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The Background And Organization Of The Montana Stockgrowers Association

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PREFACE

The cattle industry has played a very dominating role in shaping the history of Montana. From very humble beginnings it has developed to a position of importance rivaling both mining and farming. It has been characterized by men of integrity and wisdom, broad-minded men for the most part, who held the better welfare of the entire state foremost in their minds.

Like any other industry, cattlemen developed their own organization. Though existing sporadically at times, the Montana Stockgrowers Association had evolved from a local to a regional, and finally to a unified state-wide level by 1885. Its purpose then, and still in the present day is to advance the interests of stockgrowers, protect them against frauds, swindlers, and thieves, and to enforce the stock laws of Montana.

However, a realistic portrayal must be presented. Cattlemen had their problems, which at times threatened the very life of the industry. Stockmen were not always unselfish in their actions. The life of the stockgrower was a difficult one.

In an historical treatment, astute accuracy, honest evaluation, and reader interest must hold positions of primary importance. This thesis traces the cattle industry and the Montana Stockgrowers Association from their initial beginnings to consolidation of the association in 1885. Of necessity background factors, problems, and difficulties have been included. Care has been taken to insure accuracy, honesty, and interest. I hope these goals have been achieved.

W.G.B.
I. ORIGINS AND EARLY SETTLEMENT

Montana, a diversified land of great rolling plains to the east in sharp contrast to rugged mountains and fertile valleys in the western portion, remained virtually unexplored as late as 1800. True, scattered early exploratory expeditions had entered the area, but no conclusive knowledge was gathered until the Lewis and Clark expedition of 1804-1806 and the coming of the fur traders. From the Fur Trade, which had begun to develop large scale operations in Montana before 1810, came the origins of the state's cattle industry.

As the fur trade expanded companies arose to broaden operations and thus reap more profits. During one of these periods of expansion the earliest known cattle appeared in Montana. The Rocky Mountain Fur Company, which had dispatched a party to trade in Pierre's Hole, laid plans to expand operations into the Yellowstone River country, where a number of partners had had some experience.\(^1\) On the subsequent Yellowstone expedition in 1833, one of the party, Charles Larpenteur, drove at least two cows and one bull through the state to the mouth of the Yellowstone, where the group helped establish Fort William. Larpenteur notes in his records, "Our two cows added a great deal to our good living; as we had no coffee, milk was a great relish."\(^2\)

\(^1\) Merrill G. Burlingame, The Montana Frontier, (Helena, 1942), p. 262.

\(^2\) Ibid.
The next record of cattle in Montana is that of a small herd brought by Father DeSmet in 1842 to St. Mary's Mission near present day Stevensville. Father DeSmet is generally credited with introducing the first cattle into Montana which developed into a permanent herd.

In 1850, when the missionaries decided to move their headquarters north to the present day mission at St. Ignatius, Major John Owen bought St. Mary's and established Fort Owen. He became interested in the cattle business and began to build up a herd. In doing so, Owen became the first white man in Montana to operate independent ranch interests. The Blackfoot Indians, who had forced the Jesuits to move for their own safety apparently also plagued Major Owen. There is record of his having driven cattle westward in 1853 to escape the hostile Blackfeet, and then driving them back the same year when soldiers under Lieutenant John Mullan arrived and made life safe at Fort Owen.

As the cattle industry began to grow, an interesting procedure developed. Since the middle 1840's great numbers of settlers had traveled the Oregon Trail to new homes farther west. Cattle from the early Montana herds met the demands of these settlers. As the fur trade had all but completely died out by this time, many fur traders began to see possibilities in channeling their efforts toward cattle. The cycle was simple. The trader would by a few worn out

3. Ibid.

cattle from settlers on the trail or at Tenderfoot Stations. (so-called because here cattle with tender feet from the long trek west could be bought). These animals would be trailed into Montana and grass-fed until fat. They then were taken back south to posts along the trail and either sold for about ten dollars a head or traded for more worn out cattle at the rate of one fat one for two worn out ones. In this manner some traders built up sizeable herds. In fact, most of the early herds in western Montana were products of these transactions.5.

Perhaps the largest of the early herds was developed by Captain Richard Grant, who trading along the road to Fort Hall, owned a herd of 600 by 1856.6. Horace Greeley traveling to Salt Lake City in 1859 found this business thriving along Black’s Fork and Ham’s Fork of the Green River as well.7. These latter herds were owned by Wyoming’s first cattlemen.8. Other notable early cattlemen were James and Granville Stuart, Reece Anderson, and Robert Demsey, all of which were settled in the Deer Lodge valley between 1856 and 1860.9.

7. Ibid.
8. Ibid.

Burlingame and Toole in A History of Montana mentioned this same group and other being in the Bitteroot as early as 1856, but no reference to such settlement is made by Stuart or others.
The Jesuits at St. Ignatius early illustrated the value of the western Montana valleys for grazing. By 1858, they had so trained the Flathead Indians, that they had over 1,000 head of cattle pasturing on neighboring hillsides and valleys.10.

An edict of the Mormon church in 1857, ordering all Gentiles within Mormon territory to leave was responsible for a great influx of cattle traders into Montana. These traders had carried on a very profitable business with Mormon settlers. Mormon territory extended as far north as the Salmon River in Idaho, thus threatening Montana cattlemen in the southwestern valleys. Because of the Mormon menace many cattle owners moved to new, more distant valleys, to set up operations.11. The cattlemen's great fear of the Mormons is shown in the report of an army detail dispatched to protect them. The report stated that the cattlemen would sell beef, but would not deliver it south because of the Mormon edict. Further the report pointed out that many cattlemen were going as far north as St. Ignatius to escape the Mormons.12. The Mormon threat passed, however, and by the next year trade was as brisk as ever.13.


12. Ficklin Report, p. 69-70

However, additional markets were necessary before the cattle business could expand much beyond the trading stage. Army contracts and needs of settlers traveling the Oregon Trail were not sufficient demands upon which to base a potentially thriving industry. The discovery of gold, however, solved this problem almost as soon as it arose. By 1865 lively markets could be found in Virginia City, Bannack, Helena, and several other towns. Miners flocked to Montana from spent diggings in Colorado, California, and other areas.

Synonymous with the development of the mining industry was the rise of Conrad Kohrs, who was later to be considered by many the Northwest's foremost cattleman. Kohrs was an immigrant from Germany who had settled in Bannack, operating a butcher shop. Beef sold for $100, a head and higher in those days, and Kohrs was quick to realize the profits that could be made. Forming a partnership with John Bielenberg, he made his plunge into the stock business in 1865. Locating in the Deer Lodge Valley he soon became the outstanding spokesman for that area. It has been estimated that he owned 30,000 acres during the period of his largest operation.14

With the increase of new markets cattle began to enter Montana from all directions. Some arrived from the West over the Mullan Road from Walla Walla, Washington. Others came from Kansas and Missouri following the Overland Trail. Probably the best known of these early drives was that of Nelson Story in 1866. Young Story, an Ohioan who had come west ten years before and made a strike in the

Montana gold fields, bought a herd of Texas Longhorns. Braving Indian dangers and the elements, he drove 600 head from Texas to Montana along the Bozeman Trail, settling in Gallatin County. Story was so successful that he was able to sell out in 1890 for half a million dollars. However, in the next ten years few Texas cattle followed Story, as a solution to the Indian problem was a necessity before the route became safe for travel.

II. EARLY LEGISLATION

The first Territorial Legislature of Montana met in 1864 and enacted a law regulating marks and brands. It recognized the need for each livestock owner to maintain an identifying brand in order to discern his own animals, as pasture, for the most part, was held in common.

