

The personal experience of Charles B. Negus and the writer during the infamous "Stockmen's Invasion" of Johnson County, Wyoming, in April, 1892.

PART FIRST

INTRODUCTORY REMARKS

In the month of April, in the "Year of Grace," 1892, there was great excitement among the small ranchers and their sympathizers living in Johnson, Converse and Natrona counties, Wyoming.

Land in the Eastern, Northern, Southern, and real Western States had been for many years, practically all taken by settler and homesteader. About all that was left was in the so-called "Mountain States." These contained practically all that remained of the once great homestead territory that, for many generations, had beckoned and allured the land-loving and home-seeking people of the world.

To the United States, newest and freest of the great world nations, had flocked the land-loving sons and daughters of England, Ireland, Scotland, Denmark, Norway, Sweden and North Germany. Here, now flocking by hundreds, thousands and hundreds of thousands to secure the land so necessary for their livelihood, these descendants of the progressive Aryan tribes that had, ages ago, descended from their Asian highlands to sweep, with a steady conqueror's stride across Europe's fertile plains and valleys. Settling first in the Atlantic coast states in a few brief generations they had populated the "border states" and now, from New York, Vermont, Massachusetts, Pennsylvania, Virginia, The Carolinas and elsewhere, in adjoining homelands, they turned their longing and land hungry eyes westward. Westward, ever westward they pushed; they and their descendants. Kentucky, the "Dark and Bloody Ground," was taken and became, forever, their home; then, generation after generation, westward, still westward, they pushed their way. Ohio and Illinois beckoned them; Iowa and Missouri caught, and held, their far flung cohorts until cohorts became

legions and legions, multitudes. Then onward, wave after wave, almost without pausing, they swept, north, south and west; in Wisconsin, in Minnesota and the Dakotas they settled; Kansas, Nebraska and Arkansas became theirs; Texas saw the light of their far flung camp fires that, once lighted and ablaze, are destined to burn and blaze forever.

On, through and across the barren western deserts and mountains, they pressed and hurried. California turned from a "Land of Gold" to a land of farms and orchards. Oregon and Washington echoed and re-echoed to their tread. Utah, as bare and dismal in looks as the erstwhile "Promised Land" of the (self named) "Chosen People," became, thanks to the genius and statesmanship of Brigham Young and his devoted followers, a land justly entitled to the description: "Flowing with milk and honey." In this triumphal march of civilization when generations must be reckoned as days in the world's history soon naught remained but the dreary wastes entitled the "American Desert" and the rugged and seemingly inhospitable fastnesses of the dark and gloomy mountains. These, passed over by the hordes hastening westward, gold bound for California, were allowed to remain, for another generation, practically as shaped and formed by Mother Nature.

Thus, time went on. Year followed year. Now, here and there, fertile spots, oases, in this vast desert country began to bloom and flourish. These spots, redeemed by the fertile and life-giving waters of spring, stream and lake, began to attract attention and now, in the later "sixties" and early "seventies," Colorado, and other sections less prominent, were seen to offer inducements to this horde of homeseekers.

Here the program changed. Formerly, the home-seeker must clear off the vast forests, or dig and drain bog or morass. Now he worked on a different plan. Great reservoirs were built, ditches surveyed and the barren country formerly counted "desert" began to bloom and flourish almost like-unto the valley of the ancient Nile.

Seed, properly planted and cared for, increased an hundred fold. One acre, under careful irrigation, outyielded two, three and sometimes ten, where nature and her too prodigal, or too niggardly, rainfall was to be depended upon alone.

Thus, began and spread the great system of irrigation farming and from this start, in a few short years, results were attained that placed, and has kept our irrigated lands in the lead of the world's crop producers. Homes were built, orchards planted and year by year, the desert was reclaimed and made to bloom more and more like- unto the storied rose.

While this work was going on in Colorado, Utah, parts of California and other states, this vast mountainous country ranging from west Texas to the Canadian line had all been pre-empted (if we may so use the word) by the vast and rapidly increasing cattle herds.

