochise County, a position he would hold for more than six years.

One incident that had nothing to do with criminal activity would stand out large, giving him more fame (and infamy) than he'd ever dreamed of. In July 1917 the International Workers of the World (IWW), or Wobblies, announced a strike in the mining town of Bisbee. This was around the time that America was entering World War I. Work stoppages could limit the amount of copper intended for the war effort. Many folks, including super patriot Harry Wheeler, believed that wartime strikes were unpatriotic so he deputized hundreds of men and went after the IWW.

More than 1,000 men were rounded up, herded into cattle cars and shipped to New Mexico. It was called the Bisbee Deportation, and Wheeler was the lightning rod for criticism and acclaim. Lawsuits were filed, a recall effort was launched, and the sheriff found himself scrutinized by media from around the globe. Wheeler would be forever haunted by the incident, although he also never wavered in taking full responsibility.

It was all downhill from there, as Wheeler couldn't find a professional niche up to his untimely death in 1925 at age fifty. So Harry Wheeler is something of a tragic figure, a man dedicated to public service who was frequently thwarted by events beyond his control. He is best known for an incident that covered just a few days but it was an incident that tended to overshadow all of the outstanding deeds acquitted over a thirty-year span. Wheeler should have had several years to reclaim his reputation and standing, but he died before his time.

Fortunately for Wheeler and his descendants, Bill O'Neal has squared the books on the lawman. And that's fortunate for us, too. *Captain Harry Wheeler* is a typical O'Neal product. It is concise, well-written, fast-paced, and loaded with plenty of photos and illustrations. There's no fat for the reader to cut off in an attempt to get to the meat of the matter. Yet the language is colorful and descriptive, painting an interesting and accurate picture of early twentieth century Arizona.

O'Neal also employs a special feature of several sidebar stories related to Wheeler. We learn what Tombstone was like when Wheeler was sheriff of Cochise County, some thirty years after its heyday. There's information on the National Rifle Association, of which Wheeler was a proud member; he loved to participate in NRA sponsored shooting contests, and he won more than his share. We read his published statement to the public about the Bisbee Deportation.

Captain Harry Wheeler is the culmination of more than twenty years of research, dating back even before O'Neal wrote an article about the man in 1986. The sources include the Arizona Ranger files—at least those that survived a 1921 flood—now located in that state's archives. The author also cites a number of letters housed at the Arizona Heritage Center in Tucson, contemporary newspapers, books, articles, and even a diary kept by Wheeler's brother. It's about as complete as it could be, an O'Neal hallmark.

Bill O'Neal says Harry Wheeler was one of the top lawmen in southwest history, working for an Arizona Ranger organization that has been sorely overlooked through the years. After reading this book, it's hard to debate that point. *Captain Harry Wheeler: Arizona Lawman* is an important addition to the outlaw/lawman canon and a fine tribute to a dedicated public servant.

Mark Boardman
Lafayette, IN

Editor's Note: *After reading the spring 2005 issue of* Annals of Wyoming, *one of our readers contacted me about a correction. The photograph on page 12 is of St. Michael's Mission at Ethete, not St. Stephen's Mission.*

Contributors

Daniel Davis
Elwood Mead, Arid Land Cession, and the Creation of the Wyoming System of Water Rights, page 2

Dan Davis grew up in Worland, Wyoming, and attended the University of Wyoming where he received bachelor's and master's degree in history. In graduate school he worked as a student assistant for the American Heritage Center and took archival studies classes. After completing internships at the Sweetwater County Historical Museum in Green River, and the Buffalo Bill Historical Center in Cody, the American Heritage Center hired Dan as a processing archivist working with western history collections. He was only in that position for a month before he moved to the reference department to become the photo archivist. Dan worked as the photo archivist for a little over three years before joining the Special Collections & Archives Department at Utah State University as the photograph curator in 2000. In his current job Dan is responsible for the historic photograph collections in the Special Collections & Archives department including cataloging, acquisition, preservation, and reference. Outside of work Dan enjoys fly-fishing, hiking, camping, and golfing. Dan and his wife Ashlee currently live in Nibley, Utah.

Hugh Lovin
Jackson Hole Water Resources, Federal Reclamationists, and Idaho Irrigationists, page 15

Hugh Lovin is Professor Emeritus of History at Boise State University, Boise, Idaho. He has written several books, including *Histories of Federal Reclamation Projects in Idaho Since 1914*, and published many articles in such historical journals as *Pacific Northwest Quarterly; Idaho Yesterdays*; *Montana, the Magazine of Western History; Agricultural History; Arizona and the West;* and *Annals of Wyoming*.

D. Claudia Thompson
Tom Horn's Accusers, page 26

D. Claudia Thompson has been an archivist at the University of Wyoming for twenty years, working with primary resource materials from many periods of history. She has published articles in historical journals, such as *Annals of Wyoming* and *Montana: The Magazine of Western History*. She received an M.A. in Librarianship from the University of Denver in 1978. In 1984 she moved to Laramie, Wyoming, where she is presently employed as the manager of Arrangement and Description at the American Heritage Center: the archives, manuscripts, and rare books repository of the University of Wyoming.

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Wyoming Picture

The Wyoming Wranglers Orchestra was a group of musically-inclined inmates at the Wyoming State Penitentiary. Rawlins photographer Frank Myers photographed them in 1938. Courtesy American Heritage Center.

Annals of WYOMING

The Wyoming History Journal
Vol. 77, No. 4
Autumn 2005

Cover Art

Charles Belden Collection,
American Heritage Center,
University of Wyoming

Charles Belden photographed these five ladies as they enjoyed the western life at the Pitchfork Ranch ca 1925. Amanda Rees, in her article, *A Classless Society: Dude Ranching in the Tetons 1908-1955*, examines the history of the many dude ranches in western Wyoming.

Information for Contributors:

The editor of *Annals of Wyoming* welcomes manuscripts and photographs on every aspect of the history of Wyoming and the West. Appropriate for submission are unpublished, research-based articles which provide new information or which offer new interpretations of historical events. First-person accounts based on personal experience or recollections of events will be considered for use in the "Wyoming Memories" section. Historic photo essays for possible publication in "Wyoming Memories" also are welcome. Articles are reviewed and referred by members of the journal's Editorial Advisory Board and others. Decisions regarding publication are made by the editor.

Manuscripts (along with suggestions for illustrations or photographs) should be submitted on computer diskettes in a format created by one of the widely-used word processing programs along with two printed copies.

Submissions and queries should be addressed to:

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Annals of WYOMING

The Wyoming History Journal
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"A Classless Society": Dude Ranching in the Tetons 1908-1955[1]

The Bar BC, one of the early dude ranches to take advantage of the scenic beauty of the Grand Tetons. Courtesy Daniel Greenburg Papers, American Heritage Center, University of Wyoming.

It was a classless society full of class, where the swagger of Western horsemen blended on equal terms with the swagger of adventurous, anticonventional Eastern aristocracy. Everyone—ranchers, Jackson storekeepers, hired hands, dudes—were caught up in this society, involved in the intense feuds and friendships, the bitter causes (park extension and related problems), took sides, cheated on each other selling horses and playing poker, loved, hated, even married each other. Every other ranch, particularly down the west side of the Snake River, was owned by an old dude of the JY or the Bar BC or the later White Grass.

Nathaniel Burt, 1983[2]

The American West is home to one of the world's most distinctive agricultural tourism activities: dude ranching. The ranching experience, mixed with a desire for a wilderness experience as a viewer, hiker, angler, and hunter, has profoundly shaped dude ranching in Wyoming's Grand Teton region. However, one of the least discussed aspects of dude ranching that has shaped this touristic endeavor is the issue of class. As Burt's quotation above suggests, during the first half of the twentieth century one of the more appealing aspects of being a dude in the West was, at least for easterners, that it was perceived to be a very egalitarian space. A place where class could be shed like an old rattlesnake skin, or dumped like a heavy Victorian dresser on the Oregon Trail, having outlived its usefulness. The belief that the West was, and is, a classless, egalitarian society pervaded western fiction and nonfiction writ-

[1] Special thanks goes to the American Heritage Center for providing a generous teaching grant, to my Tourism and Recreation students who explored dude ranching from a rich variety of perspectives and focused on Grand Teton National Park dude ranches, and published their work to share at http://digital.uwyo.edu/webarchive/trgrants/2003/ranch/ranch.htm. Their work inspired me to explore Wyoming dude ranching to a much greater extent. I am deeply grateful to the University of Wyoming-National Park Service Research Center for providing a research grant to continue my interest in the landscapes of dude ranching in the summer of 2004. Thanks also go to Pam Holtman, historian at Grand Teton National Park, the Jackson Hole Historical Society, in particular Lokey Lytjen and her staff, Dr. Robert Righter and Dr Sherry Smith for their time and reflections, and Dr. Philip Roberts for his encouragement. Thanks also to wonderful stories told by Robert Rudd, Harold Turner, and Louise Davenport. Finally, thanks to my husband David for his support and assistance with locating and mapping the Teton dude ranches, and to my little daughter Gwyneth who was such good company as we searched for these touristic landscapes.

[2] Nathaniel Burt, *Jackson Hole Journal* (Norman: University of Oklahoma Press, 1983).

ing, and it has certainly shaped thinking about and writing about dude ranching. [5]

Using a case study of twenty-one dude ranches operating between 1908 and 1955 in what is now Grand Teton National Park, we explore what dude ranching is, its geography, the relationship between dude ranching and the establishment of Grand Teton National Park, and the history of dude ranching as a business activity through the prism of class. Resources used include advertising by individual dude ranches, the Dude Ranch Association, railroad companies, airlines, and the state of Wyoming, as well as biographical and autobiographical materials. In working to characterize the complex, class-laden business/tourist relationship between the dude/dudeen (female dude), and their dude ranch, this essay explores the ways in which social class remained an important part of shaping who came to Teton dude ranches up until the 1950s.

What is Dude Ranching?

Historically, dude ranch operators and the association that represented them, have controlled the meaning of the term dude ranching, and in doing so they have taken a business perspective emphasizing the management of the operation. However, others, such as city business organizations seeking to develop tourism as a source of revenue, have promoted dude ranching emphasizing the dude or tourist. To establish a definition embracing both business and the dude/tourist experiences, we need to draw upon the work of the Dude Ranch Association (DRA) along with several dude ranch historians and other tourism oriented organizations.

At its inception, the Dude Ranch Association included three types of businesses in its definition of dude ranching: working stock ranches located in the plains and foothills of the Rocky Mountains, mountain ranches that took advantage of dramatic landscape aesthetics, and finally, hot springs resorts and spas. Propelled by the railroads that helped to create the DRA (the railroads envisioned a steady increase in dude ranch traffic on their routes), the third "resort/spa" group was an uncomfortable fit, and eventually disappeared from DRA membership. [1]

Dude ranches were identified as businesses that did not accept walk-in traffic, provided accommodation on the American Plan (all meals included), and created a particular aesthetic experience that combined a family-like ranch atmosphere with activities focused around the horse.

Grand Teton National Park historian John Daugherty has identified another characteristic of dude ranching, that of land ownership. He draws a strong distinction between those ranches that owned their own land and those that leased from the Forest Service and the National Park Service. However, there were several businesses that operated through a lease or concessionaire system, such as the Triangle X and the Teton Boys Camp. Thus this distinction seems less meaningful.

In addition to the DRA's criteria and Daugherty's requirement for land ownership, Lawrence Borne's study of dude ranches emphasizes the businesses as year-round homes for the owner, situated in the American West, placed in remote picturesque regions, and offering an atmosphere of a ranch family. [7] However, Borne's definition is a surprisingly difficult fit for the mountain retreats created in the Jackson Hole area. Few of these dude ranches were homes for the owner throughout the year. Life in the winter between six thousand and seven thousand feet is ex-

The term class is used to suggest particular levels of social or economic status that are differentiated. These status levels include the working class, the middle class, and the upper or elite class. These classes are relatively permanent and homogeneous strata of society that tend to differ in their status, occupations, education, possessions, and values.

[1] John Daugherty, *A Place Called Jackson Hole: The Historic Resource Study of Grand Teton National Park* (Moose, Wyoming: Grand Teton National Park, National Park Service, 1999), p. 223. Today, the DRA includes in its membership ranches that abide by the following rules: ranches should exemplify the western ranch ideal of personal, homelike hospitality and atmosphere, operate primarily on the American Plan, must be horse-oriented with western riding instruction, stock must be well cared for and equipment in good repair, during primary guest season must cater to registered guests only (minimum of a three-night stay), no transient trade, no selling of individual meals/livery services to public, and no public bar. A more fully articulated set of rules of Dude Ranch Association membership can be found at the association's website http://www.duderanch.org/requirements.htm accessed July 1, 2004.

[5] Lawrence R. Borne, *Dude Ranching: A Complete History* (Albuquerque: University of New Mexico Press, 1983).

tremely hard on ranchers and their livestock. Cattle and horses were often wintered in other more hospitable climates. Many of the dude ranch owners, though not all, were wealthy easterners who returned to the East along with their dudes at the end of the summer season. Thus, few dude ranches were year-round homes and so a ranching family atmosphere was not the central focus of the dude ranch nexus under scrutiny here.

To establish an authentic Western experience, one method was to partner an easterner with an experienced westerner. In a very few cases dude ranchers, such as Nathaniel Burt, managed to mingle their Eastern credentials and connections with their love and experience of the West into a successful operation. In addition to the definition of a year-round, Western ranch family experience, Borne points out that historically not only did dude ranches accept individuals by reservation, they often required references from dudes.[6] The request for references is one of the important keys to understanding how dude ranching was shaped by class.

The DRA, Daugherty, and Borne's definitions set up some general characteristics for defining dude ranching from a business perspective. Dude ranching rarely kept to these rules, especially in the Grand Teton region. Indeed, this owner-operator-association perspective does not include the ways in which dude ranching was being articulated in more general touristic promotions. The promotional brochure titled "Jackson Hole: Where to Go . . . What to See" created, by the town businesses to enhance revenue, defined the dude ranch from an economic and service perspective, a perspective that would interest dudes.

> "Dude Ranch" is not an expression that carries a clear-cut meaning to everyone, for a dude ranch is neither a summer hotel nor a farm where dudes "ranch". . . . The most typical dude ranches of all the West are in this section of Wyoming. They range all the way from the most exclusive outfits that require references and advance reservations for not less than three weeks or a month at around $70 per week per person—including saddle horse and equipment, modern cabin, meals and other advantages—to the guest ranches or outfitters where accommodation may be had by the day, week or season. The person of moderate means can arrange his vacation in Jackson Hole to fit his purse.[7]

From the town tourism perspective, dude ranching is far more expansive, encompassing the elite businesses and touristic operations that would allow dudes to tailor their interests and budget. This definition is in contrast to the mainstream dude ranching business which sought to draw a line between themselves and other "dude-like" operations. In this case of the city business perspective, the term dude ranching focused on the word dude and encompassed all people not originating in the West. This paper works to bring together dude and dude-like operations in a more expansive perspective.

To enrich a sense of dude ranching, we need to turn to its aesthetic qualities. The aesthetic experience is certainly not something to be underrated, and indeed the architectural and landscape architectural term for this aesthetic has become known as dude ranch vernacular. The National Park Service characterizes a dude ranch vernacular style as being developed as part of an earlier "agricultural complex or were built to echo—in materials, design, and placement—buildings of the pioneer/homestead era."[8] According to dude ranch author Arthur Carhart, dude ranches, auto courts, and other tourist facilities

> reflected the deliberate attempt (culturally rather than environmentally imposed) to create a "Western style" attractive to eastern guests. . . In Grand Teton this led to the construction of log buildings conscientiously made to look like pioneer structures, long after the economic and environmental rationale for this vernacular style had waned. . . As dude rancher Arthur Carhart informed prospective guests in *Hi Stranger!:* "The main lodge of a highly developed dude ranch is

[6] Daugherty, *A Place Called Jackson Hole*, p. 223.

[7] "Jackson Hole: Where to Go . . . What to See," published by Harry C. Duntsch, Riverton, Wyoming, no date (published between 1929 and 1950), pp. 18-19. It seems that this promotional brochure was sponsored by several Jackson Hole businesses which then placed their own business name on the front to personalize the brochure.