By 1866 the Deer Lodge Valley had become so overcrowded with cattle that regulations had to be enacted governing the use of winter range. The Territorial Legislature of that year passed a law giving the Deer Lodge County Commissioners power to define summer and winter ranges. The law further stated that cattlemen could not graze their stock on winter range during the summer months unless he owned it. The law proved a failure, being repealed in a later session of the same year, but it did indicate the already evident need for conserving free grass and for dealing with the problem of overcrowding on Western Montana ranges. In the first analysis, overcrowded ranges was the predominant reason for stockmen to move into central and eastern Montana around 1880, although removal of

1. Territorial Legislature, Session of 1864, p. 401.
2. Ibid.
3. Laws of Montana Territory, 1866, Second Session, p. 35.
4. Ibid.
5. Ibid., p. 83.
the Indian danger had a significant bearing on this migration.

The following figures illustrate the rapid growth in cattle numbers. In 1868, nine Southwestern counties claimed 10,714 oxen and 18,801 cows and calves.\(^6\) By 1872, the number of cattle had risen to over 75,000.\(^7\)

Montana had begun to advance to a point where a certain degree of order was being achieved in the industry. The Territory's first book of marks and brands was published in 1872.\(^8\) It bore the imprint: "Office of the Supreme Court and General Recorder of Brands for Montana Territory, Virginia City, M. T., Aug. 1, 1872."\(^9\) Forty four printed pages recorded 241 brands, each description being framed in legislative language thus:

> Be it remembered that John Scolley of Beaverhead County, Montana Territory, has adopted and claims the exclusive right to the following stock brand and marks, to wit: 'Heart on right hip, with cross under it; ear marks, crop and split in right, slit and underhit in left.'\(^10\)

In addition to the printed pages, the book contained a fourteen page alphabetical index for which the brands were hand drawn in ink.\(^11\)

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\(^7\) Ibid.

\(^8\) Maurice Frink, W. Turrentine Jackson, and Agnes Wright Spring, *When Grass Was King,* (Boulder, 1956), p. 50.

\(^9\) Ibid.

\(^10\) Ibid.

\(^11\) Ibid.
New markets were not only welcome but were the backbone of a growing industry. As the mining camps began to decline, news arrived of the transcontinental railroad being constructed from St. Joseph, Missouri to San Francisco during 1868 and 1869. A branch line of the Union Pacific reached Cheyenne, Wyoming about the same time. Some cattle were trailed to the railroad construction crews of this early effort, but for the most part, distance and the Indian problem were prohibitive. However, these early railroads did usher in hope for railroads into Montana, which did enter the territory early in the 1880's.

By the middle of the 1870's, the cattle market declined seriously. Demands of local markets became far less than the total supply. The total lack of railroads in Montana further complicated the problem. The nearest rail outlet was over the Union Pacific far to the south. Montana grass fed steers were of superior quality, but the question was how to transport them to the far distant markets.

The first beef cattle driven out of Montana was a small herd belonging to D. J. Hogan of Sun River. Hogan sold them to Ornstein and Popper and delivered them at Salt Lake City in the fall of


2. Granville Stuart, Forty Years on the Frontier, (Cleveland, 1925), p. 98.
1866. That same fall Jerry Mann drove one hundred and thirty head of steers and fat dry cows to Ogden and sold them. The first rail shipment was made in 1874 by James Forbis, who purchased three hundred head of fat beef steers from Conrad Kohrs, drove them to Ogden, and from there shipped them to Omaha. Cheyenne, Wyoming provided another outlet, being first utilized by a shipment of three hundred head of steers by Conrad Kohrs from the Deer Lodge in 1876. The trail from the Beaverhead or Deer Lodge ranges through the mountain valleys to Corrine, Utah was used as early as 1869, but lack of water and grass made this route less desirable. The completion of the Northern Pacific railroad to Bismarck, North Dakota in 1873, provided another route. Still another trail was from the Sun River country to Pine Bluff, Wyoming.

In general the 1870's can be called a period of great strife and disorder which threatened the continued success and growth of the cattle industry and which prompted early attempts at organization of cattlemen's associations. These attempts will be discussed in the next chapter.

3. Ibid.
4. Ibid.
5. Ibid.
6. Ibid.
8. Ibid.
Indian uprisings reached their most serious proportions during this period, preventing cattlemen from moving their herds into the vast grasslands of central and eastern Montana. The Sioux, under such capable leaders as Red Cloud and later Sitting Bull and Crazy Horse, presented the most formidable challenge.  

The conflict, in large measure, was caused by the Fort Laramie Treaty of 1868. This ill-advised treaty gave the Sioux, for their exclusive use, an area as large as the present State of Montana encompassing southeastern Montana, the western Dakotas, and northeastern Wyoming. Further, the Bozeman Road was closed to Montana, and all military posts in the ceded territory were removed. The treaty left all white settlers in this area at the mercy of the Indians, without the security of military protection. Granville Stuart says of the treaty: "This Laramie Treaty was the most atrocious of them all and was responsible for the continuous Indian Wars and massacres which lasted until 1881."  

Red Cloud, who had forced the abandonment of the Bozeman Road, became peaceful after the government fulfilled their obligations of the peace treaty by burning the forts along the trails. However, his successors, notably Sitting Bull, Crazy Horse, and Gaul were not quite so passive, again opening the hostilities the treaty was supposed to end. It would be a long and bloody period before

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10. Stuart, p. 74.
11. Ibid., p. 73.
the conflict would end and the trails would again be reopened for travel.

It was during the ensuing wars that Lt. Colonel George Armstrong Custer and his entire force were annihilated in the Battle of the Little Big Horn of 1876. That same year Lt. Colonel George Crook suffered a decisive defeat in another battle. The conflict was not finally resolved until General Nelson A. Miles forced the surrender of Chief Joseph in the Bear Paw Mountains in 1877. Thus ended many years of bloody Indian warfare, which destroyed the Indian's natural way of life. Henceforth, Indians were placed almost exclusively on reservations, a life which relegated the Indian to the position of a degraded race.

Montana was now wide open for growth and expansion except for great herds of buffalo which darkened the plain. However, buffalo too were soon to disappear. The coming of railroads to Montana in the early 1880's was accompanied by a merciless slaughter of these noble animals which by 1885 had nearly left them extinct.
IV. EARLY ATTEMPTS AT ORGANIZATION

In gaining true insight into the problems facing the Montana rancher in his early attempts at organization, it must be understood that until 1880 stockgrowing was almost entirely centered in the western mountains and valleys. Consequently, efforts to organize as late as 1879 were purely regional in significance. Situations facing the western cattlemen were a great deal different than those which later faced the central and eastern sections where cattle became the dominating industry. In contrast, the western area had to compete primarily with mining and farming interests, and often unfavorably at that.

Western Montana in the early 1870's was characterized for the most part, by many small ranches and farms, having comparatively little problem in keeping track of their animals. It was not to their advantage to combine with the larger owners, who shared the bulk of the open range. Consequently, the large operators in pushing for a roundup law met with much opposition from the small owner.

A further headache for the large operator was the situation which often existed when he bought a few head from the farmer. Frequently, these cattle would wander back to their original owner's herd, and it was extremely hard to prove ownership, even when he had placed his brand on them. ¹

¹ Ernest Staples Osgood, The Day of the Cattleman, (Minneapolis, 1929), p. 128.
Indians too, presented a serious obstacle, though not so serious as in the plains area. Their activities were mainly confined to marauding and stealing on a small scale. Cattle thieves or rustlers were also something of a difficulty, but were controlled quite successfully, partially because of the example set by the vigilantes in dealing with desperados in the mining camps.