The building of railroads brought the market within easy reach and this facility was eagerly seized upon by the watchful and alert "Cattle Barons." The close of the great civil war witnessed a steady northern progress. It had been found that cattle could winter in sheltered places in the mountains and in groves and breaks along streams in the bottom lands, without hay and expensive feeds. To be sure, some were lost and some starved in the great blizzards that swept the country. Many more were killed by wolves and other wild animals; still, as there was so little expense attached to the trade it constantly grew and flourished. Snows fell and were blown away; the constant winds swept clear hill-top and slope while the sage-brush, grease-wood, buch-brush and willows kept life and strength within the flourishing herds the few days (seldom more than three or four) it remained quiet.

Thus, the early "eighties" found all that vast slope of country hitherto classed "desert," claimed and pre-empted by progressive cattlemen.

The first man into a country claimed, by recognized "squatter's rights," the land necessary to support his vast and growing herds. Along the streams and where great springs gushed out, usually made sure of by homestead filings, were erected the ranch house, bunk house, outer-buildings and corrals. There were no fences. Everything was "open." In storm, the cattle drifted before the gale; at its close, the homing instinct strongly developed, they turned about and headed homeward. There was no rent to pay, the grazing ground belonged to Uncle Sam. Taxes were small, the land "proven up on" was lightly assessed, and the cattle and horses were "given in" by fractions.

Thus, for years the cattlemen held the plains and mountains. Yearly they grew more and more secure in their power until, gradually, there developed a sort of "Cattle Aristocracy." All the lands were taken. No new man could secure a foothold. Should an old-timer desire to sell, well and good. Should a stranger attempt to open a new ranch, without purchase of grazing rights, trouble followed. Backed by his numerous cowboys, faithful and loyal to their salt, and secure in the knowledge that the law, such as the country boasted, was "cattle law" the newcomer was ordered to leave. If he went, well and good; if not, his herds were scattered and confiscated, and if he still persisted in remaining, usually death resulted. It was easy to pick a quarrel. The killer (it was not considered murder) would be cleared by a coroner's jury, picked by cattlemen through their loyal servants, judge, sheriff, coroner, etc. This was the condition throughout this vast western territory until the deposing of the Cattle Baron and the crowning of the homesteader and small rancher.

Many things contributed to this downfall, but chief among them were the land laws passed at Washington. The homestead law, one of the greatest and wisest pieces of legislation passed during the nineteenth century, allowed possession of a quarter section of land, this by merely living on and working same for five years.

By the pre-emption law he was allowed another quarter section. This he could squat on and pay for at the government price of \$1.25 per acre (outside of railroad limits). The timber claim allowed another quarter section although but one of these could be filed on in a single section. By growing a certain number of trees this could be made one's own. In the west the timber claim right was rarely used; further east, in Kansas and Nebraska, it was more popular.

All these laws helped some, but when, later, the pre-emption and timber claims were cancelled and a full section allowed by the desert act this, in connection with the homestead of one quarter section allowing a real foot-hold, everywhere throughout the cattle country, trouble started.

In the strenuous years that followed there was, beyond all doubt, right and wrong on each side. While our sympathy is, and always has been, with the small rancher and homemaker there is still plenty to say for the large cattleman. In the first place, he had already obtained a foot-hold. He had worked for years, getting his range, his home buildings and his outlying shelters and corrals. He had watched the range, kept it from being over-stocked, killing at times the buffalo by the thousands in order to do so. He had guarded it and his vast herds against prowling cattle thief and Indian marauder. It was his for all intents and purposes and his title was as good, in his eyes, as that of any of the lords who followed William to England, or the conquerors, Cortez and Pizarro, to Mexico and Peru. He had found and taken it, ownerless, from the prowling Indian and roving hunter, and, ignoring the government's dormant claim, had made of it a worthwhile proposition. His entire fortune was risked therein and it represented, in most cases, his life work. These, and many other arguments were his. The small ranches, taken, were fenced; this kept his cattle from grass and water. Also, from passing freely from pasture to pasture, or rather, in that early day, from range to range. The land, he honestly believed (in many cases, at least he honestly believed so) to

be worthless for agriculture and useless for anything but stock growing. It was, purely and simply, a stock country. By driving away these foolish settlers, he was but safe-guarding his own custom-acquired rights while at the same time really benefitting the settler, who, in a year or at most a few years, must, logically, starve out and lose everything. Therefore, to keep him away in the beginning was really to benefit both: the stockman by preserving his hard won rights; and the settler, by saving him loss of a year, or years, of work, and life thrown away. So much for his side.