[8] United States Department of Interior National Park Service, National Register of Historic Places, Grand Teton National Park Multiple Property Submission, November 20, 1997, p. 70.

> the outgrowth of the owner's 'big house' . . . but they are a long way advanced over their counterparts of yesterday—and you'll be glad of that."

Combining the dude-business, more general tourist business perspectives, and the aesthetics of each operation, dude ranches were tourist businesses that offered housing utilizing a Western, or Rocky Mountain dude ranch rustic aesthetic that mimicked a pioneer agricultural landscape of ranch architecture, what we might call an agricultural aesthetic. Dude ranch operations would include a main lodge whose windows would feature dramatic scenery, and on the other side would sit various configurations of small, individual dude cabins. These rustic cabins were rarely weatherproofed and were not capable of offering winter habitation but they did offer porches looking onto dramatic landscapes or arranged so that all doors looked inwards in a horseshoe shape. To gain further definition of dude ranching we need next to turn to the geography of dude ranching. The appropriation of this agricultural aesthetic in the creation of dude ranches does not necessarily mean that they were practicing agriculture or ranching.

The Geography Of Dude Ranching

Though dude ranching can be found in the Southwest and California, as well as the Northwest, it is the northern Rocky Mountain region, especially Montana and Wyoming, and to a lesser extent Colorado, that shapes the historical industrial core of this distinctive agri-tourism sector. Historian Hal Rothman claims that dude ranching did not share a particular pattern of geographic relationship in their location in terms of transportation. On closer inspection, dude ranches do reveal particular spatial patterns in that they do not uniformly occur over the western landscape, but instead they were clustered.[10] These clusterings often occur in high density, around dramatic, often wild or preserved landscape managed by the federal government offering a particular wilderness aesthetic that offers an interesting contrast to the agricultural landscape aesthetic of the ranch. Wyoming is no exception, and dude ranch visual aesthetics are often dominated by mountain ranges such as the Snowy Range, Wind River Range, Big Horn Range, and the Tetons all of which are managed by federal agencies.

Historically, one of the clusters of highest density regarding dude ranching occurred in the Jackson Hole region, more specifically in what now is Grand Teton National Park. In the Tetons, dude ranches clustered around one of the most dramatic wild landscapes in the northern Rockies, the Grand Tetons: what we might call a wilderness landscape aesthetic. Dude ranches were located in the southern part of the park, south of Jackson Lake, closer to both the base of the range and the fast moving Snake River. The more elite dude ranches were often secluded, set back from the road sometimes several miles, their clients often arriving by train, at least in the early part of the century. In comparison, operations offering services to more middle-class automobile-centered tourists were located along major roads.

Thus, for the purposes of this analysis, dude ranching in the Teton nexus offered accommodation utilizing an agricultural, architectural, and landscape architectural aesthetic, combined with a strong wilderness aesthetic. It includes activities particularly focused around horses and though perhaps a majority of dude ranches did not accept dudes for one night only, others did. Dude ranches placed themselves in relation to take advantage of dramatic vistas in the valley, though not all faced the Teton Range itself, and were both secluded and exposed to major road transportation routes, depending on their clientele.

Dude Ranching Landscapes In The Tetons

This nexus of dude ranches offers a rich variety of operation from 1908 until the present day. With its official beginnings in 1908, dude ranching has, of course, been in the region longer than Grand Teton National Park, whose boundaries were first established in the late 1920s. Indeed, the Forest Service managed much of the land prior to the park's creation. When it was established in 1929, Grand Teton National Park encompassed ninety-six thousand acres,

[9] Ibid, 70 quoting Arthur Carhart, *Hi, Stranger! The Complete Guide to Dude Ranches*, (Chicago, Ziff-Davis, 1949).

[10] Hal Rothman, *Devil's Bargain* (Lawrence, University Press of Kansas, 1998), p. 134.

including the Teton Range and six glacial lakes at the base of the range, and excluded the dammed Jackson Lake. The greatest growth in dude ranching in this region came between 1908 and 1930 on land that was eventually folded into the park in its 1949 extension.

A number of people, including park superintendent Horace Albright, dude rancher Struthers Burt, and John D. Rockefeller, sought to expand the park across the valley floor. Burt envisioned a "museum on the hoof" where dude ranch activities such as his would be preserved while more ugly touristic endeavors would be done away with. Burt hoped for a partnership with Rockefeller that would preserve the pristine landscape and dude ranching heritage of the park, in a similar way to the construction of Colonial Williamsburg, another of Rockefeller's projects. With Rockefeller's wealth, channeled through the Snake River Land Company, the park's boundary was expanded in 1949 to incorporate an additional 309,995 acres. However, dude ranching and the "museum on the hoof" concept were not part of the park's vision of itself. When many of the lifetime leases established during the sale of land to the Snake River Land Company expired, dude ranches were dissolved, auctioned off, pulled down, burned, or left to rot.

A Classless Society Full Of Class

Dude ranch historians have been split on the egalitarian nature of dude ranching. Historians Borne and Jerome Rodnitzky reflect on the seemingly equitable nature of this touristic experience while Hal Rothman explores dude ranching as an elitist activity. Borne argues that the dude ranch was a "welcome relief to middle- and upper-class people whose lives were dominated by rigid social mores, political involvement, and family tradition . . . One facet of dude ranch informality was the egalitarian attitude that was prevalent in the West." [11] Thus the West seemed to offer its dudes a space away from the social constraints imposed by their class position.

With a slightly different focus, Rodnitzky compares dude ranching to other touristic destinations such as western resorts, arguing that though ranches asked for references they were probably not racially or religious discriminatory: "Very few Western dude-ranch advertisements said a ranch was 'restricted.'" [12] This inference seems problematic, however. Though dude ranches were places that did not restrict groups such as African American or Jewish peoples in their advertising, it would seem that if references were called for by dude ranchers from prospective dudes, these two classes of potential dudes would indeed be restricted. Indeed, to maintain distinctions between class strata for numerous dude ranches was an essential part of their management practices, up until the 1950s. For example, a line was drawn between the eastern elite dudes and what were sneeringly referred to as the tin can tourists, those of a more middle class position.

Rothman articulates a shift between early dude ranching that had substance, set in a historic and liminal moment where the elite sought both a mythic existence and a reinvigoration for tired souls, a dude ranch experience of Rooseveltian proportions.[13] Dude ranching shifted by 1930 to become a crass touristic rite of passage, celebrating a West recreated by popular culture and thus a shadow of its former self.[14] Rothman characterizes the pre-1930s period in terms of class as a time when social contacts and familiar ties shaped the dude guest list. But as the industry grew this shifted:

> Social contacts and familial ties, not business motives, formed the core of such relationships. But as the industry grew, relationships of class replaced personal ties. Visitors might not be friends of the owner, but they shared the same schools and neighborhoods back East.[15]

Rothman sets a binary opposition between the earlier dudes who came with one set of values and

[11] Lawrence R. Borne "Dude Ranching in the Rockies," *Montana, The Magazine of Western History*, 38 (1988): 16.

[12] Jermone L. Rodnitzky "Recapturing the West: The Dude Ranching American Life," *Arizona and the West*, 10 (Summer 1968): 121. Rodzinsky defines the term restricted to include white Christians, and exclude African American and Jewish people.

[13] Rothman, *Devil's Bargain*, p. 141.

[14] *Ibid.*, p. 115.

[15] *Ibid.*, p. 134.

those later dudes who traveled west with another. However, a more useful split in the realm of dude ranching was between that of the dude and the tourist.

In the Teton nexus the term dude was complex, as Nathanial Burt points out.

> A lot of effort was made by old-line dude wranglers like my father to convince their dudes that there was nothing pejorative about their title. This, however, was not and is not true. When the term was first used out West, at the end of the nineteenth century, it was a common slang term all over the nation for any fancy-pants young man who wore a boutonniere and parted his hair in the middle. There was something dreadfully effete and class-conscious about parting your hair in the middle. Before he went to the Dakotas, Theodore Roosevelt was always described by newspapers as a dude who parted his hair in the middle. The term thus began as derogatory. The only thing that has made it less derogatory is the presence of huge numbers of tourists, "tourist" being even more derogatory. Real dudes, old habitual regular year-after-year roughneck dudes, have become proud of their designation, particularly in relation to tourists. Real dude ranches do and should call themselves that and not the nasty-nice "guest ranch" that appears usually as a designation for overnight places that are really off-the-road tourist camps. It's like "mortician" for undertaker and "hose" for stockings. As for "tourist" and "dude," they are entirely different breeds.[16]

The term dudes may have been problematic, but in comparison to the crassness of middle class tin-can tourists, dudes were a "better breed." The Burts abhorred the crass touristic commercialism of 1920s and 1930s tourism in the valley and sought to distance their own touristic endeavors. I do not draw a line between travelers or, in the case of this paper, "dudes," a term used of members of a small elite who traveled in search of new experiences, and tourists, a term often heavy with the idea that such people were either dupes of the industry, or colonial and even postcolonial exploiters. Like tourism critic David Wrobel, I prefer to think of tourists/travelers/dudes being those who travel to experience unfamiliar environments.[17] Dude ranching was a complex, class-laden business/tourist relationship between the dude/dudeen (female dude), and their dude ranch, and social class was central in shaping the dude roster at Teton dude ranches in the first half of the twentieth century.

Individual Dude Ranches

Dude ranching during the first half of the twentieth century in the Grand Teton nexus falls into four major eras: the Grand Dames (1908-1919), the Expansionist Era (1920-1930), the Depression Era (1930-1940), and the Post War era (1940-1950s). Dude ranches in all these eras worked to include and exclude prospective clients in order to shape their dude rosters.

The Era of the Grand Dames

Three dude ranches were established during the Grand Dame era: the JY (1908), the Bar BC (1912), and the White Grass (1919). The first acknowledged dude ranch to establish itself at the base of the Tetons was the JY, purchased by Louis Joy. Joy went into partnership with Struthers Burt, who brought his eastern connections. Burt was a Philadelphian who moved amongst the city's elite, a former Princeton graduate who stayed on as an English instructor. He brought little money to the partnership, but his connections with monied easterners interested in experiencing the American West was crucial to the early success of the JY. At the JY, class shaped the dude ranch experience in two ways. First, the mix of eastern elites and westerners often middle or working class experience developed into a partnership which is a crucial dynamic in understanding the workings of dude ranch businesses, and one that returns over and over again in dude rancher biographies. Second, class shaped the ways in which dude ranches worked to establish an elite clientele.

In a 1917 promotional brochure, Joy made clear the atmosphere the ranch sought to establish "the atmosphere of a club," that was to be obtained by lim-

[16] Nathaniel Burt, *Jackson Hole Journal*, pp. 50-51.

[17] David M. Wrobel and Patrick T. Long, *Seeing and Being Seen: Tourism in the American West* (Lawrence: University Press of Kansas, 2001), p. 16.

iting guests to those "personally known by us or . . . introduced and vouched for by our friends."[18] Under the JY's subsequent owner Henry Stewart's direction, expensive brochures on heavy card stock were printed, including rice paper inserts. The feel of the brochures was then given extra weight by the text that quickly sought to establish the type of clientele to be admitted. Stewart was clear about who he wanted: long-staying clients who had social connections with previous dude tourists. "Reservations are never made for less than a stay of two weeks, and preference is given to parties planning to remain longer. References are requested, and the management is glad to furnish them if desired."[19] As dude ranch writers Joe Albright and Marcia Kunstel point out, much of the clientele came from the social register of Wilmington (the winter home of Henry Stewart), Philadelphia (continuing the Burt connection), and New York.[20]

The second dude ranch was Struthers Burt's Bar BC. Dissolving his partnership with Joy, Burt established a new business relationship with Dr. Horace Carncross, a psychologist who trained in the methods of Sigmund Freud. Burt was a man who perhaps uniquely straddled the divide between eastern socialite and western native, along with easterner Carncross to create a dude ranch on the banks of the Snake River. Burt's son, Nathaniel, characterized the dudes who came to the Bar BC in its first year:

> Most of them with Princeton and Philadelphia connections, talented, sophisticated, very much liberated pre-war post-Edwardians, full of advanced tinges of Freud and the Impressionists and fin de siecle English literature, but Romantics to a man and woman. It was because the West was so Romantic that they were there—the West, incredibly beautiful of course, then as now, with all the natural panoply of sun and sky and air, of mountains and flowers and streams and game; but above all, in those days and from the point of view of nowadays, incredibly, inconceivably remote.[21]

The Bar BC's dudes came from an eastern literati, and identifying and preserving that elite clientele became a priority for the Bar BC. As the rate card sent to prospective dudes in 1938 makes clear, the ranch was to be as discriminating in its clientele as the JY: "The number of people is strictly limited. In order to preserve a congenial atmosphere among our guests, we require personal references (preferably from someone who has been at the ranch before) from all who wish accommodations."[22] Like the JY, the request that previous dudes refer a potential dude was especially powerful in that it made sure that it excluded dudes who did not meet the social criteria. Indeed, it should be noted that the greatest "grand dame" dude in the Tetons, Elinor "Cissy" Patterson Gizyacke, heiress to the *Chicago Tribune* fortune and a Polish countess, made her first stay in the Tetons at the Bar BC.[23]

The third of the grand dame dude ranches was the White Grass. It was homesteaded in 1913 by Harold Hammond (a westerner from Idaho) and Tucker Bispman (a poet born in Philadelphia and a graduate of Princeton). Having met at the Bar BC Ranch as cowboy and dude, Hammond and Bispman also created the traditional partnership of east and west. They ran the White Grass as a working ranch until 1919 when they transferred the operation to a dude ranch.[24] As late as 1948, their extensive promotional brochure made clear that personal references were still an essential element:

[18] JY brochure, 1917, as quoted in Joe Albright and Marcia Kunstel, "Rockefeller's Last Stand: Historic JY Ranch Returning to Nature," *Jackson Hole* (Summer/Fall 2003): 55.

[19] JY Brochure, undated, Jackson Hole History Society (JHHS), file number 2002.120.526.

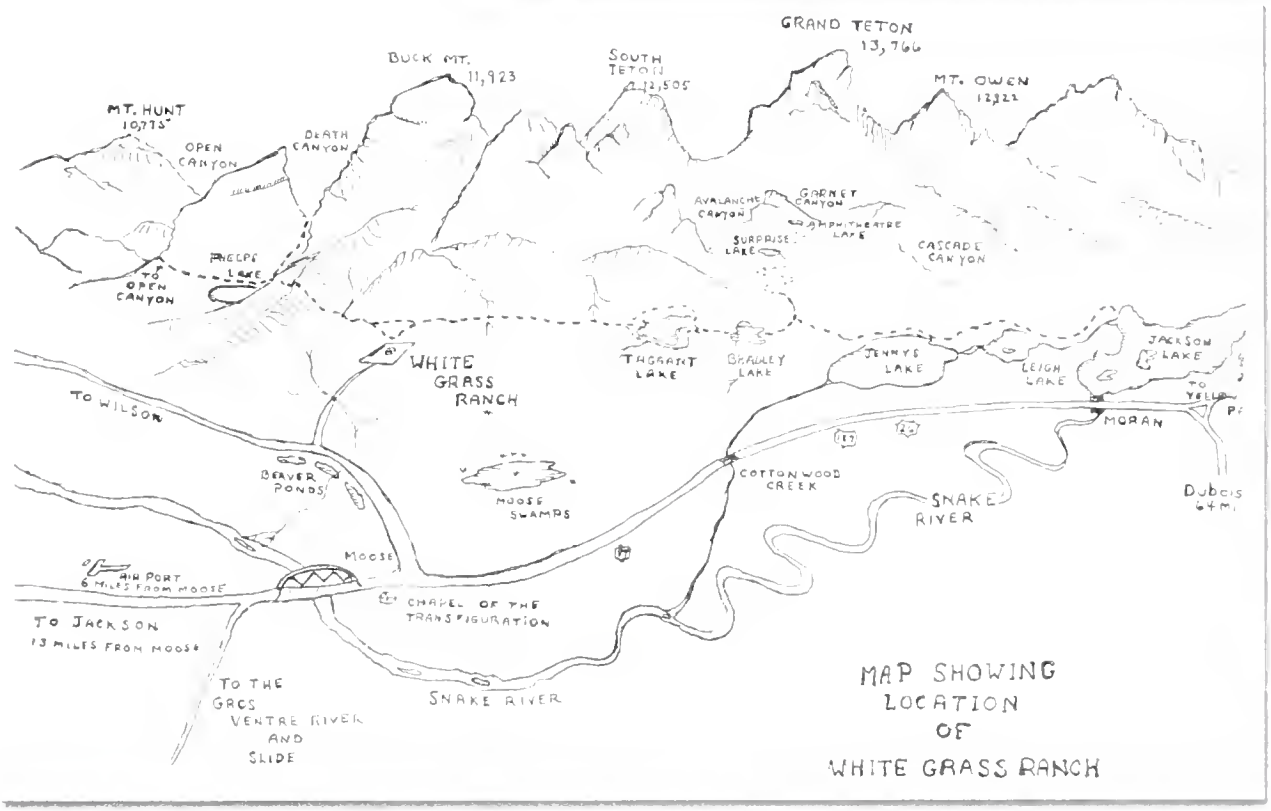
[20] Albright and Kunstel, "Rockefeller's Last Stand," p. 55. When purchased by the Snake River Land Company the JY became perhaps the most exclusive, former dude ranch in the Tetons. It became the summer retreat for the Rockefeller family. In 2006, the JY will revert to the National Park Service after all traces of the dude ranching activity is removed under the direction of the recently deceased Laurence Rockefeller. The loss of this site is profound as it was probably one of the most dramatic and arresting dude ranch developments in the Grand Tetons.