A problem of very serious consequence was the continual struggle of the western Montana cowman for community acceptance. Miners and farmers presented formidable opposition, which ranchers often were unable to overcome. One reason for their antagonism toward cattlemen was due to the very nature of the industry. Because the community furnished the immediate market for beef, stockgrowers were dependent upon community acceptance and cooperation. Cooperation was further necessary in dealing with estrays, brand disputes, roundups, Indians, and cattle thieves. In trying cattle thieves the community constituted the jury. Juries could convict or acquit, and often because of antagonism chose the latter course. Many times the community interpreted the need of cooperation as a move on the part of the cattlemen to insure dominance in the area.

Realizing the need for unity Montana cattlemen made their first attempt at organization in December, 1873. A group of stockgrowers met in Virginia City and issued a call to the stockmen of the Madison to meet the following month. It was announced that the

purpose of such a meeting was to consider and discuss:

- the best method of protecting the winter ranges from summer grazing, the disposition of estrays,
- the rules and regulations that should be adopted in relation to brands for the better protection against cattle thieves; for the purpose of securing general unanimity of action among the stockmen of the county, for the purpose of taking necessary steps toward the organization of a stockgrowers association, and to take measures to secure the required legislation at the Territorial Assembly.............that action among stockmen is required, is apparent to all.4.

On January 8, 1874, the meeting was held, a chairman was elected, and a committee appointed at the previous meeting, began to draft a bill for regulation of the cattle industry.5. The bill drafted was presented to the legislature, then in session. No permanent organization was perfected, and the task of achieving the objects for which the meeting was called was left to the legislature.6.

That same year the legislature did pass a law which created a roundup system.7. The act was intended to force all operators, large or small, who turned stock out on the open range, to cooperate in roundup efforts. The statute required that the county commissioners should divide the respective counties into stock districts of suitable size.8.

4.Ibid.
6. Ibid.
8. Ibid. p. 86.
Not more than twice a year the commissioners were to order a roundup of the stock in these districts under such rules as they should lay down. These roundups, however, were not to include work cattle, dairy or milk cows, or cattle under supervision of a herder. In other words, all cattle were exempt except those pastured on the open range. Stockgrowers in each district were required to meet and choose a stock board. This board would regulate the handling of estrays and procedures for selling cattle. Failure to comply with Board regulations was made punishable by fine.

The Roundup law was severely criticized by Charles Anceny, first supervisor appointed by county commissioners as specified by the Roundup law. Anceny refused to act under the law as written.

Said Anceny:

It seems to me that the intention of the Legislature in passing this law was more for flattery than for beneficial purpose. It is long and complicated and embraces no points which we desire...... a very accommodating law for those favorable to raising stock in a loose manner, and we do not care for the improvement of that kind of property.

Anceny went on further to criticize the Legislature's failure to act on contagious diseases and scrub cattle that were beginning to drift in from Texas. Further, scrub bulls were allowed to mix with high quality animals on the range. In so doing the quality of

9. Ibid.
10. Ibid.
11. Ibid.
13. Ibid.
the whole industry was being dragged down. The resulting situation made it much more difficult to compete with high quality eastern cattle.

Osgood lists the following reasons for the failure of the Roundup law: 14

(1) Only the larger owners appeared on the set date for the roundup.

(2) The estray law was not a sufficient modification of the old law to satisfy the larger owner, who felt that no matter where a cow strayed his brand should give him ample proof of ownership and protection, whether he claimed her or not.

(3) Feeling they received no benefits from the Roundup law, small operators and farmers refused to cooperate and participate in the roundup.

Later the law was modified and still later repealed. The legislature found it impossible to satisfy such divergent interests as the case presented. 15 It was decided that each district should work out for itself means to solve its difficulties.

The roundup problem illustrated the urgent need for a stockgrowers association. Montana cattlemen had begun to realize, as were their Wyoming neighbors, that they would have to solve many of their difficulties themselves. In this case they developed their own roundup system. Although there were no other stockgrowers meetings until 1879, the necessity of organization became more evident with each passing year.

14. Osgood, p. 129

15. Ibid, p. 130
Realizing the need, a fairly representative group of stockgrowers met in Helena on January 23, 1879. James Fergus, one of the oldest and most influential stockmen in the territory, was present and urged the foundation of a stockgrowers association. In addition to Fergus, such prominent stockmen as John H. Ming, E. G. Brooke, R. S. Ford, Anceny, and W. F. Wheeler attended. Also present were Conrad Kohrs, Phil H. Poindexter, and R. H. Sutherland, editor of the well-known Rocky Mountain Husbandman. The group adopted the name: "The Legislative Farmers, Stockgrowers, and Miners Club," and elected Brooke president.

Among items discussed were proposals of gaining legislative protection, a "Bull law," disease, and the roundup law. Further, any interested farmers or miners were invited to attend any future meetings. Here, a sincere effort was made to secure cooperation and a good relationship with these interests. The meeting closed with the intention of meeting the following month to form a more definite organization.

Ford, soon to become president of the organization, reiterated many of the reasons for organization stated for the 1873 meeting previously in an address to the Sun River district shortly

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17. Osgood, p. 122.
21. A law to force all owners to put a certain amount of bulls on the range in proportion to the size of their herd, and also to keep scrub or poor quality bulls off range.
after the January meeting. This address was partially responsible for the very successful meeting held in February, 1879.

This meeting convened February 19, in Helena and was the first meeting of the Montana Stockgrowers Association.23. A constitution was adopted and officers elected. Ford was chosen president and E. G. Brooke, vice-president.24. The major parts of the constitution as adopted included the following articles:25.

Article I. This provision specifically stated that the organization existed for the mutual benefit of persons dealing in cattle and horses and stated that the organization would be called the Montana Stockgrowers Association.

Article II. The article merely stated that any person engaged in raising or dealing with cattle or horses would be eligible for membership.

Article XI. Any subsidiary organization of the major association (mostly on a local level) was required to send a description of their brands to the major association for publication in a brand book.

Twenty eight signatures of prominent stockmen were affixed to the constitution.26.

The new president, Ford, issued a call through the papers

24. Ibid.
25. Ibid.
26. Ibid.
to all Montana stockgrowers urging them to form district or local organizations and to then unite with the general organization at its next meeting in September. Subsequently, local organizations were formed or reformed in Gallatin county, the Sun River country, the Shonkin District in Choteau county, the Smith River District in Meagher county and Lewis and Clark county.

It can be seen that the areas represented by these local organizations constitute that section of the Territory where the industry had developed chiefly as a result of the growth and expansion of the native herds. For the most part the association was regional, existing in the western part of the Territory. The great eastern migration and the huge influx of Texas cattle did not begin until the following year.

After a third meeting of the organization held on March 3, 1880, the Montana stockgrowers did not meet again until the association was reorganized at Helena in July, 1884. In the meantime, however, local organizations developed a workable roundup system and, notably in the central and eastern sections, dealt quite successfully with Indians, rustlers, and other problems.

27. Osgood, p. 123.

28. Ibid.
With the Indians confined to reservations as a result of their defeat in the Indian Wars, the way appeared open for all out expansion. One obstacle existed in the form of huge herds of buffalo which still roamed the plains of eastern Montana, but this was solved with the coming of the Northern Pacific Railroad in 1880. These noble animals were slaughtered so rapidly by hide hunters and ignorant sportsmen that by 1883 they nearly faced extinction. The chain of reservations which had previously cut Montana off from the East and South further gave access to the Territory. The advent of railroads provided the necessary shipping outlet to eastern markets.