The small rancher, or homesteader, as are most all true Nordic peoples, was a home-lover and a land-lover. He felt, and knew, that he could build for him and his a real home in this inhospitable wilderness. He had witnessed, in Colorado, Utah and elsewhere, the beneficial effects of water when used for irrigation purposes and he further knew, from experiments at old Fort Laramie and elsewhere, that grain and vegetables could be grown successfully by irrigation. Here, he would build his home on land which was a free gift from his government. Here, he could grow his grain and vegetables. Here, his horses, cows and chickens would insure him a living and time would make his holdings valuable. As to his rights, to his homestead and desert claims? There was no question. This was all government land and the government wanted settlers. Had it not offered, in addition to his quarter section homestead, an extra section as desert claim? This merely for watering certain portions and putting it under cultivation. As to the cattleman's prior claims? He recognized none. He, the cattleman, had driven off the Indians (this was accomplished with the aid of outside help; the cattleman could never have done the thing alone), had held the land, government land, for years without paying taxes or rent. He had no real claim and should be satisfied, well satisfied, with his long free-time possession. Many more arguments he could bring in, but these, in brief, set forth the claims

adduced by each side of the controversy. The cow-man had back of him years of custom. The homesteader was backed by the law. The law was enforced, or supposed to be enforced, by men elected by, and in sympathy with, the stockmen. The coming struggle would be a struggle of the giants. The small rancher and homesteader must eventually win but, by working things right, from his point of view, the stockman might hold his own for years to come and every year meant so much additional profit. Right or wrong he would hold on to his possessions so long as possible.

Trouble soon started. Small ranchers, homesteaders and desert claimers, always when possible along streams and about great springs, were taking claims allowed by the government. Too late, the average cow-man saw his great mistake. Secure in possession, most of them had neglected the matter and, aside from the home grounds and buildings, had failed to secure other title than that given them by their "Squatter's rights." Now land and water were being taken away from them, fences were being erected and the streams and springs shut off from their herds. With the loss of stream and spring went, naturally, the most valuable of the grazing land. Disaster literally stared the stockmen in the face.

Some of the brighter of the cattlemen, wiser and more far seeing, had "looking into the future" foreseen this very thing. They had had relatives and employees file on such lands and after they had proved up, had bought them out and acquired title. They were more fortunately situated, so far as stock water was concerned, but under the irrigation laws of the state, the settlers were allowed to use the unappropriated waters for the development of their lands and this was used by them on lands adjacent to spring, stream and river. The stockmen who had obtained title to the lands about stream and spring, although in violation of the spirit of the law, held their titles to such lands but few had thought of the irrigation question. Now, too late, they realized their mistake. Streams and springs, when filed on,

were fenced. If such were held by the cattlemen, adjoining lands were filed on, fenced and placed under irrigation. Thus, in a few brief years, practically all the great holdings were disfigured (in the stockman's eye) by buildings, irrigation ditches and cultivated fields.

From the start, the great outfits had exercised what they were pleased to call "a restraining hand." The cowboy was, and is, "loyal to his salt." Even today, should it come to a question of "law" or "butfit," law would scarcely get a "look in." In these wild, lawless days of which we are writing, it was even more so. From the start a system of harassing began: ditches were broken and destroyed, fences were cut and torn down and great herds allowed (generally driven in) to eat and tread out the homesteader's crops. Horses were crippled or run out of the country, cattle stampeded and driven away from home. These were seldom found but when recovered, if recovered, they usually bore the brand of some of the big outfits.

Thus, things went from bad to worse. Occasionally, the homesteaders would sight his enemies at work. When this happened, usually (normally the small rancher was a fearless individual) shooting started. Now and then a rancher was shot up and crippled; now and then a cowboy, at times, both, yet in spite of this "reign of terror" slowly but surely, the home-seeking tide set in. Year after year the settlers became more and more numerous. Small towns were founded: Buffalo, Douglas, Casper and others and the reign of terror seemingly, was nearing its end.

During all these years were, of course, wrongs on both sides. Many of the small ranchers, facing poverty and starvation, brought through loss of horses, cattle and crops, retaliated in kind. Calves were "rustled," cows and steers butchered and the meat sold and, by thus living off the "enemy," many a grim man and determined woman stayed on. They were but "getting back their own." Their horses had been run off, their cattle stolen, their crops destroyed and their buildings burned. They were but evening up matters. Thus, and in this manner, time passes until the summer of 1889.