[21] Nathaniel Burt, "Early Days of the Bar BC," *Teton Magazine*, 14 (1981): 19.

[22] Bar BC Ranch Rates Card 1938, JHHS, file 2002.113.2.

[23] Daugherty, *A Place Called Jackson Hole*, pp. 229 and 337.

[24] The Galeys, who were to purchase the ranch, were its first guests at the White Grass in 1919. The Galeys sold the White Grass to Grand Teton National Park in 1955 with a lifetime lease, and it closed in 1985. Grand Teton National Park, Moose Headquarters, dude ranch files.



Map showing location of White Grass Ranch outside of Jackson, Wyoming, taken from White Grass Ranch travel booklet. Courtesy Dude Ranchers Association Collection, American Heritage Center, University of Wyoming.

> As the ranch does not take transient visitors and limits strictly the numbers of guests accommodated, it is necessary to make reservations early. Personal references are requested in making application for the first time. The White Grass Ranch reserves the right to refuse or cancel reservations at any time if such a cancellation is, in the opinion of the management, to the best interest of the other guests.[25]

The White Grass took the additional step of stating that it would cancel reservations at any time, including it would seem, while the dude was visiting, if the behavior of that dude guest was not compatible with prevailing society established at the ranch.

In working to establish the exclusivity of the White Grass, the ranch published a list of former dudes who had agreed to act as references for the ranch. Placed on the back of its promotional brochure, this list included doctors and lawyers, an administrator of the Carnegie Library, and the president of Philco Corporation.[26] The White Grass did this both for the main ranch and the ranch for boys, which they also operated.[27]

The success of the grand dames of dude ranching in the Grand Teton nexus profoundly shaped the ways in which subsequent dude ranches defined themselves and their dude rosters. One of the most profound ways they did this was that many former dudes either established their own private ranches or sought to join the dude rancher elite by establishing additional dude ranching operations. The 1920s was the expan-

[25] White Grass Ranch promotional brochure, Grand Teton National Park files, Moose Headquarters, dude ranch files.

[26] According to Consumer Electronics Association website at http://www.ce.org, accessed August 23, 2004, William Balderston, a president of Philco Corporation, did not become president until 1948 and so this promotional material would have been published in 1948 or afterwards.

[27] *The White Grass Ranch for Boys* promotional brochure, JHHS, file 2002.120.9. The boys dude ranch program, established in approximately 1923, indicated the type of clientele it aspired to in the list of references that included John Grier Hibben, President of Princeton University, Dr. Endicott Peabody of Groton School, Massachusetts, and the Honorable David A. Reed, senator from Pennsylvania.

WRANGLING THE HERD

Riding is naturally the main recreation on a ranch. Situated as it is, so close to the mountains, the White Grass Ranch has access to excellent and scenic trails where one can ride in the mountains, in the cool timber, or over the sage-covered flats. Most dudes prefer riding in small groups so there are plenty of cowboys on the ranch to take them when and where they want to go. Polo, roping and wrangling horses at daybreak are especially enjoyed by many of the guests.

Photograph and caption taken from White Grass Ranch booklet. Courtesy Dude Ranchers Assocation Collection, American Heritage Center, University of Wyoming.

sionist era of dude ranching. In this decade, agricultural economics was in a state of collapse as commodity prices declined at the close of the First World War. Many ranchers turned to alternative uses of agricultural landscapes. It was also the roaring twenties and as other economic sectors boomed so did tourism, and with the rise of the automobile, tourism in the American West opened itself up to a more middle class clientele.

Expansionist Era

Unlike the early grand dames, expansionist dude ranches were a far more varied set of operations that addressed a greater variety of clientele. Dude ranches varied, including those dude ranches formed in the mold of the three grand dames including the Flying V (that was renamed the Ramshorn and then the Elbo), the Danny Ranch, Circle H, the Trail Ranch, and the Triangle X.[28] Along the lines of the White Grass boys ranch, other juvenile ranches were established including the Double Diamond, Teton Boys Camp, and the Half Moon. In addition, there were two invitation-only dude ranches, the Bar None and the 4 Lazy F. Finally, there were businesses that sought to offer the dude aesthetic experience with more lim-

[28] There is one dude ranch, that I believe fits into this period, the Slash G, mentioned by Jake S. Huyler in his book *And That's the Way It Was* (Jackson: Jackson Hole Historical Society, 2000). However, Coulter gives little further detail and there is little additional evidence discussing the dude ranch.

ited services, for dudes with more modest budgets, and these operations include the STS, Square G, and the Elbo.[29]

Dude ranches that emulated the grand dames most closely were the Flying V, Danny Ranch, Circle H, and Trail Ranch. These ranches offered various services to their clients including horses, day trips, pack trips, some hunting and fishing, and a full American Plan service. In addition, dudes had to sign up for at least one week at the ranch. Though promotional materials do not survive from all these ranches, advertising for the Ramshorn Ranch included a request for an exchange of references, as did the Circle H Ranch.[30] The Circle H Ranch made it clear that they selected the dudes who came to stay: "In order to insure congenial groups we reserve the right to select all clientele. We want our guests to feel that they are friends visiting with us."[31] However, it should be noted that there was one ranch that did not request references, the Triangle X.

The Turner family at the Triangle X (1926) first came into the country in the teens. "The Turners came from Utah to show Jackson Hole people how to grow potatoes but they came out as small as your finger."[32] Turner took advantage of people passing through and asking him to lead hunt trips and pack game out. As more people came the Turners built two or three more cabins, but the early thrust of the Triangle X was hunting and fishing. Thus dude ranching, outfitting, and guiding worked hand in hand for many years until a more pronounced shift towards dude ranching and away from hunting after the Second World War.[33] Unlike the JY, Bar BC, and White Grass, the Triangle X shifted from its mode as a hunting and guiding outfit towards dude ranching, and did not work in the same way to establish an exclusive clientele. The Triangle X did not advertise for a specific clientele. However, we cannot conclude that because it was set up by western operators the role of class had any less effect. Moose Head, established in a similar manner, worked to restrict its clientele.

Interestingly, the dude ranch experience was seen as an excellent youth vacation, similar to the summer camps of the rural Northeast. Three businesses worked to service young dudes, the Double Diamond Dude Ranch, the Teton Camp for Boys, and the Half Moon. Though these organizations catered primarily to boys, girls claimed half the season at the Half Moon Ranch. Like the traditional dude ranches, these juvenile operations provided extensive services for their dudes and dudeens and juvenile dudes signed up for four to six week sessions.

The Double Diamond Dude Ranch (now known as the Climbers Ranch) was planned in the summer of 1923; boys were recruited among eastern preparatory schools, with nineteen being recruited for the first year, 1924.[34] Echoing the theme of the east-west partnership, one of its founders, Joseph Clark from Pennsylvania,[35] was staying at one of the invitation-only dude ranches established in this period, the Bar None. He befriended westerner Fran Williams, the camp manager, and they agreed to open a camp for boys.[36] In keeping with the grand dame elitist mode, potential dudes were required to send references.[37]

[29] The first Elbo was located in the east of the valley and was a homestead originally called the Triangle B. Purchased by Mr. Goss, a Californian, he recreated the ranch into a dude operation. The last operator of the dude ranch was Katie Starrette, also a California resident, who moved the dude ranch business to the other side of the valley to a location that was originally called the Flying V Ranch, also known as the Ramshorn Ranch, and is presently known as the Teton Science School.

[30] Wyoming Dude Ranchers Association and Wyoming Department of Commerce and Industry, *Wyoming Dude Ranch Directory* (1939).

[31] Circle H brochure, no date. JHHS, file 2002.11.85.

[32] Interview with Harold Turner, June 17, 2004, at the Triangle X, transcript in the author's collection.

[33] Interview by the author with Harold Turner, 2004.

[34] Louis O. Williams, "The Double Diamond Ranch of Jackson Hole," unpublished July 20, 1990, located in the JHHS, Double Diamond Ranch hanging file. The dude ranch reshaped its business plan during the 1930s to take in tourists.

[35] Clark was to become one of the senators from Pennsylvania who lived in Philadelphia. "Double Diamond Founder, Sen. Joe Clark dies at 88," *Jackson Hole News*, January 31, 1990.

[36] "Double Diamond Founder, Sen. Joe Clark dies at 88," *Jackson Hole News* January 31, 1990.

[37] Wyoming Dude Ranchers Association and Wyoming Department of Commerce and Industry, *Wyoming Dude Ranch Directory* (1948). It must be made clear that though the Double Diamond began primarily as a juvenile dude ranch, the 1924 promotional brochure mentions that there were accommodations for families and groups.

Stephen Leek, long known for his environmental activism and his successful hunting and fishing tourist camp on Jackson Lake, opened the Teton Camp for Boys in 1927. Though historian John Daugherty suggests that the camp did not meet the dude ranch criteria as it had little of its own land and relied on permits to use public land managed by the Forest Service, it did offer a juvenile dude ranch experience. With a month-long program of activities for its young dudes, the physical layout of a main lodge with a dining room, encircled by cabins and tent cabins, certainly gives a dude ranch aesthetic sensibility. Nor was it the only dude ranch to develop a special relationship with federal agencies to operate its dude ranch business as we can see with the examples of the Bar None and the Triangle X. Indeed, the Bar None dude ranch, an invitation-only business, was operated on a Forest Service lease. There is no record that the Teton Boys Camp required references.

In contrast to the Double Diamond and the Teton Boys Camp, the Half Moon took both boys and girls, though not at the same time. In catering to wealthy children from eastern families, its 1930 promotional brochure included references from administrators at several schools in the East. In addition, the exclusivity of the Half Moon was stressed in its requirement of references: "The group will be limited to about fifteen girls, only those recommended by the staff or a personal friend being considered."[38] In addition to establishing a list of references and a clear indication that references were required, the brochure also provides a list of the girls who attended in the 1927-1929 seasons. The majority of the girls were from New York.

As private, invitation-only businesses or quasi-businesses, the two ranches that fall into this category are perhaps the best examples of the exclusivity of the dude ranching business. Both the Bar None and the 4 Lazy F extended invitations to paying dude guests. As private entities, these two dude ranches did charge their dudes, though it is not known if these organizations ran on a for-profit business basis. The 4 Lazy F, purchased in 1925, became the summer home of the Frew family, from Pittsburgh, Pennsylvania. The Frews began accepting dudes in 1927 through the early 1990s when dudes were still visiting as paying guests. And as George McCullough, foreman at the 4 Lazy F, remarked, if Mrs. Emily Oliver (present owner) did not receive a letter of thanks at the end of each dude's stay they would not be invited again.[39]

One of the most elusive of the dude ranches in the Grand Teton nexus is the Bar None, also known as the Woodward Camp. Begun sometime in the late 1920s, its owner, Dr. George Woodward, negotiated a lease of five acres of land from the Forest Service at the outlet of Jenny Lake.[40] Having duded originally at the Bar BC, and deciding that it was too luxurious, Woodward "moved up to the Bar None so he could lie in jolly discomfort, the simple life with a vengeance."[41] This invitation-only dude ranch closed in 1931 with the untimely death of Woodward's daughter, and today there is little material or documentary evidence of its existence.[42]

Many of the elite dude ranches in the Tetons were anomalous in comparison to the rest of Wyoming as they were created from scratch, more along the lines of resort facilities (including the occasional swimming pools). Perhaps the most famous of these was Eaton's ranch in Wolf, Wyoming, that was synonymous with pack trips into Yellowstone. The Eatons are commonly understood as the first dude ranchers who originally set up business in the Dakotas before realizing that public land was becoming a scarce commodity on the plains and so re-located in the vicinity of the dramatic landscape of Wyoming. Dude ranches in other parts of the state were more often converted from working ranches rather than "from scratch" dude

[38] Promotional Brochure, "The Half Moon Ranch," 1930, JHHS, file 2002.120.50.a.

[39] Informal interview by the author with George McCullough at the 4 Lazy F, June 22, 2004.

[40] Interview by the author with Theodore Bessette June 18, 2004, completed at the Jackson Hole Historical Society. Theodore's uncle Alfred and uncle Frank both worked at the Bar None. Alfred Bessette, chef in Nasaau Club and Princeton Club, had been recruited by Struthers Burt for the Bar BC Ranch. Alfred eventually returned east while Frank stayed West and went to work for Woodward's Bar None.

[41] Burt, *Jackson Hole Journal*, p. 69.

[42] Though there is little in the historical record of the Bar None, it seems that Double Diamond dude ranch founders Joseph Clark, summered there and met his western partner.

"The Coach" transported dudes and dudeens around Eaton's Ranch in Wolf, Wyoming. Courtesy Eaton's Ranch Papers, American Heritage Center, University of Wyoming.

ranches. There were few working ranches that shifted to dude ranching in the Teton region. Some were purchased from homesteaders who farmed the land and ran a few milk cows, and several were homesteaded as tourist facilities. Though many of the dude ranches in the region rejected overnight traffic, there were a number of operations that welcomed it. However, they also sought to provide a dude ranch aesthetic experience, mixing agriculture and wilderness, these ranches included the STS, Elbo, and the Square G.

Homesteaded in 1920 by Buster Estes and his wife Frances, the STS dude ranch lasted for nearly thirty years before being sold to Olaus and Margaret Murie in 1946. As with the early dude ranchers, Buster and Frances were a mix of east and west. Buster came to Jackson Hole when he was two and was a dude wrangler at the Bar BC when he met Frances Mears, a Philadelphian dudeen, in 1914.[10] Unlike other dude ranches, the STS gave both daily and weekly rates, which suggests they did not keep strictly to the notion that dudes could not be overnighters.[11] In undated ranch promotional materials there is no mention of requesting references. It should be noted that the Estes prices were much less than competitors and they offered services such as horse rentals, fishing, laundry, and use of the ranch bathroom for an extra charge.

On land purchased in 1926 from Jimmy Manges, J.M. Goss and James Scott built the Elbo Ranch along the main road. The Elbo Ranch contained two businesses: a road service station section and some cabins taking overnight guests. Behind that was the dude

[10] "Dude Ranches of Jackson Hole: The STS," *The Jackson Hole Guide*, June 11, 1961, Maggie Meehan, *The Murie Ranch* (Moose, Wyoming: The Murie Center, 2001); Louise Murie, "Murie Ranch: A History," (unpublished, 1998), STS Ranch hanging files, JHHS.