Before General Miles departed from Montana, he established an army post in the heart of the Indian country in 1878, to complete the subjugation of the Sioux. The little town which grew up around the post at the point where the Tongue River flowed into the Yellowstone became known as Miles City. This unspectacular little village grew up to be the cattle center of eastern Montana, and the seat of organization of the Eastern Montana Stockgrowers Association in 1883.1

As the western Montana ranchers moved east, they had to learn numerous new operational methods, as mountain ranching, which had been semi-enclosed, differed greatly from that of the open

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1. Maurice Frink, W. Turrentine Jackson, and Agnes Wright Spring, *When Grass was King*, (Boulder, 1956), p. 68.
plains, where a cow could wander almost at will. From Wyoming
Montana obtained its introduction to the chuckwagon, the cow camp,
the open-range roundup, and other institutions of the endless
grasslands.2.

With expansion to large operations, ranches began to con-
solidate into corporations. One of the earliest and best known was
the D. H. S., organized in 1879.3 Granville Stuart and his partner,
Reece Anderson, pooled their resources totaling $50,000 to obtain
one-third interest in a partnership with A. J. Davis of Butte,
Erwin Davis of New York City, and Samuel T. Hauser of Helena.4
Capital stock of the firm was $150,000 and the brand "H" was adop-
ted.5 However, the brand was soon changed to "D-J" when it was
discovered that the original brand blotched easily.6

Stuart assumed managership of the company and located the
home ranch at the base of the Judith Mountains on Ford Creek. By
March 1, 1880 he had contracted four thousand head of cattle.7
Five thousand head of cattle were established on the new ranch by
autumn of the same year.8

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3. Merrill G. Burlingame and K. Ross Toole, A History of
4. Granville Stuart, Forty Years on the Frontier,
(Cleveland, 1925), II, p. 99.
5. Ibid.
6. Ibid., p. 164.
At first the D. H. S. had the area to themselves, but in 1881 Kohrs and Bielenberg, Henry Sieben and Charles Eeldon, and the Power brothers of Fort Benton moved into the area.®

In the spring of 1882, the several outfits on the Maginus range (so called because the army had established Fort Maginus nearby) decided to "pool" their roundup and branding operations, thus forming one of the first roundup districts in the Territory. At the meeting of May 29, 1882, Granville Stuart acted as secretary, William C. Burnett was chosen as captain of the roundup, and rules were established setting a pattern which was followed for many years to come. ¹¹

The partnership underwent a major reorganization in 1883, when Kohrs and Bielenberg purchased the interests of Davis and Hauser, which included some twelve thousand head of cattle.¹² The Pioneer Cattle Company was incorporated in 1885, with Conrad Kohrs, Granville Stuart, H. P. Kennett, and Samuel T. Hauser as incorporators.¹³

The above sketch gives an outline of the procedure followed by many typical western cattlemen in moving east onto the open range.

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®Ibid.

¹⁰Ibid.

¹¹Stuart, p. 166.

¹²Burlingame and Toole, p. 314.

¹³Ibid.
Late in 1879, great herds of Texas cattle began to arrive in Montana. Ever since Nelson Story had come to Montana in 1866, stories had spread clear to Texas of the long and seedy grass of Montana ranges. Now with the Indians overcome, Texans realized that they could participate in reaping the rich profits that could be realized in Montana. At the same time they would relieve the overcrowded ranges of Texas.

Texas, however, had no monopoly of the exodus of cattle entering Montana. Eastern interests and foreign companies moved in as well. Many British and Scotch corporations formed cattle enterprises in Montana. Two famous Frenchmen were Pierre Wibaux and Marquis de Mores, whose holdings extended greatly into Dakota. Many of these bought Texas cattle to stock in Montana.

The movement grew so rapidly that Granville Stuart stated: "By the first of October, 1883, there were 600,000 head of range cattle in the Territory." According to Stuart this number was increased to more than one million by the fall of 1886.

It would be folly to say that this huge increase in cattle figures did not cause problems. Obviously, branding was a necessity, especially with all these herds turned out in common on the open


ranges. Consequently, a Road Brand Law was passed by the Territorial Legislature in 1881.\textsuperscript{17} Punishment by fine or imprisonment was provided in another law passed against anyone who willingly or knowingly used another's brand or attempted to deface or destroy a brand.\textsuperscript{18} In the Roundup Law of 1874 the legislature had also included provisions covering the taking up of stray cattle, the advertising of them for a certain period of time, and their sale by the county if they went unclaimed.\textsuperscript{19}

Stray cattle were no problem for the small operator. If he could not find them himself, he merely watched the estray advertisements published by the county clerk. The large operator, on the other hand, had his cattle, along with those of many others, scattered over hundreds of square miles of territory. The roundup system solved the problem in Wyoming, where the dominating industry was cattle, but Montana cattlemen could not obtain the essential cooperation from the small operators and farmers.\textsuperscript{20}

Mavericks presented another problem. Defined as calves who were not following a cow, the difficulty was solved in the early days in Wyoming by considering a maverick as the property of any operator upon whose range he was found if ownership could not be provided. The solution was called the "accustomed range" policy.

\textsuperscript{17}\textsuperscript{17} Laws of Montana Territory, 1881, Session 72, p. 59.
\textsuperscript{18}\textsuperscript{18} Ernest Staples Osgood, The Day of the Cattleman. (Minneapolis, 1929), p. 125.
\textsuperscript{19}\textsuperscript{19} Laws of Montana Territory, 1874, Session 8, p. 86, Sec. 3.
\textsuperscript{20}\textsuperscript{20} Osgood, p. 140.
However, this method was not the answer in Montana because Montana stockmen were never able to gain adequate legal support. In fact they found it difficult enough to get a suitable inspection law passed to protect them from rustlers.

A definite inadequacy existed in that conditions for obtaining a legal brand were not sufficient for the range stock industry. Brands had to be filed with the county clerk, whose offices were few and far between. As county lines meant nothing on the range, this was quite a hardship. One operator might have a new brand each time he added a large number of cattle to his herd. As local stock associations developed, a need was felt for a general brand book of all the members.\textsuperscript{21} Each year local secretaries prepared such books containing the brands of every member and the range each occupied. Yearly revision was necessary, for, with the purchase of whole herds, companies added one brand after another to their holdings.\textsuperscript{22}

Another headache was the influx of low grade bulls of Longhorn variety which trailed in from the south, Texas in particular. For the most part, native Montana cattle were of much superior breeding. These obstacles were left to the local associations to solve. Again due to a lack of legal support they never were fully ironed out.

\begin{itemize}
\item \textsuperscript{21} Ibid. p. 140.
\item \textsuperscript{22} Ibid.
\end{itemize}
The number of bulls per head of cows also became a perplexing problem. Many stockgrowers who maintained an adequate ratio of cows to bulls were rendering free service to their less conscientious neighbors who placed an insufficient number of bulls on the range. The Association, after much discussion, passed regulations binding each member to supply one bull for a stated number of cows. Local organizations went further and regulated the time when bulls should be released on the ranges for service.

Having referred to local Stockgrowers associations and the Montana Association several times, it must be pointed out that the general association passed certain legislation while locals were organized and remained active during the interval between 1880 and 1883, when the general association did not meet.

One of the best known and most influential of the local organizations was the Shonkin Stock Association formed near Fort Benton in July, 1881. Leading stockgrowers from the Belt, Highwood, Arrow Creed, and Shonkin ranges met, elected Jack Harris president, chose an executive committee, and adopted regulations and by laws. The association resolved to protect the cattle ranges against Indians and to share the expenses of building corrals and roundups.

25. Ibid.
Thus, it can be seen that local groups were efficiently handling many of the difficult obstacles which faced stockmen. Other situations it would take the general association to successfully deal with. The areas where cattle raising was the dominant industry were able to reach the goals pursued by stockgrowers. These areas were almost entirely in eastern Montana.

In organizing and carrying out roundups local associations were particularly successful. Usually the entire local membership would participate in the roundup, though later, as more cattle entered the Territory, districts joined together for roundups or held them on the same date. The Montana Stockgrowers Association never controlled the roundup for the whole Territory, for during the entire range period local associations in central Montana as the Musselshell, Shonkin, and Smith River units continued to regulate their own affairs.

However, even with all these problems, the major threats to the cattle industry and those which primarily led to the formation of a permanent Montana Stockgrowers Association were cattle thieves or rustlers, and Indians. In these very serious difficulties common action on a Territory wide basis was imperative. Much of the strength of the organization would be due to the fact that only through a close union and cooperation could the individual obtain adequate protection against these dangers.

27. Osgood, pp. 132-133.
VI. THE INDIAN PROBLEM

The Indian at this time was passing through a period of transition as the foundations of his old existence disappeared. Relegated to the reservation, the Indian was forced to adapt to a new way of life. No longer did the great buffalo herds roam the plains. No longer was the Indian able to hunt and wander freely. These were some of the conditions the Indian had to contend with and adapt to. Because of their situation, Indians were afforded U. S. government protection not provided whites.

To the cattleman the Indian was a nuisance. Friction between stockgrowers and these original inhabitants of the plains centered chiefly around the slaughtering of beef by Indians for food, Indians stealing stockmen's horses. Often the government did not provide sufficient meat and other commodities for the reservations. Bootlegging white traders added to the complexity of the problem by selling or trading whiskey to the Indians for horses. More often than not, the horses were stolen from nearby cattlemen. Frequently under the influence of drink, Indians would embark on wild farays, causing considerable destruction, which often included wanton killing of cattle.

Granville Stuart illustrated the seriousness of Indian degradations when he said: "Between the months of November, 1880, and April, 1881, three thousand head of cattle were wantonly butchered by Indians in Choteau and Meagher counties; there was therefore in six months a destruction of $60,000 worth of property by the malice of Indians."
Government sanctions which permitted Indian hunting parties to leave the reservation, were issued in the period when buffalo still populated the range. This official protection gave the Indians immunity which left the cattlemen quite helpless. It is not too difficult to picture these same Indians slaughtering cattle after buffalo had disappeared from the range. To compound the situation, Indians felt this act was justified because it was the white man who had exterminated the buffalo.

The situation was especially acute in the plains area of northcentral and northeastern Montana. Here was an area of over twenty million acres, embracing some of the best range of the territory, and inhabited by thirty five hundred Indians. By 1881, buffalo and other wild game were so scarce that the government had to either feed them or allow them to go southward into the area between the Missouri and the Yellowstone and east of the Musselshell, where a remnant of the Northern buffalo herd was still to be found. The situation was further complicated by the inefficiency of the Indian Bureau, which in many cases had no understanding of the true nature of the difficulties with which they were faced.

The cattlemen's contention that any protection against Indian degradations must come as a result of their own efforts was fully confirmed by publication in the Territorial press of the correspondence between delegates of the Territory and the Secretary of the Interior in 1881. The secretary wrote as follows:

... upon the subject of the rights of the Indians to leave their reservations for hunting purposes, your attention is respectfully invited to the provisions of the treaty of October 17, 1855, with the Blackfeet and other Indians. Articles 7, 11, and 12 of said treaty set forth the rights and privileges of the Indians and the settlers, and the remedy for wrongs committed by either.........The occupancy of those lands (Judith and Musselshell regions) is, under the treaty, as much a right of the Indians as the people of Montana who are grazing stock thereon, and so long as the treaty remains in force its guarantees should be respected. If this course is pursued by those keeping their stock on lands not belonging to themselves but to the United States, their safety will be assured and an Indian war ............will be prevented.4.

The Indian problem thus had a great influence on the formation of local organizations of the Montana Stockgrowers Association in central Montana, especially where strong roundups had developed.5. Among these were the Shonkin, Musselshell and Sun Teton. Rewards were posted for the apprehension and conviction of anyone selling liquor to Indians.6.

Riding in groups, cattlemen forced many roving bands back to their reservations. Occasionally there was a running battle with a party of young braves out on a horse stealing expedition or some

5. Osgood, p. 145.
other destructive venture. However, the Indian threat was passing. By 1867, the young braves, forced into subjugation by starvation and neglect, were lining up for their beef issue at the agencies along with the rest of the tribe. 7

7. Osgood, p. 147.
VII. THE THREAT OF CATTLE RUSTLERS

The threat from cattle rustlers became much more serious than the Indian problem. While the Indian danger was diminishing, the rustlers were becoming stronger and more daring with each passing year. The peril became so grave that it threatened to injure the cattle industry permanently. The rising feeling of antagonism by many communities toward the cattle industry contributed much to the increased complexity of the problem. This prejudice often made it extremely difficult to convict cattle thieves when they were apprehended.

Only constant vigilance by a highly developed, cooperative association could protect the vast cattle interests. Many cattle-men's groups did reach an amazingly high degree of efficiency in these matters.

To understand the nature of a rustler, it must be noted that he was of a peculiar breed. He was not a member of the ordinary criminal element made up of drifters, bootleggers, and hide hunters. To be an efficient rustler one had to have had actual experience in raising cattle. The procedures cattle thieves used made this a necessity. First, the thief must have a brand. Then, the brand had to be recorded in the clerk's office of some county. Following this

2. Ibid.
3. Ibid., p. 148.
the rustler obtained a small herd. The herd was increased by picking up mavericks when the opportunity presented itself. After executing this practice for a period of time, the rustler gradually expanded his operations. Small bunches of likely cattle would be stolen from a large herd and driven some distance to a secluded spot where their brands could be changed. Brands similar to those of the rustler made this operation much simpler, but soon rustlers became so skilled that any brand could be changed and only recognized as such upon extremely close inspection.\(^4\) When the brand had healed, the herd was mixed in with the rustlers own stock.

Thus by simply changing brands, it can be seen why many cowboys could not resist the temptation to become cattle thieves. For this reason, rustling was extremely difficult to prove, and consequently, threatened the industry itself. Realizing the danger, the association passed laws prohibiting their hands from owning cattle of their own.\(^5\)

To be effective, protection measure employed by the cattlemen had to be adapted to the habits of the rustler. A detective force was scattered along the ranges to watch for any suspicious activities. Newcomers, primarily those with small herds, were especially suspect though no one was above suspicion.

\(^4\)Ibid., p. 150.