[11] STS Ranch promotional brochure, no date, STS Dude Ranch Hanging File, JHHS.

ranch section that accommodated only guesrs with reservations. Though there is no record that the dude ranch part of the Elbo required references, the Elbo did take on a veneer of fame and fortune with the arrival of the famous actor Wallace Beery. With Beery came Hollywood glamour and media attention to dude ranching in the valley. Contemptuous of the Elbo as the "Home of the Hollywood Cowboys," Nathaniel Burt associated the business with an infestation of tourists:

> In about 1927 when the nasty Elbo was founded, Wallace Beery, then famous as a movie character actor, flew into the Hole in his private plane, landed in the sagebrush on the flats, stayed at the Elbo ("Home of Hollywood Cowboys"), and chased the cook lecherously around the kitchen. He settled as a permanent touch of Filmland along Jackson Lake. The various dance halls at Jenny Lake and outside of Jackson were dependent on reckless and often disastrous automobile transportation for existence. Despite the dreadful roads of the twenties, more and more tourists infested them.[45]

This touristic infestation led, Burt argued, to the ugly tourist landscape of the 1930s that besmirched one of the grand dames of dude ranching, the Bar BC, Burt's summer home:

> Gas stations and tourist camps were beginning to infest the still-privatized road toward Yellowstone. The dance hall at Jenny Lake and the Elbo, home of the Hollywood Cowboys, and its rodeo grounds out on our [Bar BC Dude Ranch] flats were merely the most obnoxious and conspicuous eyesores. It became obvious to farseeing conservation-minded local people that frontier isolation was ending and that exploitation was imminent.[46]

Thus, for Burt, the Elbo was yet another aesthetic slap in the face, another example of the ugliness of tourism, and something that only the conservation-minded frontiersmen, like his father, would work to end.

Opened in 1926, the Square G was located on the inside loop road in what is now park property.[47] A.W. Gabby and his wife Lidy, the owners, were careful to call the Square G a guest ranch rather than a dude ranch. Square G took overnight guests as well as those who booked ahead and had about forty cabins, most on the north side of the road. On the south side of the road the Gabbys also owned a service station with two gas pumps, a small store that sold film and food, seven cabins that had maid service, and a post office.[48]

The Square G did not offer an American plan and the extensive activities similar to the Bar BC. Indeed, Robert Rudd, a former dude, makes clear that the ranch was defined more by what activities were not offered, such as organized day trips and no overnight pack trips.[49] However, according to former ranch foreman Bob Krandenburg, horses were offered through a concessionaire from Thermopolis who brought both horses and wranglers. "The season was so short and they would have to winter the horses so it didn't pay to own our own horses."[50] Thus, this operation takes on the aspect of dude ranching in that it included horse-focused activities. Along with the horse activities, the Square G also offered the aesthetic experience of a dude ranch. Homesteaded by the Gabbys, the cabins had front porches, and many focused on the dramatic Cathedral view of the Tetons. There was a central lodge with cabins scattered in rather secluded locations on the site. All the furniture was made on the ranch of lodgepole pine and this was a prominent selling point in Square G promotional literature, "all Log Cabins, lodgepole pine furniture."[51]

There is no evidence that the Square G requested references from its clients, but what type of clients were attracted to the operation? Krandenburg characterized the type of people staying at the ranch:

[45] Burt, *Jackson Hole Journal*, p. 129.

[46] *Ibid.*, pp. 131-32.

[47] The Square G closed in 1953.

[48] Interview by the author with Robert Rudd, former Square G dude at this site of the Square G, June 18, 2004.

[49] Interview by the author with Robert Rudd, June 18 2004.

[50] Bob Krandenburg interview, October 1982, interviewer not named, transcript located in the JHHSociety files.

[51] Promotional postcard published by the Square G Ranch, located in the hanging files, JHHS.

> Most of the people were independent and liked to hike and do things on their own . . . Our guests were professors, lawyers and doctors from all over the country. . . Most of the guests returned year after year and they stayed most of the summer. Few stayed less than a month.[52]

Thus, the Gabbys established a middle class clientele that sought a less structured environment. With the inclusion of horse activities and the strong dude ranch vernacular aesthetic, the Square G shared many dude ranch characteristics. Thus, during this expansionist age of dude ranching, a rich variety of dude ranches evolved, from the more traditional ranches, juvenile ranches, by invitation, and operations offering a dude ranch aesthetic though not all of the services.

Depression Dude Ranches

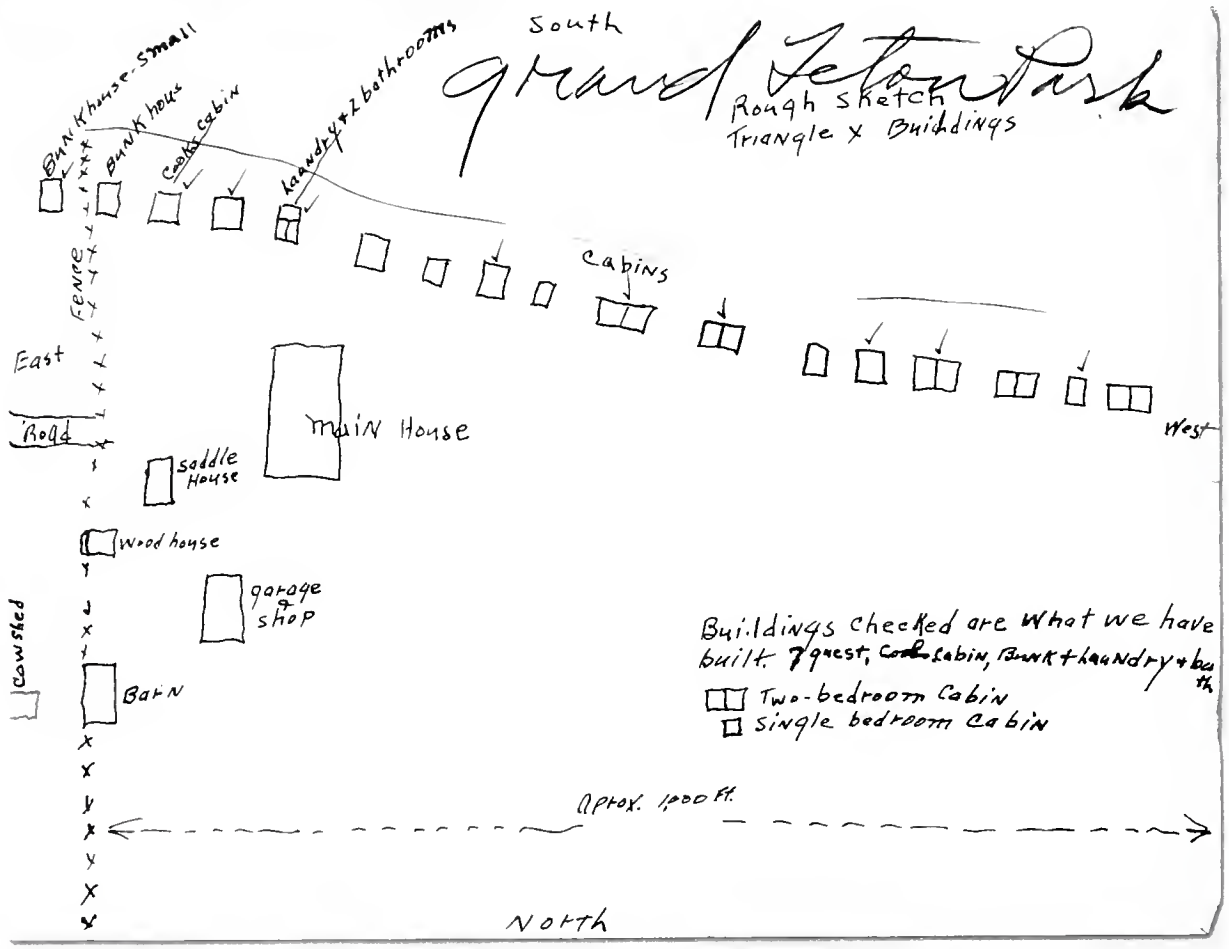
As the Depression hit the United States, it was no surprise to the already economically depressed region of the Tetons. What was new was that tourism numbers also diminished, as did the rate of dude ranch creation. Indeed, only three ranchers opened their doors to dudes during this period: Moose Head, Bear Paw, and the X Quarter Circle X. Locals who had already been outfitting and leading hunters had created the Moose Head, like the Triangle X. However, unlike the Triangle X, they did not take its first summer dude until 1937. The Bear Paw, on the other hand, was created through the money of an eastern candy producer who had fallen on hard times, whereas the X Quarter Circle X was probably the most unusual as well as minimal of all the region's dude ranches.

The Moose Head came to be with the marriage of two homesteaders on adjacent land, Eva Grace Stanford and Fred Topping. Unlike the more exclusive dude ranches, the Toppings worked multiple jobs to make ends meet, including selling garden produce, eggs and cream, running the post office, hosting the local school, offering gas for sale on the main road between Yellowstone and Jackson, and guided hunts in the fall.[53] The Toppings turned towards developing their own hunting business in the 1920s and Eva described the shift in their outfit.

> We started this hunting business and the state people came in by flocks to get meat. So as we got acquainted,

Bob Krandenburg interview, 1982.
Caroline Miller, "Moose Head photos reveal dude life," *Jackson Hole News*, June 6, 1990, p. 5.

Family enjoying rest and relaxation at the Triangle X Ranch. Courtesy Triangle X Ranch Papers, American Heritage Center, University of Wyoming.



Sketch of the buildings at the Triangle X Ranch. Courtesy Triangle X Ranch Papers, American Heritage Center, University of Wyoming.

these people had relatives and acquaintances and all which led into the non-resident business. So we started to take the non-resident people. They could come to the homestead. We just had the homestead cabin with a little kitchen about as large as this room. . . . They started camping. No one thought of accommodations in those days. And as they came in it would be cold in the fall, maybe in November it would be even 20 below zero. The season stayed open then to the first of December. . . So they would start coming in and want to eat breakfast. It was cold, and a bunch of men cooking in a tent in freezing weather. So I would start cooking for them . . . And then they would want me to cook dinner for them. We started getting acquainted and eventually it came to the dude business."[54]

In a later interview Eva discussed the evolution of their dude ranch business more directly.

> Fred had the idea to start a guest place. He was acquainted with a lot of people and they wanted a place to stay in the summer. They didn't want a commercial place. The larger ranches got too commercial and people wanted a simple place. So we just started. We'd get the logs with an axe and a saw and building cabins til the winter come. We built 40 log cabins up there.[55]

But it was not until 1937, that the Toppings took their first summer dude. However, the Moose Head, as noted in an undated newspaper advertisement, required references.[56]

[54] Eva Topping interview, April 28, 1971, transcribed. Transcription in JHHS, 1222-1.

[55] Eva Topping, July 1, 1983, transcribed, pp. 15-16. Transcription in JHHS.

[56] "Moose head Ranch," undated newspaper article, Moose Head hanging files, JHHS.

Unlike the homegrown Moose Head, the Bear Paw began as a ranching operation, a hobby ranch. Originally, Coulter Huyler, a confectioner from Greenwich, Connecticut, duded with his family at the Circle H Ranch. As Jack Huyler, Coulter's son, reminisces, "the first night Dad ever spent in Jackson's Hole was at the Circle H, a dude ranch owned and operated by Harry and Ethel Harrison near Moose."[57] However, the Pennsylvanian connection was not lost, as Huyler knew Struthers Burt and had graduated in the same class at Princeton in 1907. At the Circle H he met Jack Neal, his future dude ranch foreman. Purchasing the Bear Paw from Eliza Hubbard Waterman Seaton in fall 1926, the ranch was a private retreat. However, during the Depression the candy business shrank, and Huyler took his family west to re-organize his ranch into a dude ranch business.[58] Though daily rates were quoted for the Bear Paw, suggesting that they would take overnight traffic, dude references were required.[59]

Finally, the X Quarter Circle X, owned by Jimmy Manges, developed as a collection of cabins which his nephew Irwin and wife Marvel Lesher took over. Manges first began his work in tourism as a guide during the fall's elk and moose hunting season for local dude ranches.[60] His first venture into providing accommodation came when he allowed families to build cabins on his land. As they moved on to other jobs they left the cabins vacant and he began renting them in 1932.[61]

Manges was uninterested in the social status of his visitors, however this changed when Irwin and his wife Marvel Lesher took over management in 1950 and shifted the operation more towards dude ranching.[62] Though not one of the elite dude ranches of this period, the Leshers became increasingly concerned that overnight guests were not socially compatible with regular dudes who were repeat customers. Requiring references was out of the question for this operation, however,

> Marvel developed a careful screening procedure to weed out tourists whom she thought might not fit her standards of compatibility. For the most part, Marvel wanted to make all of the decisions about who stayed and who didn't, when there were inquiries about vacancies. She had her own little ways to determine if they were good people. To appear less discriminating to the tourist, if they were being rejected, she might tell them the cabin left was too small for their family. She might simply say that she was sorry, but the cabins were all full. If the tourist complained that the sign on the highway said there were vacancies, she might yell across the yard. "Irwin, I told you an hour ago to go out to the highway and remove that sign. Don't you see the trouble you have caused these poor people? Will you please go take the sign down right now?" After her disappointed "undesireable" tourist departed she would tell Irwin not to go take the sign down.[63]

In order to manage her guest list she worked hard to establish a dude clientele that was mostly regular repeaters and who

> liked to stay for several weeks or months. Gradually, Marvel became informed about the guest's desires and the vacation policy of the guest's employers or the demands of the business the guest might own. Together they established a period when these guests could comfortably return each year. Many of the guests became accustomed to staying in the same cabin year after year. . . For many families, it became a tradition. They might make reference to themselves as "We are the July guests", or they might say that my brother was an "August family.". . children of the "June families" often grew up together, since they might return each and every summer vacation for their entire childhood.[64]

[57] Huyler, *And That's the Way It Was*, p. 8.

[58] Nathaniel Burt, "Days of the Bar BC," 1985, 25. Huyler sold the Bear Paw to Rockefeller December 20, 1948. Huyler, *And That's the Way It Was*, p. 105.

[59] "United Airlines Dude Ranches: Just A Few Hours Away by United Air Lines," undated, ca. 1940s.

[60] Loren Lesher, *Uncle Jim Manges and His C Quarter Circle X Ranch Part I* (self published, 1996) pp. 142-43, copies on sale at the JHHS.

[61] Obituary for Marvel Leona Lesher, no date or name publication, located in X Quarter Circle X Ranch hanging files, JHHS. Marvel and her husband Irwin began helping Jimmy Manges run his dude ranch around 1950.

[62] Lesher obituary.

[63] Lesher, *Uncle Jim Manges*, p. 209.

[64] *Ibid.*, p. 210.

Lesher speculates on the reasons for the popularity of the ranch saying:

> There were many major factors which contributed to guest's decisions to return to the X Quarter Circle X Ranch year after year, sometimes experiencing no other kind of vacation for a good part of their life. There were those who wanted the close proximity to do mountain climbing or at least do extensive hiking on the trails. Some were there to have access to some of the best fishing in the United States. The natural beauty of the Tetons was enough for a lot of people. . . . Most everyone was thrilled at living amongst such a variety of wildlife. . . to some, the atmosphere at the ranch was conducive to their chosen art work, photography or writing. . . Others thrived on the experience of pioneer life, living in a log cabin, carrying water, cooking on a wood stove and using the coal oil lamps.[65]

Though the X Quarter Circle X does not fall easily into the category of dude ranch, it certainly gave a dude ranch-like experience to those who could not afford dude ranch rates. Though there were few services offered at the X Quarter Circle X, apart from ice delivery, and possibly new sheets on arrival, there were a few summer seasons that horses could be rented.[66] The returning dudes, the very rustic cabins, and the short-lived possibility of renting horses makes the X Quarter Circle X Ranch an excellent candidate for dude ranch status.

Post World War II Dude Ranches

During and after World War II, two dude ranches established themselves, the Highlands and the R Lazy S. The Highlands was a homestead filed in 1914 and was a working ranch owned by Pennsylvania natives Harry and Elizabeth Sensenbach, who worked their ranch until the late 1920s when they began renting a few cabins and serving visitors refreshments. However, the Highlands did not come into its dude ranch phase until 1946 when Charles Byron and Jeanne and Gloria Jenkins purchased the property.[67] It is usually identified as an auto camp, however, the dude ranch aesthetic of the Highland gives it a strong dude ranch feel. Its log construction and the influence of the dude ranch landscape, where smaller cabins are often arranged in relation to a main lodge, including front porches, simple and small scale design of the cabins creates a "dude-ranch rustic" style that strongly echoes the Double Diamond Dude Ranch located close by.[68] In addition, according to Lesher, the Highlands (like the X Quarter Circle X), did offer for a few summers horse rentals to dudes.[69]

The R Lazy S also opened during this era. Like the Highlands it did not request references. However, the ranch did make efforts to establish the character of the visitor:

> The Ranch is limited to 20 guests and we strive to have them a congenial group, so we invite you to write us about yourselves and your interests, and we will be glad in turn to tell you whatever else you may wish to know about us—thus we may be assured mutually that we have much in common before you make a definite reservation. Being with congenial people is the surest way to guarantee that your vacation will be a dividend-paying investment.[70]

Thus, though dudes were not required to offer references, they were required to characterize themselves and their interests. Coming in to the 1950s, this subtle shift away from the request for references occurring at the R Lazy S reflected a requirement for a more self-reflective response.