\(^5\)Rocky Mountain Husbandman, April 16, 1885.
Granville Stuart, who organized a Vigilante group in central Montana, carried out a campaign that very effectively limited rustling in that area. Heading the party, besides Stuart, was Reece Anderson, James Stuart, (not Granville's brother) and James Fergus. The group caught and hanged Sam McKenzie, a Scotch half-breed, from the limb of a cottonwood near the Missouri breaks. From there the group went to Stony Point, eighty miles above the mouth of the Musselshell on the Missouri, where they found a band of outlaws encamped. The thieves had a herd of horses carrying the brands of various stockmen in the Fergus county locality in their possession. Six of the nine rustlers were hanged. Three escaped, later to be found attempting to leave the vicinity by floating down the Missouri on a raft. They were captured and hanged from the nearest tree. After this vigilante raid, the activities of rustlers was curtailed to much less serious proportions. The Vigilante crew later was referred to as "Stuart's Stranglers." 7

Inspection generally became adopted as the most effective measure to stop the rustlers, for if they could be kept from marketing their stolen cattle, they could not realize gain for their efforts. Accordingly, inspectors were spread over every shipping point in the territory. After the system was developed, it became very astute and efficient, and proved an effective preventive measure against the sale of stolen cattle.

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VIII. OTHER DIFFICULTIES AND DEVELOPMENTS

Division A. Disease.

No matter how pressing other problems might be, cattlemen constantly had to be on the alert for disease. One of the biggest threats in the way of disease was Texas fever which entered the state during the great influx of southern cattle during the early 1880's.

Montana did not take any early action against this fever, as it felt that the long drive from the south and the quarantines in the intervening states were sufficient to prevent the introduction of the disease. However, when Texans started shipping by rail the problem became acute. Montana passed laws providing for an inspection system of veterinarians employed by the local governments in 1885. The governor was also given the power to issue a quarantine of these cattle until they could be adequately inspected and vaccinated. The outcries and urgings of Montana's native stockmen were responsible for these laws as they feared an epidemic in Montana.

Eastern cattle being shipped west had come from areas where pleuropneumonia had broken out. These animals were also a threat and were handled similarly to the Texas cattle. Later Federal regulations were imposed to govern interstate shipping of cattle.

2. Ibid., p. 164.
3. Laws of Montana Territory, 1885, Session 14, pp. 31-40.
4. Ibid., p. 34.
5. Helena Weekly Herald, March 1, 1883.
Division B. Wolves.

As buffalo disappeared from the range, another danger arose in the form of wolves. When buffalo herds had been numerous, wolves had preyed upon them and thus had not posed a serious threat to the cattle industry. Cattle were an easier prey than buffalo had been, because they feared the wolves. The wolf menace was most serious in the winter, when other game was scarce and cattle were less able to combat them.

Running in packs of ten to thirty they would cunningly single out a younger animal generally, and, after it became tired, kill it. Because they multiplied rapidly, often raising ten whelps to a litter, the problem became increasingly difficult with each passing winter.

In the long run, poisoning proved to be the most effective preventive measure. Cattlemen poisoned some, but the bulk of it was done by "wolfers," men who made it their business to poison and kill them for their hides, which were quite valuable. A "wolfers" life was not easy, however, as his efforts were confined to the cold winter months, when wolves were hungry and would take bait. Still, the effort expended was often quite profitable, as in a good season he might net from $2,000-$3,000 profit.

A further incentive was a law passed by the legislature in

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7. Ibid.
8. Ibid., p. 172
9. Ibid., p. 174
1883 which placed a bounty of one dollar a head on wolves, eight dollars a head on mountain lions, and fifty cents on coyotes.\textsuperscript{10} The effectiveness of the law is shown by the fact that five thousand wolf skins were brought in in 1885.\textsuperscript{11}

Division C. Sheep.

Sheep from California, Utah, and Oregon began to arrive in Montana in large numbers during the early 1870's, although smaller bands had been present earlier.\textsuperscript{12} This number had grown so large by 1881, that sheep outnumbered cattle in the Territory.

Although many cattlemen looked with disfavor upon the rapidly rising number of sheep the sheep-cattle wars which descended upon many other range states never reached such serious proportions in Montana.\textsuperscript{13} The abundance of range land partly explained this. Further, Montana had certain ranges better adapted for cattle and others upon which sheep thrived more. Much of the usual tension between the two factions was also avoided because a large number of the successful and highly respected cattlemen also ran herds of sheep.\textsuperscript{14}

Granville Stuart echoed these sentiments when he stated:

\begin{quote}
In the days of the big ranges there was never any serious trouble between the cattlemen and sheepmen and there was never a 'range war' between them in Montana. Many of the cattlemen also had bands of sheep.\textsuperscript{15}
\end{quote}

\begin{itemize}
\item \textsuperscript{10}Ibid., p. 80.
\item \textsuperscript{11}Ibid.
\item \textsuperscript{12}Osgood, p. 189.
\item \textsuperscript{13}Burlingame and Toole, \textit{A History of Montana}, (New York, 1957), I, p. 318.
\item \textsuperscript{14}Ibid., p. 319.
\item \textsuperscript{15}Stuart, II, p. 187.
\end{itemize}
Division D. Titles and "Nestors"

During this period, there were also quite a number of farmers settling in Montana. Farms were no longer limited to the western half of the state, having sprung up quite numerously in the eastern plains area as well. An advantage held by these settlers and homesteaders was that they held legal title to their land. However, in this development, the bitter conflicts which plagued other states never really broke out. As Stuart says:

There was never, in Montana, any attempt on the part of the large cattle companies to keep out small owners, homesteaders, or permanent settlers. On the contrary, every possible assistance was given to the settlers by the large companies........ Settlers were often allowed to milk range cows, provided they allowed the calves to have a share of the milk, and could also borrow horses and farm machinery.16.

Although, Stuart's analysis might seem to whitewash the situation too completely, relations between cattlemen and settlers were generally very good.

Concerning land titles and fences, Stuart states:

Few of the cattle outfits had any money invested inland, nor did they attempt to fence or control large bodies of land. The land on the range was unsurveyed and titles could not be had. The cattle man did not want to see fences on the range as during severe storms the cattle drifted for miles and if they should strike a fence they were likely to drift against it and perish with the cold.17.

The land that cattlemen did obtain legal title to was usually that along a stream, as the man who controlled the water

16. Ibid. p. 186.
17. Ibid. p. 187.
also held a prominent position in the control of the range. A serious problem broke out in Wyoming when huge cattle companies, such as the Swan Land and Cattle Company, would gain virtual monopoly of land along streams over a great portion of the open range. In Montana, the problem never seems to have become so serious.

18. Osgood, pp. 204-205.
IX. PERMANENT ORGANIZATION

Faced with a complexity of difficulties, leaders of Montana stockgrowing industry began to realize that the time was ripe to establish a permanent organization before chaos swept the range. Cattle occupied every available grassland. Still, however, Texas herds moved in, resulting in a shortage of grass that was being seriously felt. Barbed wire fences complicated the situation. Disputes were beginning to break out over water rights. Permanent organization was now a necessity.

President, R. S. Ford, seems to have determined the needs and purposes of a strong permanent stockgrowers association in an address to the Montana Stockgrowers Association in 1880. Said Ford:

"We want to establish a system that allows each individual to retain all the rights and privileges he now enjoys, and add to these a system that will not only compel, but encourage and even pays men to be honest. We need a system that protects our cattle on any part of the public domain, a system that will put a stop to animals being taken off the public range and advertised as estrays, and one that enables us to know the marks and brands of every stockgrower in the Territory. This system should be democratic in its broadest meaning not only doing the greatest good to the greatest number, but result in great benefits to every stock grower. We need a system that will prevent our territory from becoming a paradise of thieves; a system that resolves stockgrowers into a protective force and pays them to look after the interests of one another, inasmuch as our interests are identified."

The Eastern Montana Livestock Association had its earliest beginnings at a preliminary meeting in Miles City on April 17, 1883.2

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1. Rocky Mountain Husbandman, March 11, 1880.
2. Granville Stuart, Forty Years on the Frontier, (Cleveland, 1925) II, p. 175.
Attending were 279 cattlemen. The major problem discussed was that of rustlers. To solve this difficulty it was agreed to employ one detective in each county to track rustlers and horse thieves. Expenses were to be paid by the association.3

"From this time on," says Stuart, "the entire range business was under the direction and control of the Montana Stockgrowers Association."4 He evidently inferred a combination of the Eastern Montana Association and local associations in the western part of the Territory, as the Montana Stockgrowers Association did not permanently organize until 1884.

The first actual meeting of the Eastern Montana Livestock Association as such was held on October 12, 1884, in Miles City.5 T. J. Bryan was elected the first president and J. W. Strevell, secretary-treasurer.6 The main topics of discussion included the necessity for mutual protection against rustlers and the menace of wolves. The need of recognition and recording of chattel rights,7 brands, shipping problems, and various other matters vital to the livestock industry were also analyzed. The initiation fee was placed at fifteen dollars with ten dollars yearly dues.

3 Ibid., p. 177.
4 Ibid., pp. 176-177;
6 Ibid.
7 refers to cattle as property.
W. D. Knight, editor and publisher of the Yellowstone Journal was elected an honorary member of the association in recognition of his efforts to organize the stockmen. An executive committee composed of prominent cattlemen was also selected. Theodore Roosevelt, ranging cattle in Dakota, was among the charter members. The firms of Marquis de Mores, Granville Stuart, the McKenzie Cattle Company of Dakota, and the Montana Cattle Company of the Musselshell Valley constituted the solid backbone of the group.

The Yellowstone Journal of Oct. 13, 1883 had this to say of the organization:

> this association of the cattlemen, organized last night, will prove a most important factor in the future of Miles City. The centralization at this point of such immense and constantly increasing interests as are controlled by the cattle trade is enough by itself to build up a town of wealth and importance.

Previous to this meeting, the Montana Livestock Exchange had been established in Miles City on August 2, 1883, for the purpose of making a daily market quotation available to shippers. The Exchange played an important role as a forerunner to the Eastern Montana Livestock Association.

The Wyoming Association rendered an important influence upon

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9. Ibid.
12. Ibid.
the Montana group. Wyoming speakers appeared at the Miles City meetings and outlined the purposes and objectives of their organization. Many of these objectives were adopted.\textsuperscript{13}

The Eastern Montana Livestock Association held its second meeting in the Custer County Courthouse on March 21, 1884.\textsuperscript{14} More than seventy cattlemen attended. Twenty new candidates for membership were considered and accepted.

The association discussed losses of cattle resulting from depredations of neighboring Cheyenne Indians and prepared a petition asking that rations provided for Indians be increased so that they would not be forced to kill cattle on the ranges to keep from starving.\textsuperscript{15} A committee was formed to attend meetings of the Wyoming Stockgrowers Association at Cheyenne to cooperate with them in inspection of cattle at Mandan, Maginis, and other points. E. J. Newman, W. Harmon, H. E. Fletcher, J. W. Strevell, and Matt Ryan were chosen delegates to attend the National Convention at St. Louis.\textsuperscript{17}

A roundup committee was formed, including one member from each locality, to lay out roundup districts, select foremen, and arrange for the beginning of spring roundups. The executive committee was instructed to prepare a brand book, containing the brands and marks of association members.


\textsuperscript{14} Reynolds, p. 123.

\textsuperscript{15} Ibid., p. 124.

\textsuperscript{16} Ibid.

\textsuperscript{17} Ibid.
it was decided to consolidate the two groups in Miles City. Plans were made for this consolidation during the winter.

The Bad Lands Cowboy of January 29, 1885, anticipating the consolidation meeting wrote:

The success of the Cheyenne association has conclusively proven that it is better to merge all smaller associations into a large organization or at least have them subordinate to a larger group. More concerted and for more energetic action is possible under this system and we wish every success to the new association.25.

Wrote the Helena Independent:

It is not only the part of wisdom and foresight for an industry to provide for its own protection in the enjoyment of all its own legitimate rights and privileges, but also to guard against all encroachments upon the just rights and privileges of others........ It is for the interest of the Territory to give the stockgrowers every possible encouragement. All good citizens will bid them Godspeed in their work........ Their abilities, their energies, their integrity, and their hands have done much to give us the honorable position we now occupy in the eyes of the country.26.

On September 5, 1884 the Eastern Montana Livestock Association met again in Miles City and with the addition of new memberships, memberships reached 107.27.

Activities of the March 21 meeting seemed to have born results as arrangements were made to receive an investigating committee from the United States Senate, sent out to discuss the Cheyenne Indian situation. The cooperative inspection system formed

25. Ibid., p. 121.
27. Yellowstone Journal, Sept. 6, 1884.
Scott and J. F. Smith, members of the Eastern Montana Livestock Association attended the meeting,\textsuperscript{22} The problems of disease and thefts from rustling were the two outstanding issues discussed. Governor Potts insisted that the chief work of the new association should be combating the rustlers.

The rules of the association drawn up at the meeting were of much broader context than those of the 1879 gathering. Included were provisions for membership, dues, special assessments, discretion with regard to publicity, handling of rustlers and Indians, and amendments and annulments. The stated objective was "To advance the interests of the stockgrowers and dealers in stock of all kinds in Montana; to protect the same against frauds, swindlers, and thieves, and to enforce the stock laws of the territory."\textsuperscript{23}

Among the resolutions passed:\textsuperscript{24}

1. A resolution calling upon the government to take action to limit the size of Indian reservations thus opening new lands for settlement.

2. A resolution recommending the selection of such men for the legislature that would support legislation favorable to stockgrowers.

3. A resolution inviting the Commissioner of Agriculture and officials of other countries to inspect Montana for cattle diseases.

Delegates from Custer county seemed reluctant to join the association. To maintain friendly relations with the eastern group,

\textsuperscript{22} Ibid., p. 117.

\textsuperscript{23} Ibid., p. 118.

\textsuperscript{24} Ibid., pp. 119-120.
Resolutions passed provided that bulls must be kept separate of herds from the first day of December until the first of July, the secretary would receive a $500. salary each year, and owners must make it their duty to insure that the men in their employ are honest. 18.

In the directors room of the First National Bank in Helena, the Montana Stockgrowers Association was permanently organized on July 30, 1884. 19. Granville Stuart was elected the first president; B. F. Potts, vice president; R. B. Harrison, secretary; and J. P. Woolman, treasurer. Eleven counties were represented by forty two delegates. The executive committee was made up of one delegate from each county, while the delegation to the National Convention, to be held for the first time in St. Louis later that same year, was similarly made up.

A committee of Conrad Kohrs, chairman; John T. Murphy, Azel Ames, Jr., Charles Anceny, and J. M. Holt was appointed to study the problem of the relation of bulls on the range to calf crops and to present a report at the spring meeting. 20 Holt, W. Ryan, Joseph

18 Ibid., pp. 124-125.
19 Helena Independent, July 31, 1884.
20 Harrison was the son of President, Benjam Harrison and Woolman was the Territorial auditor.
21 "Reynolds" p. 116. (The spring meeting was never held because consolidation with the Eastern Montana stockgrowers occurred that following spring.)
with Wyoming also was reported successful. The question of mavericks on the range and definition of range limits was discussed, but no definite action was taken. Estrays and cattle thieves who were stealing in Montana and driving their gains into North Dakota, were also subjects of debate.