Institutional Promotion

The efforts of individual dude ranchers in articulating their class-based business practices were joined by various railroads and airlines servicing dude ranch territory, the DRA, as well as the state of Wyoming. Railroad companies saw dude ranching as an essential part of their business promotional campaign including the Burlington & Quincy and the Union

[65] *Ibid.*, pp. 210-11.

[66] *Ibid., p.* 217.

[67] Byron and the Jenkins added several cabins a year until selling the property in 1956.

[68] According to Charles Jenkins, his Highlands Corporation shifted the operation towards that of a dude ranch in the late 1940s, United States Department of Interior, National Park Service, Field Inventory Complex Cover Sheet, completed 8.19.1998, p. 1.

[69] Lesher, *Uncle Jim Manges*, p. 217.

[70] The R Lazy S Ranch brochure, circa 1950, file 2002.120.23, JHHS.

Pacific. They poured millions of dollars into promoting dude ranching vacations in the American West. In the Burlington & Quincy Railroad handbook, *Ranch Life in the Buffalo Bill Country* (1927), promoting ranches to the east of Yellowstone, it was clear that ranchers worked to choose only the most "desirable" people to stay at their ranches.

> At the dude ranches one finds the sort of people most desirable—business and professional men, artists, and men and women of letters who here have found inspiration for some of their best work; here college folk spend ideal vacations, and women and children find the perfect combination of rest, play and healthful out-of-door life. A great majority of guests are easterners who become acquainted with the rancher through mutual friends.[1]

They worked to identify the various types of dude ranches.

> The ranches are usually the comfortable homes of the owners of large horse and cattle interests, established many years ago, that have been adapted to the accommodation of visitors . . . The other resorts were established especially for and with particular reference to the comfortable accommodation of summer visitors, who, in every-increasing numbers, are appreciating the benefits and enjoyment to be taken from an outing in this inspiring country.[2]

The railroad also sought to situate the dude in terms of expectations of comfort, without scaring the customer too much: "The visitor must necessarily expect to leave behind the luxuries of civilization, but is not required to "rough it," although he may have all the flavor and surroundings of "roughing it" with none of the hardships."[3]

A decade later, class was still an important element in dude ranch promotions through the railroads. In the Union Pacific publications "*Dude Ranches Out West* (1938), it was made clear that potential dudes must meet certain expectations in order to be accepted onto the ranch as guests: "The 'dude wrangler' tries to select congenial guests who love the out-of-doors. Most ranches ask for references and investigate them carefully. Many 'dudes' stay for weeks, and if not congenial or sociable with other guests they would not enjoy their own vacation nor would the others."[4] Thus selection of dudes through the mentioning of names of other dude tourists was essential for access.

As dude ranch promotions faded in the promotional literature of railroads, in the 1940s it did figure in the promotional budgets of airlines such as Northwest and United. Unlike the railroad advertising, the airlines did not discuss the issue of the request of references or the behavior of potential dudes. In both airlines' advertising, individual dude ranches were featured, similar to the rail promotions. In Northwest's short descriptions of the ranches in Jackson Hole, no mention of references is made. However, in United's entries for specific dude ranches, references are requested from prospective dudes considering the operations such as the White Grass, Bar BC, and the Bear Paw.[5]

Echoing the message from railroads and to a lesser extent the airlines, Wyoming's DRA, hand-in-hand with the Wyoming Department of Commerce and Industry, made clear that class was an important consideration for potential dudes. In 1939, the *Wyoming Dude Ranch Directory* was published by the Wyoming Dude Ranch Association and the State of Wyoming.[6]

Inside the back cover under the heading "Suggestions," the Department of Commerce and Industry wrote: "Many of the ranches prefer to exchange

[1] Burlington & Quincy Railroad, *Ranch Life in the Buffalo Bill Country* (Chicago, Burlington & Quincy Railroad, 1927), pp. 7-9.

[2] *Ibid.*, p. 9.

[3] *Ibid.*, pp. 9-11.

[4] Union Pacific Railroad Company, *Dude Ranches Out West* (Chicago, Illinois: Union Pacific, 1938), p. 3.

[5] Northwest Airlines, *Dude Ranch Guide Book*, undated, JHHS, dude ranch hanging files. United Air Lines, *Dude Ranches: Just a few Hours Away by United Air Lines*, undated, JHHS, file 2002.11.99.

[6] In the directory, each ranch had approximately 90 words to describe their location, their accommodation, activities, and rates and whether references were required. In this dude ranch promotion, the Bear Paw, Double Diamond, Half Moon Ranch, Moose Head, Ramshorn, STS Ranch, and White Grass requested references. Only the Triangle X made no mention of references.

[7] *Wyoming Dude Ranch Directory*, 1939.

references with prospective guests."[77] In 1948, the *Wyoming Dude Ranch Directory* (1948) repeated that references were still an important element of the dude ranch experience.[78] In addition, this discussion was extended in an essay titled "Hints to the Prospective Ranch Guest" where Larry Larom, president of the Dude Ranchers' Association, makes clear the role of creating an exclusive and "definite" dude group.

> They will furnish business references and, in turn, many request you to do the same; and in any instances may also request an advance deposit, which will be placed to your credit upon your arrival. . . . Moreover, the ranch owners are desirous of establishing a definite and congenial group for the duration of their season, which, of course, is a very desirable feature in the eyes of anyone who wishes to become a member of such a group."[79]

Thus, the focus on the congeniality of the social group again put potential dudes on notice that they needed to be able to "fit in."

Dude ranching in the Teton nexus offered a set of varied business operations that worked to establish a class-based relationship with their dudes. During the Grand Dame era of early dude ranches, these operations created the powerful perception of an elite activity, often run with an east-west partnership that was only open to a very restricted upper class. The dude ranch connection with Philadelphia and the Pennsylvanian social register is indeed remarkable and a factor that worked to shape dude ranching throughout the first half of the twentieth century. The dude ranching business then expanded in dramatic fashion in the 1920s to offer a vast array of dude-like touristic activities, from the elite invitation-only dude ranch and often-exclusive juvenile dude offerings, to the more middle class dude ranch experience whose clientele could not afford either the time or money for a more "traditional" dude ranching experience. Many of these operations, though not all, worked to establish a selective dude clientele.

Dude ranches established a number of methods to shape the dude business. First, the clearest evidence as to the exclusivity were the by invitation only operations, though little is known about these businesses. Second, was the request for references. This worked to maintain a homogeneous class of individuals at each operation. It can be surmised that this method also worked informally, but no less powerfully to restrict African American and Jewish peoples, though there is no direct evidence to argue this. Third, would be the material production of class through the use of expensive, heavyweight paper to promote dude ranching to indicate a superior establishment. Fourth, was that promotional materials dude ranchers listed previous dude visitors and their occupations, another clear signal as to the expectations of the ranch owners for their dudes. Fifth, dude ranch promotional materials often gave direction for the demeanor of guests, in particular that they should fit in with other guests, be congenial, or suffer elimination. Finally, restrictions also worked as visitors arrived and were told there was no room.

Thus, class was an important factor in individual dude ranch promotional materials. The message about the selective and restrictive aspects of dude ranching was echoed in promotional materials created by railroads, airlines, the Dude Ranchers Association, and under girded by the state of Wyoming. Though clearly not as overtly restrictive in the 1950s, it is illustrative that one of the last dude ranches to open their doors in Grand Teton nexus, the R Lazy S Ranch, still worked to establish the character of the dude's experience.

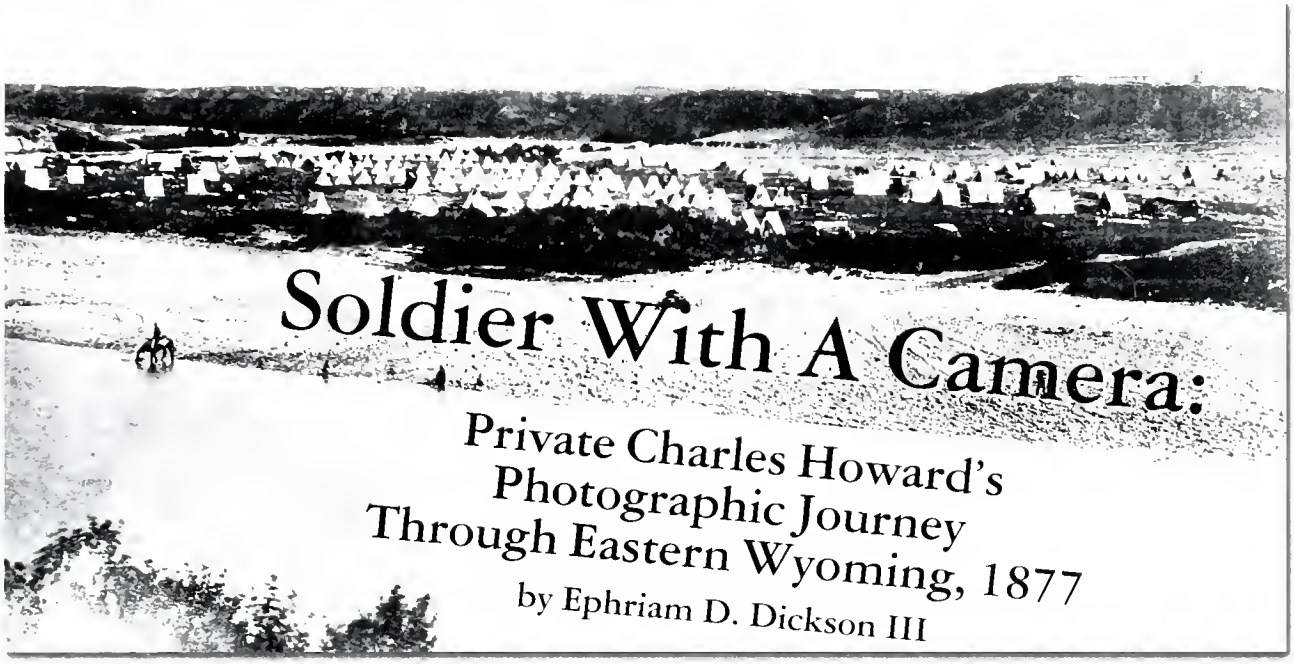
[78] Wyoming Dude Ranchers Association and Wyoming Commerce and Industry Commission, *Wyoming Dude Ranch Directory* (Cheyenne, Wyoming: Wyoming Commerce and Industry Commission, 1948). As late as 1948, the Bar BC, Double Diamond, Moose Head, Ramshorn, White Grass, and the Half Moon all mentioned that references were requested.

[79] Wyoming Dude Ranchers Association and Wyoming Commerce and Industry Commission, 1948, p. 3. Larry Larom also draws a line of $60 a week between the lower and higher bracket dude ranches, suggesting there is an important line to be understood between dude ranches that have established themselves "The rate of $60 per week can be taken as the dividing line between the ranches charging in the lower bracket and the higher bracket; and when you have decided whether you can afford to go above this $60 rate the number of ranches from which you will have to choose is naturally very much reduced," p. 2. This dividing line, the rate of $60 per week in 1948, gives us yet another guide as to the ways in which dude ranches were divided.

[80] It should be made clear that not all dude ranchers were in favor

The final irony for this dude ranch nexus was that some dude ranch elites, such as Struthers Burt, sought the creation of a new national park that would be a "museum on the hoof." In doing so, Burt worked to restrict what he and his son Nathaniel saw as ugly, more middle class touristic developments along the various roads in Jackson's Hole, but maintain the more elite dude ranching business to give that western flavor. Places that were more Hollywood, like the Elbo Ranch, or situated along the roadways seeking to attract overnight as well as long term dudes, such as the Square G, the Highlands, and the X Quarter Circle X, encouraged the middle class tourists.[80] Though there were more than twenty dude ranches operating at one time or another in the park, only two dude ranches were operating in the park at the turn of the new millennium. In addition, the park has sought to do away with the material remains of dude ranching by auctioning, pulling down, burning, or leaving to rot these dude ranch landscapes. Ironically, in extending the park to do away with the ugly touristic aesthetic that the Burts so abhorred, with its constraining policy of lifetime leasing, the park also did away with dude ranch tourism.

of park extension, including the Toppings at Moose Head. Indeed, Moose Head is the only dude ranch that operates on its own land as an inholding left in the park today.



Soldier With A Camera:

Private Charles Howard's Photographic Journey Through Eastern Wyoming, 1877

by Ephriam D. Dickson III

"Camp of 2nd Cavalry on Platte River" near Fort Fetterman, Wyoming Territory, September 1877. By Private Charles Howard. Courtesy National Archives.

In May 1876, twenty companies of cavalry and infantry gathered at Fort Fetterman, Wyoming Territory, in preparation to launching General George Crook's second campaign against the Lakota and Northern Cheyenne bands. Among the photographs attributed to this aspect of the Great Sioux War of 1876-77 is a view of the Second Cavalry encampment near Fort Fetterman, dated by some historians to the summer of 1876.[1] Was it possible that a photographer had been present at this remote garrison during these momentous events? If so, what other images might also have survived?

Historians utilize primary sources to study the past, usually in the form of written documents such as books, diaries, newspapers, and reminiscences. A variety of analytical techniques have been developed to study written sources in an effort to verify content and to place the information within its proper historical context. But the visual record has not received the same level of attention. Historians have now begun to more fully explore photographic documents as primary historical sources. To be useful, the images must be examined as a group or a whole body of work and the provenance of the photographs must be accurately established. Who took the photographs, when were they taken, where, and why – all are critical to properly understanding their historical context.[2]

Historians have now begun to more fully explore photographic documents as primary historical sources.

Photographs of Fort Fetterman are rare. Established in 1867 on the banks of the North Platte River near the Bozeman Trail cutoff, this remote frontier garri-

[1] Tom Lindmier, *Drybone: A History of Fort Fetterman, Wyoming* (Glendo, Wyoming: High Plains Press, 2002), p. 78. One original example of this photograph is preserved in the National Archives and was first published in J. W. Vaughn, *The Reynolds Campaign on Powder River* (Norman: University of Oklahoma Press, 1961) p. 16. Hedron recently suggested the photograph was taken either in the summer or fall of 1876. Paul L. Hedren, *We Trailed the Sioux: Enlisted Men Speak on Custer, Crook, and the Great Sioux War* (Stackpole Books, 2003) p. 34.

[2] Joanna C. Scherer, "The Photographic Document: Photographs as Primary Data in Anthropological Enquiry," *Anthropology and Photography 1860-1920*, ed. Elizabeth Edwards (New Haven: Yale University Press, 1992), pp. 32-41.

son was only occasionally visited by photographers. Independent photographer Ridgway Glover passed through the area a year before the garrison was built, though none of his images from this trip are known to have survived.[3] William H. Jackson, photographer with the U. S. Geological Survey, stopped briefly at the post in 1870. He produced the earliest known view of the fort, showing a small cluster of buildings on an otherwise barren sagebrush hill.[4]

Four images have now been attributed by various authors to the summer of 1876 at Fort Fetterman. In addition to the photograph of the cavalry encampment near the post, two views of the garrison and a group portrait of six officers have been identified, presumably all by the same artist. Two of these images were later published by D. S. Mitchell, leading one historian to conclude that Mitchell was the original photographer.[5]

Daniel Sedgley Mitchell (1838-1929) established a studio in Cheyenne, Wyoming Territory, in late 1875. Within a few months of his arrival, Mitchell organized a group of men to head north to the Black Hills. He left Cheyenne with his camera by the second week of March 1876 and was in Deadwood, Dakota Territory, by June, producing stereoviews of the new mining settlements. No independent documentary evidence indicates that Mitchell made the significant detour necessary to visit Fort Fetterman any time between his departure in March and his return to Cheyenne in October 1876. Back in Cheyenne, Mitchell printed sixty of his negatives as a series of stereoscopic views he titled "Black Hills Gold Regions and Vicinity." No images of Fort Fetterman were included in this series, suggesting that Mitchell was not the original photographer of the cavalry encampment.[6]

Of the four views from Fort Fetterman, the most useful for establishing the time frame during which the photographer could have visited the garrison is the group portrait of six identified officers. A reconstruction of these men's individual movements based upon army records confirm that all six were at Fort Fetterman in 1876, but not at the same time. The photograph therefore could not have been taken during the summer of 1876 as originally suggested. The only period during which all six officers were present at Fort Fetterman at the same time was for a brief eight-day span in September 1877. Five of the officers were part of the regular garrison and the sixth, First Lieutenant Henry Seton, was visiting the post as part of the Stanton Expedition.[7]

Captain William S. Stanton, Chief Engineer for the Department of the Platte, was mapping the major roads between the forts within the department, with Lieutenant Seton attached to the survey in command of the expedition's military escort. Among Stanton's field crew was a photographer, Private Charles Howard, who "secured wholly at his own expense, excepr for transportation, a very good set of views, embracing all the military posts visited, characteristic Indian scenes, Indian camps, and the most striking scenery." The presence of all six officers and a photographer at Fort Fetterman unequivocally establishes Howard as the original photographer for this image.[8]

Paula Fleming, "Ridgway Glover, Photographer," *Annals of Wyoming* 74:2 (Spring 2002): 17-27. Fleming, "Photographing the Plains Indians. Ridgway Glover at Forts Laramie and Phil Kearny, 1866," *The People of the Buffalo*, vol. 2 (Tatanks Press: Wyk auf Foehr, Germany, 2005), pp. 67-78. Fleming included a portrait of Standing Elk that she speculated might have been taken by Glover. Another copy of this same portrait, however, survives in the Union Pacific Railroad Museum together with an accompanying image of four white men sitting on the same woodpile. The identity of these men suggests that the Indian portrait was taken at North Platte, Nebraska, sometime between 1867 and 1872 and therefore could not have been one of Glover's negatives.

William Henry Jackson Papers, New York Public Library. Peter B. Hales, *William Henry Jackson and the Transformation of the American Landscape* (Philadelphia: Temple University Press, 1988).

Diaries of Captain John G. Bourke, volume 18 p. 1790, Library of the United States Military Academy, West Point, New York. Lindmier, *Drybone*, pp. 78, 81, 129. Paul L. Hedren, *Fort Laramie in 1876: Chronicle of a Frontier Post at War* (Lincoln: University of Nebraska Press, 1988), p. 89.

Cheyenne Daily Leader, March 11 and Oct. 7, 1876. *Black Hills Pioneer*, June 24, 1876. Mitchell later expanded his Black Hills series to an eighty-two stereoview set.

Post Returns, Fort Fetterman, Wyoming, 1876-77 (Microcopy 617 Roll 365); Regimental Returns, Fourth Infantry, 1876-77 (Microcopy 665 Roll 17), and Third Cavalry, 1876-77 (Microcopy 744 Roll 31), Records of the Adjutant General Office (RG 94), National Archives (NA).

"Annual Report of Captain W. S. Stanton, Corps of Engineers, for the Fiscal Year Ending June 30, 1878," *Annual Report of the Secretary of War, 1878*, Appendix RR, Serial Set Volume 1846, p. 1705.

"Group of Officers, Fort Fetterman, Wyo." Standing on the porch of the commanding officer's quarters, September 1877. By Private Charles Howard. From left to right: First Lieutenant Henry Seton, First Lieutenant George O. Webster, Second Lieutenant Henry E. Robinson, Captain Edwin M. Coates, Captain Gerhard L. Luhn, and Captain William H. Andrews. Courtesy American Heritage Center, University of Wyoming.

Could Howard have also taken the view of the cavalry encampment near the post? While it is true that companies of the Second Cavalry did assemble at Fort Fetterman for Crook's campaign in May 1876, the regiment also passed through this post a second time in the fall of 1877. Following the close of the Sioux War, eight companies of the Second Cavalry were ordered to the Department of Dakota to join the remainder of the regiment. Assembling at Medicine Bow, Wyoming, they departed on September 6 and passed through Fort Fetterman during the same eight-day period that Howard was there with his camera. A second example of this same photograph has recently been found in a private collection bearing the imprint of Howard as photographer. The proper attribution of these photographs to Howard allows for a reconsideration of other images from eastern Wyoming that may also be the work of this same artist.[9]

According to army records, Howard was born in Rockingham County, Virginia, about 1842. He enlisted in the army on June 16, 1875, at a recruiting office in Cleveland, Ohio, at the age of thirty-three. His enlistment papers describe him as 5 foot 5 ° inches tall, with hazel eyes, brown hair, and a dark complexion. From Cleveland, he was sent to Newport Barracks, Kentucky, for orientation and shortly afterward forwarded to Omaha, Nebraska, headquarters for the Department of the Platte. A musician by trade, Howard was assigned to the Fourth Infantry Band at Fort Bridger in southwestern Wyoming. He left Omaha on September 7 with 158 other recruits and traveled by rail to Carter Station, then marched

[9] Regimental Returns, Second Cavalry, September 1877 (Microcopy 744 Roll 19), NA. Alfred E. Bates, "The Second Regiment of Cavalry," in Theo. F. Rodenbough and William L. Haskin (eds.), *The Army of the United States: Historical Sketches of Staff and Line with Portraits of Generals-in-Chief* (New York: Maynard, Merrill & Co., 1896), p. 189.

the eleven miles south to Fort Bridger. He arrived at his first duty station on the afternoon of September 10, 1875.[10]

Where Howard learned his darkroom skills or obtained his camera is not known, though a photographer named Simon Pierson did work at Fort Bridger in 1870. A number of photographs of the garrison from this period have survived, including two views of the Fourth Infantry Band of which Howard was a member. Perhaps Howard learned from Pierson or a possible successor. With his newly gained skills, the soldier-photographer did produce several views of the post, including the officer's quarters and nearby landscapes like Church Butte and the Green River badlands. With the exception of his unusual hobby, life for Howard probably followed the regular military routine, though his assignment to the regimental band afforded him a few privileges and an occasional opportunity to travel away from the post. In July 1876, for example, he and other bandsmen were invited to Ogden, Utah Territory, to perform at their centennial celebration. Howard was then granted three days leave in Salt Lake City. Here he could have obtained photographic supplies at establishments such as the Art Bazar, the studio of the noted photographer Charles Savage, before returning to Fort Bridger.[11]

Meanwhile, Captain Stanton was collecting survey data to create a map of military roads within the Department of the Platte. An 1865 graduate of West Point, Stanton served for nine years on various coastal assignments with the Army's Corps of Engineers before being detailed as chief engineer for the Department of the Platte in June 1874. He first supervised the construction of an iron bridge across the North Platte River near Fort Laramie and then surveyed the road from Cheyenne to the Red Cloud Agency. In May 1876, Stanton accompanied Crook's Big Horn and Yellowstone Expedition launched against the northern Lakota and he participated in the Battle of Rosebud Creek. After returning to Fort Fetterman with the wounded, Stanton spent two months in the field surveying roads until forced to close his expedition for lack of funding.[12]

Colonel William S. Stanton, Corps of Engineers, at about the time of his retirement in 1906. Courtesy American Heritage Center, University of Wyoming.

[10] Register of Enlistments, U.S. Army, Volume 74 p. 91 (Microcopy 233 Roll 39), NA. Regimental Returns, Fourth Infantry, Sept 1875 (*loc. cit.*); Post Returns, Fort Bridger, September 1875 (Microcopy 617 Roll 146), NA

[11] Regimental Returns, Fourth Infantry, July 1876 (*loc. cit.*). *Ogden Junction*, July 8, 1876. Federal Census for 1870, Fort Bridger, Uinta County, Wyoming Territory (Microcopy 593 Roll 1748 p. 533), NA. Simon Pierson was born about 1849 in Ohio and by 1880, he was working as a photographer in Richland County, Illinois. The two photographs of the 4th Infantry band were copied by the Wyoming State Archives from originals in a private collection, the present whereabouts of which is unknown (Cindy L. Brown, Wyoming State Archives, to author, June 15, 2004). Bradley W. Richards, *The Savage View: Charles Savage, Pioneer Mormon Photographer* (Nevada City, California: Carl Mautz Publishing, 1995). Thomas C. Railsback and John P. Langellier, *The Drums Would Roll: A Pictorial History of U.S. Army Bands on the American Frontier, 1866-1900* (Poole, Dorset: Arms and Armour Press, 1987), p. 30.

[12] George W. Cullum, *Biographical Register of the Officers and Graduates of the U.S. Military Academy at West Point, N.Y.*, Volume 3 (Boston: Houghton, Mifflin & Co., 1891) pp. 34-35. Stanton, "Explorations and Surveys in the Department of the Platte," *Annual Report of the Secretary of War*, Serial Set volume 1676 (Washington D.C., 1875) pp. 1231-33; *ibid.*, Serial Set volume 1745 (Washington D.C., 1876), pp. 704-18; *ibid.*, Serial volume 1796 (Washington D.C., 1877), pp. 1381-97. Charles M. Robinson III (ed.), *The Diaries of John Gregory Bourke*, volume 1 (Denton, Texas: University of North Texas Press, 2003), p. 339.

A small appropriation in the spring of 1877 allowed Captain Stanton to resume his survey of the military roads within the department for a third season. Hearing of Howard, Stanton wrote to the commanding officer at Fort Bridger requesting the services of the soldier. "I have thought it would be an excellent opportunity to get a set of photographic views of the posts and the most characteristic features in the scenery of the regions visited," Stanton wrote, "including views in the Black Hills and at the large Indian encampments." While Howard's photographs would be of value to the army, Stanton noted that the photographer's assignment might also be "to the advantage and perhaps profit of the man himself."[13]

Stanton's request was approved and Howard was detailed for duty with the expedition. On June 27, the enlisted soldier departed Fort Bridger, traveling by train to department headquarters in Omaha. His camera, chemicals, and developing equipment were forwarded to Cheyenne shortly afterward, where the expedition assembled on July 5 to make final preparations for their departure. The survey party included Stanton as well as First Lieutenant Samuel M. Swigert, Second Cavalry, as next in command. First Lieutenant Henry Seton, Fourth Infantry, was detailed for the quartermaster and commissary functions of the expedition, to which was later added the duties of commanding the military escort. Rachus F. Koehneman, the only civilian employee in the crew, worked as the draughtsman, sketching the topography and recording all compass, odometer, and aneroid readings. Five privates of the Ninth Infantry and four of the Second Cavalry were also assigned to the survey party, tasked with taking instrument readings and serving as chain and rod men, with one detailed as the camp cook. Howard rounded out the roster as the survey photographer.[14]

In Cheyenne, Howard produced his first photographs of the expedition, including a view of Cheyenne Depot where army supplies were unloaded from rail cars and shipped overland to military posts throughout Wyoming. He also made at least four images at nearby Fort D. A. Russell. Stanton's expedition departed Cheyenne on July 11 and began mapping the trail north toward the Black Hills.[15]

The survey party arrived at Fort Laramie three days later on July 14, where they spent the next two weeks surveying the military reservation. Stanton found the garrison to be considerably quieter in comparison to his visit just a year earlier during the momentous events of the Sioux War. By the summer of 1877, most of the Indians had surrendered and were receiving rations at the Red Cloud and Spotted Tail agencies in northwestern Nebraska or at agencies along the Missouri River. While travel along the Black Hills trail became safer, the endeavor was not without some danger. Even as Stanton finished his survey work at Fort Laramie, Indians attacked another survey party with a military escort under Second Lieutenant Henry R. Lemley along the eastern boundary of Wyoming near the Belle Fourche River. White bandits had also become a problem along the Cheyenne to Black Hills stage road. Six miles from Fort Laramie, law officers attempted to arrest the notorious Dunc Blackburn and one of his comrades, but the two escaped shortly afterward, killing Adolph Cuny in the process. Troops from Fort Laramie set out in pursuit, but the road agents slipped away. The Indian attack on Lemley's survey party and the increased activity of road agents along the trail prompted Stanton to request a military escort. A sergeant and nine soldiers from Company C Ninth Infantry joined Stanton.[16]

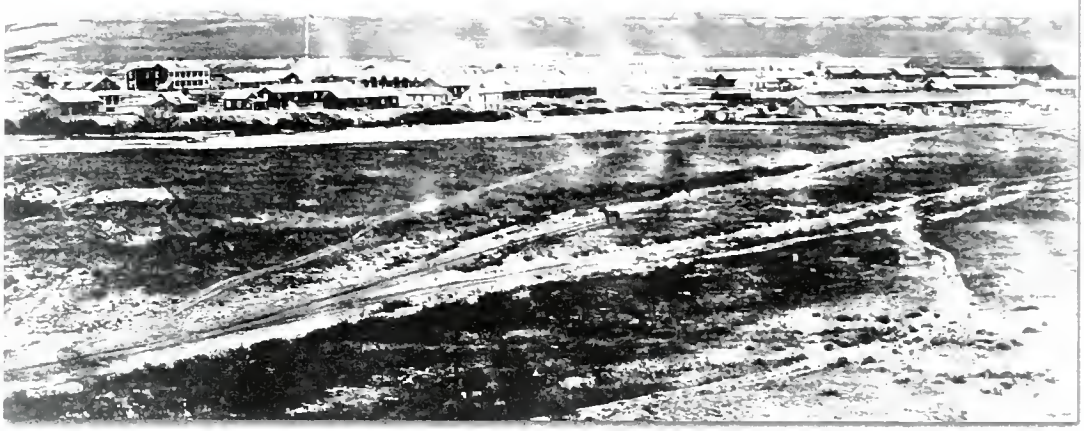
[13] Stanton to Assistant Adjutant General, Department of Platte, May 17, 1877 (vol. 4 p. 197); Stanton to Flint, June 14, 1877 (vol. 4 p. 258); Stanton to Flint, June 15, 1877, (vol. 4 p. 263), Press Copies of Letters Sent, Chief of Engineers Records, Department of Platte, Records of Continental Commands (RG 393), NA.

[14] Stanton to Flint, June 18, 1877 (vol. 4 p. 276); Stanton to True, June 19 and June 20, 1877 (vol. 4 pp. 277, 303), Press Copies of Letters Sent, Chief of Engineers Records, Department of Platte. AAG, Dept. Platte, to Stanton, July 3, 1877 (vol. 1 p. 172) Register of Letters Received, Chief of Engineers Records, Department of Platte, Records of Continental Commands (RG 393), NA.

[15] Details of Stanton's movements are based on Stanton's annual report for 1878 (*loc. cit.*). Howard's images are based on list from back of his srereoview (Figure 9) and from Mitchell, McGowan & Co. list.

[16] *Cheyenne Daily Sun*, July 22, July 24, and July 25, 1877; *Cheyenne Daily Leader*, July 23, 1877. Thomas Buecker, "'Can You Send Us Immediate Relief?: Army Expeditions to the Northern Black Hills, 1876-1878," *South Dakota History* 25:2 (Summer 1995): 97-115. Agnes Wright Spring, *The Cheyenne and Black Hills Stage and Express Routes* (Glendale, California: Arthur H. Clarke Co., 1949), pp. 218-22. Regimental Returns, 9th Infantry, July 1877 (Microcopy 665 Roll 104), NA.

[17] John P. Langellier, "Desert Documentary: The William Lee Diary



"Fort Laramie." By Private Charles Howard, either in July or September 1877. Courtesy Wyoming State Archives.

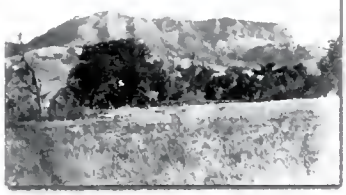
While at Fort Laramie, Howard made several negatives, including a general view of the garrison, the post trader's store, Stanton's new bridge over the Platte River, and two views of the bachelor officers' quarters or "Old Bedlam" as the two-storied building was known. He also produced a photograph labeled "View on Laramie River," as yet undiscovered. Howard's work added to the long visual history of Fort Laramie, one of the best photographed frontier garrisons in Wyoming. For example, the Simpson Expedition, with photographer C. C. Mills and his assistant, Edward Jagiello, produced the earliest known photograph of Fort Laramie in the summer of 1858. Alexander Gardner produced a series of stereoviews and prints during the treaty negotiations in the summer of 1868. Howard provided a glimpse of the post from the summer of 1877.[17]

From Fort Laramie, Stanton's survey crew continued north mapping the Cheyenne-Deadwood trail. They paused for a day at the military subpost "Camp on Hat Creek" to await the arrival of an additional detachment of soldiers from Camp Robinson to bolster their military escort. At this point, the Black Hills Road forked, with one route turning east and then north through Red Canyon and Custer City, while the other route continued due north past the Jenney Stockade. The Stanton Expedition followed the latter trail. They finally arrived in Deadwood on August 11 where they spent the next five days taking measurements and resting.

On August 17, Stanton began surveying the road west from Deadwood to Cantonment Reno, a new post being expanded on the Powder River. Shortly after crossing back into eastern Wyoming, the expedition camped near Sun Dance Hill, near present Sundance, Wyoming. Several members of the survey party climbed to its summit, recording its elevation as 5911 feet above sea level. Howard also photographed the prominent landmark.

Account of the James H. Simpson Expedition, 1858-59," *Annals of Wyoming* 59:2 (Fall 1987): 36-47. Raymond J. DeMallie, "Scenes in the Indian Country: A Portfolio of Alexander Gardner's Stereographic Views of the 1868 Fort Laramie Treaty Councils," *Montana The Magazine of Western History* 31:3 (July 1981): 42-59.

[18] Robert A. Murray, *Military Posts in the Powder River Country of*



"Sun Dance Hills, Dakota Ty., Black Hills" August 19, 1877. By Private Charles Howard. This landmark along the trail from Deadwood to Fort McKinney was actually located in Wyoming Territory near the present town of Sundance. Courtesy Denver Public Library.

Continuing across the Powder River Basin, the expedition finally arrived at Cantonment Reno on August 26. Garrisoned by four companies of infantry, the post was initially established in October 1876 to serve as a temporary supply camp for Crook's troops operating in the field against the Lakota and Northern Cheyenne. After the close of the winter campaign, the camp continued in order to maintain a military presence within the heart of Lakota buffalo country. By the time Stanton's Expedition arrived in August 1877, Cantonment Reno was beginning to take on some semblance of permanence. Howard's photograph of the garrison shows the crude log buildings encircling the parade ground. Two other images by Howard include the original officer's quarters as well as the enlisted barracks under construction. Just days after Stanton's party departed, the official order was received renaming the post Fort McKinney, in honor of Lieutenant John A. McKinney killed at the Battle on Red Fork of the Powder River in November 1876.[18]

From Cantonment Reno, Stanton's party headed south to Fort Fetterman where they arrived on September 4. During the next eight days as the expedition re-supplied, Howard made several photographs

Wyoming, 1865-1894 (Lincoln: University of Nebraska Press, 1968), pp. 110-118. Robert A. Murray, "Cantonment Reno/Fort McKinney No. 1 – New Views of an Old Wyoming Army Post," *Annals of Wyoming* 48:2 (Fall 1976): 275-79. Murray believed that the three photographs at Cantonment Reno were not taken at the same time, however, they appear to have all been taken by Private Howard during his five days at the post in August 1877. For details of Lieutenant McKinney's death, see Jerome A. Greene, *Morning Star Dawn: The Powder River Expedition and the Northern Cheyennes, 1876* (Norman: University of Oklahoma Press, 2003). The post was moved to a new location in the summer of 1878.

[19] Diary, Oct. 8, 1877, Luther P. Bradley Papers, U. S. Military History Institute. James A. Hanson, "A Forgotten Fur Trade Trail,"

"View of Fort McKinney, Powder River," late August 1877. By Private Charles Howard. Courtesy U.S. Military Academy.

"Group of Officers, Fort McKinney, Wyo." Late August 1877. By Private Charles Howard. Courtesy U. S. Military Academy.

at the post. In addition to the four images already mentioned, Howard produced negatives of the newly completed cavalry stable, the officers' quarters, and a group portrait of Second Cavalry officers, all images as yet undiscovered. He also produced several landscape views near the post. From Fort Fetterman, Stanton and his party continued south to Rock Creek Station on the Union Pacific Railroad. Autumn was now rapidly descending upon the northern plains, with strong winds buffeting the crew and temperatures beginning to drop significantly at night.

In mid-September, the survey party left the railroad, heading north along the trail from Rock Creek to Fort Laramie. They lost one day of work when they accidentally ventured off the main trail onto a wood road. The party rested in camp for two days at Cottonwood Creek near the base of Laramie Peak while several of the survey crew climbed the mountain, recording its summit as 10,487 feet above sea level. Howard also produced a photograph of the landmark. They finally arrived at Fort Laramie on September 23.

After several days camping near Fort Laramie, Stanton and his survey crew headed northeast along the old Fort Pierre fur trade road to Camp Robinson, located on the White River in northwestern Nebraska adjacent to the Red Cloud Agency. Home to nearly eight thousand Oglala and Arapahoe, the agency served as the central distribution point for food, supplies and annuity goods promised to these tribes in the Fort Laramie Treaty of 1868. Stanton's expedition arrived on September 30 to find considerable excitement among the Indians at the agency. The famous Oglala war leader Crazy Horse had been killed just three weeks earlier and many of the prominent Lakota and Arapahoe leaders were in Washington D. C. to meet with the president to express their concern about being moved to the Missouri River. "Indians are running after me every day to know if there is any news from Washington about going to the

Missouri," Lieutenant Colonel Luther P. Bradley, post commander at Camp Robinson, recorded in his diary. "The poor fellows love the White River as much as they hate the Missouri, and they hate to leave it."[19]

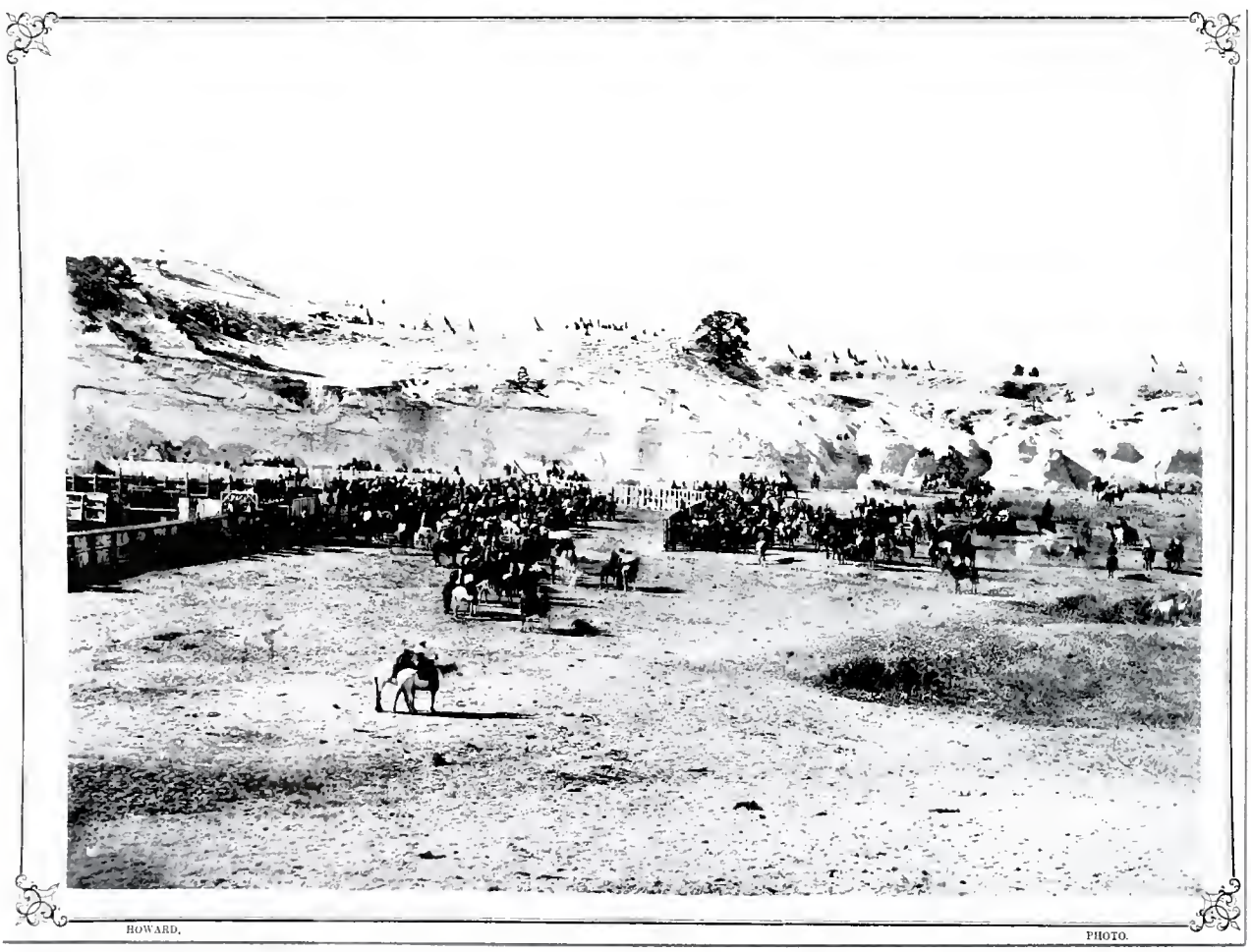
During the four days that the Stanton expedition worked at Camp Robinson, Howard produced his most important Indian photographs of the trip. In addition to images of encampments near the Red Cloud Agency, he apparently made a short trip to the nearby Spotted Tail Agency as well. Here, Howard captured views of the beef issue, of Brule headmen in front of their lodges, and of the late Crazy Horse's low scaffold grave. While not equipped for working indoors, Private Howard did produce a few outdoor photographs of prominent Indians, including the last known portrait of the Minneconjou headman Roman Nose.

Stanton and his party left Camp Robinson on October 5 to map the Sidney stage road north to Deadwood, passing through Rapid City. They then returned south along the other cutoff of the Cheyenne trail through Custer City and to Hat Creek. From there, the expedition followed the telegraph road back to Camp Robinson. They arrived at the post on October 25, the same day that the Oglala left the Red Cloud Agency for their new home on the Missouri River, escorted by two companies of the Third Cavalry. "I bid them God-speed," General Bradley wrote as the Indians departed, "and am glad to get them off my hands."[20]

Nebraska History 68:1 (Spring 1987). Thomas R. Buecker, *Fort Robinson and the American West, 1874-1899* (Lincoln, Nebraska: Nebraska State Historical Society, 1999). James C. Olson, *Red Cloud and the Sioux Problem* (Lincoln: University of Nebraska Press, 1965). Catherine Price, *The Oglala People, 1841-1879: A Political History* (Lincoln: University of Nebraska Press, 1996).

[20] Diary, October 25, 1877, Luther P. Bradley Papers, U. S. Military History Institute.

[21] Private Charles Howard to James Carter, dated "Sydney" Neb., Nov. 3, 1877. From the Carter Papers, private collection.



"Beef Issue at Spotted Tail Agency, Neb." October 1877. By Private Charles Howard. Courtesy Princeton University.

With winter rapidly descending on the northern Great Plains, the Stanton Expedition departed Camp Robinson on October 28, heading south to Sidney Barracks. Along the route, they continued making measurements, despite four to six inches of snow and temperatures dropping below zero at night. The weary party arrived at Sidney Barracks on November 2 and the expedition officially disbanded, having spent four months in the field and having traveled more than thirteen hundred miles. Howard took one of his last photographs, a view of Sidney Barracks. Stanton and his men spent the following day packing their equipment to be shipped back to Omaha. Howard took a few moments during their busy schedule in Sidney to write James Carter, clerk in Judge William A. Carter's post trader store at Fort Bridger. "I expect to come back to Bridger before long," he commented. "I have made quite a collection of negatives this season but had a pretty rough trip of it."[21]

Howard did not return to Fort Bridger as he expected. Instead, he was ordered to Omaha with Stanton where he remained on detached service for another eight months. By early 1878, Howard had opened his own photographic studio at 214 Douglas Street in Omaha and began printing his negatives in several different formats, including large prints, stereoviews, and carte-de-vistas. In January 1878, Howard again wrote to Carter at Fort Bridger, enclosing a "catalogue of the principle views I took this [past] summer." Regrettably, the enclosed catalog has not survived, though it was probably the same list Howard printed on the back of his stereoviews.[22]

While in Omaha, Private Howard apparently met photographer D. S. Mitchell, who by this time had closed his studio in Cheyenne and formed a partner-

[21] Stanton to C.O. Sidney Barracks, Nov. 10, 1877, Press Copies of Letters Sent (vol. 4 p. 400), Chief of Engineers Records, Department of Platte, Records of Continental Commands (RG 393), NA. Private Charles Howard to James Carter, Jan. 4, 1878, Carter Papers, private collection. Wolfe's Omaha City Directory, (Omaha: Wolfe Publishing, 1878), p. 168.

[22] A biography of D. S. Mitchell and an analysis of his photographs is currently in progress. Ephriam D. Dickson III, *Crazy Horse's Contemporaries: D. S. Mitchell's Native Portraits from the Red Cloud Agency, Nebraska, 1877*, manuscript.

C. HOWARD'S VIEWS

In the Black Hills, Military Posts, Department Platte and Indian Camps, &c.

SIZE, 11 x 14.

[redacted]

2 Quartermaster's Residence, Cheyenne Depot.
3 Group of Officers, Fort McKinney, Wyo.
4. Group of Officers, Fort Fetterman, Wyo.
5. Group of Officers 2nd Cavalry.
6. Company "B" 4th infantry, waiting for Fatigue Call
7. Camp of 2nd Cavalry on Platte River.
8. View of Fort McKinney, Powder River.
9. New Cavalry Stable at Fort Fetterman, Wyo.
10 11 Fort Fetterman, Wyo.
12. Work in a Frontier Post: erecting quarters at Fort McKinney.
13. Camp Canby, Red Cloud Agency.
14. Quarters at Fort Fetterman, Wyoming.
15. Ruins of old Fort Reno, Powder River.
16. Sidney Barracks, Neb.
17. Fort Laramie, Wyo.
18. Camp Sheridan, Neb.
19 Camp Robinson, Neb.
20 Officer's quarters at Fort Fetterman.
21. Deadwood City.
22. 23 Natural Bridge, near Fort Fetterman, over La-Prelle Creek.
24. View on Laramie River.
25. Leeds City, Black Hills
26. Platte River Bridge at Fort Laramie.
27. Sundance Hill, Black Hills.
28. Laramie Peak.
29. Mining in White-wood Gulch, Black Hills
30. Mountain Scene, Black Hills of Wyoming.
31. Crow Butte.
32. Church Butte, (near Fort Bridger, Wyo.)
33. Arappahoe Village in White River Canyon
34. Waz-agie's Camp, "Sioux"
35 Spotted Tail's Beef Issue.
36 Minneconjo Sioux Village.
37. Loafer Sioux Village
38. Camp of Cheyennes on White River
39. Arappahoe Camp.
40. Arappahoe Chiefs, 'Group'

10 x 12

41. Camp "E," 4th Infantry.
42. 43. 44. 45. 46. Views in Bad Lands, near Ft. Bridger
47. Officers' Quarters, Fort Bridger.

Stereoscopic Views.

48. View on La Prelle Creek.
49. Hills City, Black Hills.
50. View in the Black Hills
51. Camp in the Black Hills.
52 Custar City.
53. Bear Rock, Black Hills.
54 View in Custar City.
55. Sutler Store, Camp Canby.
56. Deadwood
57. View on Laramie River.
58. Fort Laramie.
59. Platte River Bridge.
60. Leed's City.
61. Indian Camp at Red Cloud Agency.
62. 63, Spotted Tail's Family.
64. Two Strikes and family.
65. Little Eagle and family.
66. Crazy Horse's Grave.
67. Spotted Tail's family at dinner.
68 White Thunder.
69. Red Dog's Village.
70. Crazy Horse's Village.
71. Red Bear and family.
72. Indian Council
73. Camp Sheridan.
74. Church Buttes.

CABINET SIZE.

75 Touch the Clouds. Sioux Chief.
76. Roman Nose. Sioux Chief.
77 Crazy Horse's Grave.
78. Ute Indian Chiefs.

And Numerous Pictures "Card Size" of Indians of Different Tribes.

Reverse of stereoview published by C. Howard, Omaha, Nebraska, ca. 1878. Courtesy Robert Kolbe.

ship with Joseph H. McGowan. With the support of the St. Louis firm Gatchel & Hyatt, Mitchell & McGowan operated initially as "Traveling Photographers" moving from town to town along the Union Pacific route with their temporary tent studio. In late 1877 or early 1878, they opened a permanent gallery in Omaha called the Great Western Photograph Publishing Company and began printing at least three different sets of stereoviews. Mitchell's series from the Black Hills in 1876 were reprinted as forty-nine views of the gold region and they published a fifty-four card set of Indian chiefs portraits, mostly Oglala and Arapahoe from the Red Cloud Agency taken by Mitchell in the fall of 1877. The third set was a series of forty-three stereocards labeled "Military Posts and Indian Views," based on Private Howard's negatives. This suggests that the soldier either sold his negatives to Mitchell or more likely, became a business partner in the firm that now became known as Mitchell, McGowan and Company.[23]

The photographic partnership broke up in the fall of 1878. McGowan moved to North Platte to operate a gallery and Mitchell opened the Bee Hive Studio on Sixteenth Street in Omaha in partnership with May Cannell, whom he later married. Lacking funds to complete his survey of military roads, Stanton decided not to attempt another summer of field work and released Howard from his detached service in Omaha.[24] In July 1878, Howard was transferred to Fort Sanders near Laramie, Wyoming Territory, the new home for the headquarters staff of the Fourth Infantry. He packed up his camera, equipment, and negatives and was soon operating a new studio at Fort Sanders. In addition to producing portraits of soldiers at the post, Howard also continued to reprint some of the images originally sold by Mitchell & McGowan, suggesting that he might have taken custody of the original negatives when the partnership dissolved. He was discharged from the army on June 15, 1880, at Fort Sanders, his character marked as "excellent."[25]

What became of Howard following his five years in the army is as yet unknown. Despite this remaining mystery, Howard has left us a tremendous historical legacy, an important visual record of the frontier in eastern Wyoming. The recognition of his photographic work may one day lead to a better understanding of this illusive shutterbug.

[24] From his three seasons of survey work, Stanton published his *Tables of Distances and Itineraries of Routes Between Military Posts in, and to certain Points Contiguous to, the Department of the Platte* (Engineers Office, Headquarters Department of the Platte: Omaha, Nebraska, December 1877). This publication went through several later revisions. Stanton did not return to his field survey until the summer of 1881. A drawing from this expedition was published in *Frank Leslie's Illustrated Newspaper*, Aug. 13, 1881, p. 400.

[25] Federal Census for 1880, Fort Sanders, Albany Co., Wyoming (T-9 Roll 1454 p. 54B). Regimental Returns, Fourth Infantry, 1877-1880 (Microcopy 665 Roll 47), NA.

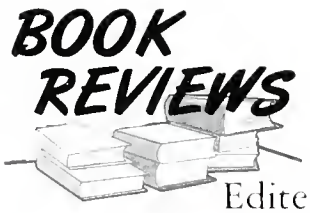
Thomas Kennet-Were, an English gentleman and artist, traveled across the United States and part of Canada in 1868 and 1869. He documented his trip by writing an account of his travels, which he titled "Nine Months in the United States," and by painting many scenes in watercolor. When he and his company reached Omaha in March 1869, they boarded a train which would travel west along the soon to be completed Union Pacific line which ran through the southern portion of the Territory of Wyoming. Following is an excerpt of his journal describing his time in Wyoming during March 1869.

"Snowed up on the Prairie," watercolor by Thomas Kennet-Were of a Union Pacific train stranded by a snowstorm west of Laramie, Wyoming Territory, in March 1869. Journal and watercolors are in the Thomas Kennet-Were Collection, American Heritage Center, University of Wyoming

". . . At Cheyenne (pronounced Shian) the Railway Company have built machine shops which will probably attract trade; and as it is situated at the foot of the Rocky Mountains it is likely to become a resting place for travelers. Between Cheyenne and Laramie the highest point of the line is reached, 8,262 feet above the sea. At Laramie we were detained some hours, and as the accounts of snow on the line became more discouraging we sallied out in search of a baker's shop, where we bought as many loaves as we could conveniently store away. During the night we were continually awoke by the jolting of the car as it ground through the snow, and when we got up in the morning we found that by the attempts of the driver to charge through the snow the coupling chains were broken. The engine and freight cars were about a quarter of a mile ahead, a few hundred yards before us was a passenger car, and we in the last were stuck fast in a snow-drift. Here we remained 26 hours, during which time we fully appreciated the comfort of a sleeping car in which we were able to keep warm and to amuse ourselves by playing cards and conversing with our fellow passengers, whose acquaintance by this time we had made. Our tinned meats here became very acceptable, though I have never eaten anything so nasty as they were. They all tasted mouldy and stale, and the lobster had an extra flavour of varnish. I was reminded of the ducks we used to eat in Egypt, the peculiar flavour of which we could never account for, until we discovered that one of our party, who had a taste for stuffing birds, was in the habit of skinning them before they went to the cook, whose sauces and condiments were powerless against the flavour of plaster of Paris and arsenical soap. We attempted in the morning, after clearing the line of snow, to move the car, but the wind which had in the first place caused the snow-drift continued so high that our efforts were of no avail. We appealed to the driver for help, but after he had secured our assistance in filling the tender

with snow water, he told us that on his last trip he had taken 22 days to do what we had done in 12 hours, and guessing that we had 'better bide quiet' he shut his door and went to sleep. Behind us we heard an engine whistling, and before us we could see another train which had left Omaha two days before us, so we came to the conclusion that we had better take the driver's advice and accept the position. During the day we saw elk, bear, wolves and antelopes on the neighbouring hills and we longed for snow shoes which would have enable us to explore the country. The following morning a snow train arrived. During the winter these snow trains, provided with a kitchen, and carrying a little army of navies to clear the snow away from the cuttings, are kept perpetually moving up and down the line. Directly the train appeared many of our passengers who were unprovided with food made a rush to the calabooses, where a tall nigger was ladling out light yellow coffee into tins, and another was frying very tough venison steaks over the stove. At 10 o'clock we succeeded in moving, and in half an hour reached Rock Creek, where we found seven trains. As these had to be sorted, and the mails and passengers sent on, it was three o'clock before we left, after which we went slowly until eight in the evening when we again stopped, and at five in the morning put back to a station called Carbon. This is a place of great importance to the Company, as coal is here found. It crops up in various places to near to the track that it is lifted straight out of the mine on to the tender. At the house of some Irish, who had lately come from County Down, we obtained a breakfast. The poor creatures who had chosen such a wretched settlement had taken three weeks to come from Omaha, and had been forced to walk some portion of the way. At Rawlings we were deprived of the sleeping car, which was a dreadful loss; but shortly after leaving it we were delighted to find that we had crossed the watershed of the continent, and that the water was now running west."

Thomas Kennet-Were's watercolor of "Pine Bluffs City" in March 1869. Courtesy Thomas Kennet-Were Collection, American Heritage Center, University of Wyoming.



Edited by
Carl Hallberg

Significant Recent Books on Western and Wyoming History

The Last Eleven Days of Earl Durand. By Jerred Metz. Glendo: High Plains Press, 2005. Illustrations, index. Hardcover, $35.00; paper, $15.95.

Jerred Metz' book, *The Last Eleven Days of Earl Durand*, is an exciting read, but it is not a serious academic study of the famed Wyoming outlaw Earl Durand. The book is comprised of a series of narratives based on interviews with various Cody and Powell residents who knew Durand or were connected in some way to his various crimes and the subsequent manhunt which ended with Earl's death during an attempted robbery of the First National Bank of Powell. Unfortunately for the serious scholar of the Durand case, Metz fails to indicate in the narrative or in any endnotes or footnotes (of which there are none) which material is from the interview or gleaned from other historical resources. The listing of only six sources used outside of the interviews and the written demonstration of one example illustrating his methodology of blending oral interviews with newspaper accounts do not offer much help in sorting out the confusion.

A better system of documentation would have been beneficial for clarifying some of the more controversial aspects of the story. For example, Metz indicates in a number of the narratives that the two men who Durand killed during the manhunt were not official posse members, but glory seekers looking to make a name for themselves by bringing in a wanted killer. Yet, if one looks at the official Park County records and local news accounts, these two men were listed as official members of the posse and their families did receive payment for their services during the manhunt. The reader cannot tell if this bit of misinformation is the result of unfounded rumors circulating through these communities, which may have been restated through the oral interviewers, or possibly Metz added this information to the narrative to enhance the story. Without the proper citations the reader is not able to sort out oral history from other resources, unless they were given access to the recorded oral interviews which hopefully the author will eventually donate to a historical archive.

Metz also fails to seriously examine the political, social, and cultural forces that shaped the events that led to Durand's death. There is no comparison to other criminals or crime sprees that were common across the United States during the Great Depression, such as Pretty Boy Floyd, John Dillinger, and Bonnie and Clyde. The author also fails to seriously cover Durand's family and the early life events that may have led this young man into the series of events that cost him his life.

This book offers little clarification on Earl Durand's life and crimes, instead we are left wondering which of the narratives, many that conflict with one another in their accounts, is the most accurate. In short, if you are looking for a great story that is well written much in the style of a historical fictional work, this is your book. A serious academic study of the Earl Durand case is still lacking, and this book does little to remedy that situation.

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Powell, Wyoming

Finding Sand Creek: History, Archeology, and the 1864 Massacre Site. By Jerome A. Greene and Douglas D. Scott. Norman: University of Oklahoma Press, 2004. 240 pages. Illustrations, maps, notes, bibliography, index. Hardcover, $24.95.

November 29, 1864, is etched in the minds of anyone interested in the cultural history of the West. That morning, more than seven hundred U.S. volunteer soldiers attacked a Southern Cheyenne and Arapaho village along Sand Creek in southeastern Colorado, killing men, women, and children and laying waste to their homes. The incident is one of the most controversial events in the settlement of the American West. It is fitting that Congress in 1998, through the efforts of Colorado Senator Ben Nighthorse Campbell, passed the Sand Creek Massacre National Historic Site Study Act (Public Law 105-243) to find and preserve this important landscape.

Jerome A. Greene and Douglas D. Scott are exemplary scholars and they have written a gem of a book. They point out the great irony of Sand Creek that impacted the ultimate course of the Plains Indian Wars: "In a single destructive strike, the Colorado troops had eliminated all of the Cheyenne chiefs who had favored peace; those leaders who survived Sand Creek thereafter became staunch advocates of resistance" (p. 23). Decades of violent encounters ensued.

Finding Sand Creek begins with an informative foreword by Christine Whitacre, National Park Service historian, who outlines the scope and goals of the project. Chapter one is a brief but thorough summary about the Sand Creek massacre. Chapter two details the detective-like efforts by Greene and others to locate all pertinent historic records that might shed light on the true site location. The discovery of the 1868 Bonsall map at the Chicago Branch Center of the National Archives is a fascinating story, demonstrating once again how crucial archival clues often are found in unexpected locations. Chapter three presents Scott's archaeological investigations to identify the village and related areas. The recovery of shell and shot fragments from 12-pounder mountain howitzer rounds is a significant development, as is the discovery of a round ball bullet cache (pp. 74-75) laying on the surface of a paleosol. Chapter four sets forth conclusions based on the successful integration of historical research, archaeological investigations, and the contributions of several other analysts, including Native American viewpoints. In fact, the multidisciplinary focus of this study is the most admirable aspects of the entire project.

The combination of the Bonsall map discovery and the presence of spherical case shot, in association with typical artifacts of a mid-nineteenth century Plains Indian camp, make a convincing argument that this is the Sand Creek Massacre site. The entire study also is supported by useful appendices that set forth basic documentary and physical evidence used in interpretations. The reader senses these investigators have found what they were looking for. One comes away with the realization that there is more to learn from the archaeological record at the site if future plans call for more detailed investigations.

Finding Sand Creek is an affordable book written for a broad audience. The volume fills a need at both the professional research and public interest levels of inquiry, not an easy feat for any author. The technical content and endnotes are valuable tools for researching the Indian Wars Period, and the story is well told. Hopefully, land acquisition will proceed and Sand Creek will be preserved for the enjoyment of future generations who wish to better understand our past.

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Ahead of Their Time: Wyoming Voices for Wilderness. Edited by Broughton Coburn and Leila Bruno. Sheridan: Wyoming Wilderness Association, 2004. 239 pages. Paper, $14.95.

The laudable goal of *Ahead of their Time: Wyoming Voices for Wilderness* is to document key figures in Wyoming's wilderness preservation movement. Collecting local and regional history is a worthy endeavor, especially on a subject so hotly debated at the national level. The personal reminiscences collected in this volume, when considered together, take on the character of a choir singing a familiar chorus, and the relative obscurity of the "sing-

ers" only adds to the significance and poignancy of their tune.

The book is divided into four sections: the designation of the Wind River Roadless Area in 1937; actors in the passage of the National Wilderness Act of 1964; individuals active between the passage of national legislation and another law specifically for Wyoming; and people who testified in support of the Wyoming Wilderness Act of 1984. Thirty-two writers were chosen to research, interview, and subsequently write about one figure important to wilderness preservation within his or her county. They collected audio interviews, newspaper clippings, photographs, diaries, transcripts of testimony, and other documents to support each narrative. These supporting materials have been deposited at the American Heritage Center at the University of Wyoming, providing an additional resource to those wishing to explore the subject further. Given the extensive research conducted, it is surprising that except for the courtesy lines accompanying the photographs, citations are almost completely missing.

Unfortunately, the reader cannot experience this text as a choral offering. When examined in sequence, the narratives become monotonous. Much of the imagery employed is repetitive, erroneously begging the question of whether or not the unique wilderness gems described might be more similar to one another than different. Their preciousness is undermined by the very terms used to illustrate them. Unapologetically nostalgic, this volume functions best as a literary scrapbook. It focuses on personal experiences in a tender and intimate way. Readers unfamiliar with the individuals, organizations, and lands might well ask, "Why should I care?" And why should *Ahead of their Time*'s writers care whether anyone else does? Because garnering broad-based public support for wilderness preservation is that important.

This book is an example of tremendous cooperation and collaboration around an all too important issue, but it lacks the circumspection and scholarly rigor to make it noteworthy in the larger realm of historical inquiry into the environment. Still, the text is marked by tremendous fervency and conviction, and that has to count for something. Unfortunately, in the politically charged arena of environmental discourse, it is likely that this collection of essays will be viewed as sentimental and unstudied. And given the paucity of documentation employed to support these narratives, there is little with which the authors and editors can respond.

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Contributors

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"A Classless Society": Dude Ranching in the Tetons 1908-1955, page 2

Amanda Rees Ph.D. is an assistant professor in the Department of History and Geography at Columbus State University, Georgia. Her initial research in Wyoming dude ranches was funded by a grant from the American Heritage Center, and her Grand Teton dude ranch research was funded by a grant from the University of Wyoming-National Park Service Research Station. She enjoys talking about dude ranching and has spoken to the Wyoming Dude Ranching Association annual meeting, the Dubois Musuem, and at the University of Wyoming-National Park Service Research Station in Jackson. Dr. Rees's other research interests include the contemporary Great Plains, and she has recently edited volume on the Great Plains Region, and she has also written on the new architectural and planning movement, New Urbanism.

Epriam D. Dickson, III
Soldier with a Camera: Private Charles Howard's Photographic Journey Through Eastern Wyoming, 1877, page 22

Ephriam D. Dickson, III, is director of education at the Utah Museum of Natural History, with a special research interest in Lakota-U.S. government relations. He is currently completing a manuscript on photographer D. S. Mitchell and his 1877 portraits of the Oglala leadership at the Red Cloud Agency.

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