As a result of these meetings the door was open to consolidation of the western and eastern association into one, powerful, unified group.

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Consolidation of the Montana Stockgrowers Association and the Eastern Montana Livestock Association was achieved in the Miles City meetings beginning April 3, 1885. About 150 members were present, and fifty five names of new members were proposed. Col. T. J. Bryan was elected the first president of the new, unified body. Ex-governor, E. F. Potts, was elected vice president, and Russel B. Harrison became the first secretary.

A great many issues were argued, debated, and discussed. Among them were horse stealing by Indians, a memorial to the government asking permission to place the Miles City Stockyards on the Fort Keough military reservation, recent enactments of the legislature, and suggestions of the stock commission. Districting for roundups and separating bulls from herds during the winter was also discussed. A great deal of time was spent in organizing and planning the association brand book for the entire Territory.

2. Yellowstone Journal, April 11, 1885.
4. Helena Weekly Herald, April 9, 1885. A Board of Stock Commissioners had been created to exercise protection and supervision over the stock interests of the Territory in the 14th session of the legislature in 1885.
5. Rocky Mountain Husbandman, April 9, 1885.
No person was to be a member except a stockgrower defined as such: "A person owning or controlling cattle, horses, mules, or asses, and engaged in the business of herding, growing, and raising the same for a profit." To become a member a person had to be proposed by another member accompanied by a statement of stock assets. Further, three members of the executive committee and the secretary had to approve the member before membership status.

Among the by-laws drawn up at the meetings were procedures for consolidation. All members of both associations would be members of the new organization. Annual dues were set at ten dollars. The association would meet semi-annually, the spring meeting to be in Miles City and the fall meeting in Helena.

Out of the discussions a great number of important resolutions were enacted. In summary these statutes were to the following effect:

Each roundup district was required to make reports of their activities and to submit them to the semi-annual meetings of the association. In order to increase roundup efficiency all operators agreed to place their men under orders of the roundup foreman, to be handled as he felt best. Each member turning out female cattle upon the open range was required to place at least eight serviceable bulls.

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for every one hundred head of female cattle he turned out over one year of age. A further resolution prohibited any member from gathering cattle on the range from November 15 until the date of the general roundup without informing his neighbors, that they might examine the cattle if they so desire.

In a positive move against rustling, a resolution was passed forbidding any member of the association to have in his employ any person owning cattle on the range or having a brand separate from his employer. Finally, all members were required to submit within thirty days a report to the association stating the number of cattle, horses, mules, and asses each owned or controlled, including all marks or brands on such stock. The Territory was also divided into roundup districts and arrangements were made for mapping the Territory as districted.10.

Consolidation of the Montana Stockgrowers Association caused a great deal of comment in the Territorial press. Stated the Yellowstone Journal:

"There is nothing clearer in the world than that the interests of all will be greatly increased and it is hard to see how any interests of any section or individual can be injured. It is going to need the united efforts of our own stockmen to prevent the leasing of Indian reservations and to secure the opening of these vast useless tracts of our common territory to the common use, where all shall have equal advantages.11.

The Helena Independent stressed the efficiency possible through consolidation:

10. Rocky Mountain Husbandman, April 16, 1885.
11. Yellowstone Journal, April 4, 1885."
This change will add much to the efficiency of our stockmen, doubtless resulting in great good to the industry by securing a unity of work and economy in the expense of carrying on their operations.12.

Said the Rocky Mountain Husbandman:

Now that the Montana Stockgrowers Association and the Eastern Montana Stockgrowers have merged into one it becomes quite a formidable body, and is well calculated to be of great benefit to our livestock interest. It is certainly to the advantage of all livestock owners to take membership. The officers will receive no salary, and there are no honorary members. Every member will therefore contribute his portion and every dollar will be expended in the interest of its members.13.

As Granville Stuart had recognized earlier, the Rocky Mountain Husbandman also foresaw in the same issue as above, the danger of overstocking the range. The problem had been caused, to a great extent, by such propaganda publications as James Brisbin's book, The Beef Bonanza, which spoke in glowing terms of the fantastic profits which could be made raising cattle in the West. Basing their judgment on these reports foreign and eastern interests continued to pour cattle into Montana.

Prophesized the Husbandman:

This overstocking will increase until the summer season will witness the ranges bare, and death in winter to the range animal will be inevitable. There is nothing that can check this wild rush into the cattle business and the flood of cattle into the Territory but a series of winter disasters which are sure to come, and that, too, in the near future, with the rapid increase of our herds. Those carrying on the business on a somewhat small scale,

12. Helena Independent, April 2, 1885.
13. Rocky Mountain Husbandman, April 16, 1885.
relying on keeping their cattle within their own enclosure during the winter do not find it so profitable as the range system; but is permanent and may be made perpetual, and will prove the wisest in the end. The range industry cannot continue at the present rate for longer than a decade. . . . . The very life of the industry itself will be threatened.\(^{14}\).

How wise this prediction was. For the terrible winter of 1886-1887 dealt a serious blow to the cattle industry, and it did succeed in ending the open range era forever. Cattlemen were forced to revert to methods of which the Rocky Mountain Husbandman had spoken.

Through this gripping crisis and through many to come the Montana Stockgrowers Association has played an invaluable role in protecting Montana’s cattle industry. The association was then and still is today a powerful, unifying force in the interest of livestock, one whose sphere of influence has been felt in nearly every phase of life in Montana.

\(^{14}\) *Ibid.*
Efforts of cattlemen to meet and organize had important and far-reaching effects on the political, economic, and social life of the people of Montana. Whenever his isolation was destroyed, the stockgrower, in spite of his apparent independence, needed a degree of community protection and encouragement, which neither the farmer nor miner demanded. In some cases these needs were satisfied under the law that afforded protection to all. When such protection was inadequate, special legislation was resorted to.

There were, however, certain difficulties inherent in the business that could not be solved within existing laws. These were handled by "extra-legal" activities, such as "Stuart's Stranglers," or the "legal" operations of the Montana Stockgrowers Association.

The history of cattle in Montana encompasses a vast field. Countless books have been written from nearly as many different points of view. In this work, I feel I have merely scratched the surface in treating of its major aspects. However, perhaps more important has been the rich historical education I have gained through exposure to primary sources in research and to personally writing in an historical vein.
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(During the open range period)
BIBLIOGRAPHY

Primary Sources

Government Printing:


Territorial Legislature:


Laws of Montana Territory, 2nd Legislature Session, 1866, Virginia City: Published at Democrat Office, 1866.


Laws of Montana Territory, 8th Legislative Session, 1874, Helena: Weekly and Daily Herald, 1874.

Revised Statutes of Montana, 12th Legislative Session, 1879, Helena: George E. Boas, Public Printer and Binder, 1881.

Laws of Montana Territory, 13th Legislative Session, 1883, Helena: George C. Boas, Public Printer and Binder, 1883.

Laws of Montana Territory, 14th Legislative Session, 1885, Helena: Robert E. Fisk, Public Printer and Binder, 1885.

Newspapers:

Avant Courier, Bozeman, April 10, 1874.

Helena Independent, 1879-1885.

Helena Weekly Herald, 1883-1885.

River Press, Fort Benton, Sept. 28, 1881.

Rocky Mountain Husbandman, White Sulphur Springs, 1884-1885.

Weekly Montanan, Virginia City, 1873-1874.

Yellowstone Journal, Miles City, 1883-1885.
Books:


Unpublished Material:


Secondary Sources

Newspapers:


Books:


Unpublished Material:
