

Introduction

Petroleum County is March roaring in like a lion, lambing sheds full of bleating sheep, two-year-old heifers waiting impatiently in corrals unsure of the stirrings within them, and old cows seeking shelter in the willows. It is soft spring winds with the smell of damp sage, V's of honking geese, and meadowlarks who sing as though they alone discovered spring. It is the taste of fresh rhubarb and new-grown asparagus. It is seeding and branding and watching the sky for June rains. It is hope.

Petroleum County is cloudless broad skies and new-mown hay, and black rolling thunderclouds shaking fingers of lightning at those who dare to venture forth. It is August and dry hot winds that wither the grass with dust devils teasing and skipping away. It is fear — fear of prairie fires and drought and grasshoppers and debt. It is utter discouragement.

Petroleum County is bountiful harvests and fat lambs and calves. It is chokecherry syrup and bright orange pumpkins and huge harvest moons. It is the first snowfall quietly covering the harshness of the landscape. It is long evenings and howling coyotes and northern lights. It is nights filled with millions of stars, and galaxies for those who search for them. It is acceptance of life.

Petroleum County is wind and blizzards, and worry for man and beast alike. It is the unmistakable blue of chinook clouds. It is everything that is beautiful. — mwk —

Petroleum County encompasses 1,064,950 acres of land or approximately 1680 square miles. (The state of Rhode Island contains only 1214 square miles!) All the streams in the county drain eastward to the Musselshell River, thence northward into the Missouri. The rolling plains become rough river breaks as they approach the two rivers. Much of the soil is heavy clay, clay and silt loams, or fine sandy loam. Altitude ranges from 2950 feet at Winnett to the normal pool level of Fort Peck Reservoir at 2246 feet.

The climate in Petroleum County is semi-arid, marked by cold winters, occasionally as low as 50 below zero, and warm-to-hot summers which sometimes reach 110 degrees. The average yearly precipitation is 12.75 inches. Thunderstorms and hail are not uncommon, and winter blizzards with fierce winds can develop quickly and last for several days. The country is located in what is commonly referred to as the chinook belt, where warm downslope winds can cause temperatures to fluctuate as much as 40 degrees in less than one hour.

The capricious nature of the weather was typified in December of Montana's Centennial Year of 1989. Twenty-four inches of snow fell in a ten-day period. When the storm cleared, the temperature fell to 44 degrees below zero on the morning of December 21. On December 23 warm chinook winds began to blow, and the temperature reached 46 degrees above zero!

There were 1410 registered voters in 17 precincts in

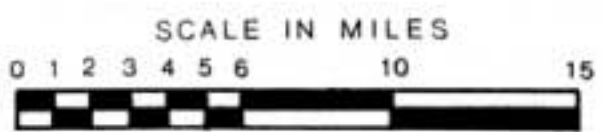
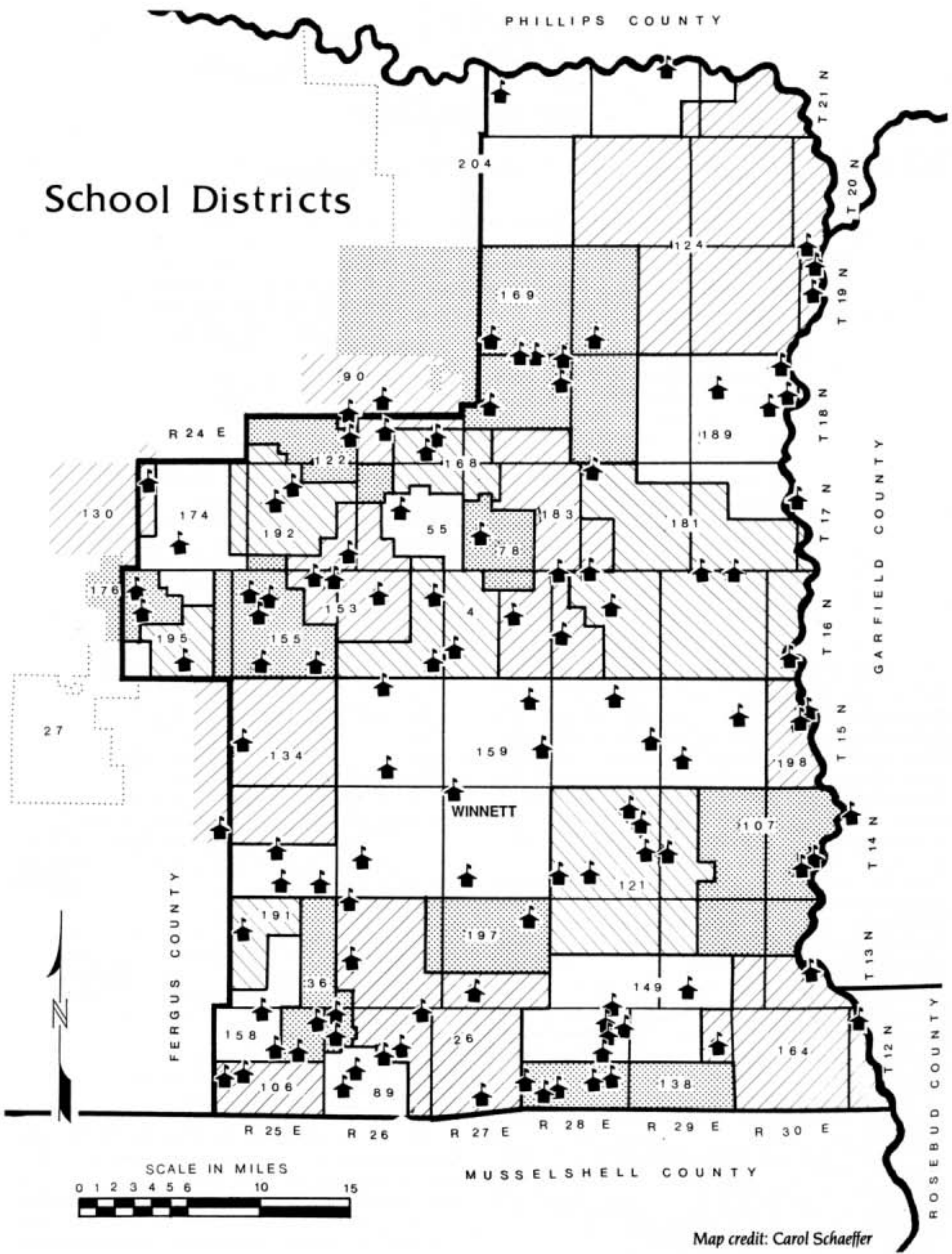
eastern Fergus County when Petroleum County was formed in 1924; in 1989, there were 315 registered voters and only one precinct. The *Winnett Times* in 1926 estimated the total population to be 3000 with 609 homes — 112 in the town, 497 in the rural areas. The last official census in 1980 indicated there were 655 people in the county, 207 of them in the town of Winnett.

Petroleum County began official operation with 13 post offices (see map) within its bounds. There had been almost twice that many throughout the early years. In 1989 there is but one post office and two rural stations (Cat Creek and Teigen).

The school district map shows the maximum number of school districts which have existed in the Petroleum County area. The earliest districts were very large, but gradually, as the land was settled and the population increased, the large districts were carved into a number of smaller districts. In 1925, twenty-four regular districts and ten joint districts existed. Today there is a single elementary district and a single high school district.

Although positive identification has been made of the location of over 110 schools which served the area, doubtless other schools operated for a short period of time for which records were not maintained. In 1925 the first county superintendent of schools reported 33 rural elementary schools, in addition to the elementary and high school in Winnett, planned to operated during the

School Districts



Map credit: Carol Schaeffer

1925-1926 school year. Only one elementary school and one high school serve the area in 1989. For all practical purposes, these two schools are combined. They are under one administrator and one school board and utilize one physical plant. They are separate only for funding purposes.

School Districts	Districts Established
4	9-24-1918
26	9-15-1899
27	9-14-1897
29	1896
36	3-24-1920
55	4-10-1919
78	5-6-1920
89	2-3-1911
90	12-15-1920
106	2-15-1913
107	2-28-1913
121	2-28-1914
122	1913
124	2-28-1914
130	6-2-1914
134	8-21-1914
138	10-3-1914
149	9-15-1915
153	11-15-1915
155	2-29-1916
158	1916
159	2-29-1916
164	10-17-1916
168	11-14-1916
169	11-14-1916
174	2-10-1917
176	2-8-1917
181	2-28-1917
183	2-28-1917
189	10-18-1917
191	11-23-1917
192	3-22-1918
195	1919
197	5-25-1921
198	9-24-1921
204	1924

The Early Years

The area between the Missouri and the Yellowstone rivers was prime hunting ground for the Indians and one of the last places in Montana to be given up to the white man. Early trappers and hunters found it to be an excellent spot for trapping and trading, and a number of the early explorers and naturalists traveled through the area mapping the geography and collecting plant, animal and mineral specimens.

Lewis and Clark camped near the mouth of the Musselshell River on their way west in 1805. Prince Maximilian, with Karl Bodmer as his traveling artist,

journeyed to the upper Missouri past the mouth of the Musselshell River in 1833 before the days of photography. During the summer of 1843, John James Audubon camped for several months at Fort Union near the mouth of the Yellowstone River. He and members of his party made excursions up the Yellowstone and Missouri rivers collecting bird and animal specimens. Geologist Ferdinand V. Hayden made several trips along the upper Missouri in 1853 and 1859. He also made a trip with First Lieutenant John Mullins in 1860 across what would become southern Petroleum County. All of these men left written records of their observations. In later years, author James Willard Schultz often referred to the Musselshell drainage in his Blackfoot Indian stories.

Cattlemen and sheepmen brought their herds and flocks to Central Montana in the early 1880s, and stocking of the area came quickly. Most of the cattle ranch headquarters were located in the foothills of the mountains with line camps and corrals located on the prairies. On the other hand, by the very nature of their business, sheepmen established their headquarters in the immediate vicinity of their grazing and hay lands. They immediately set about acquiring land. For this reason there were more sheepmen than cattlemen among Petroleum County's first permanent settlers.

Granville Stuart very aptly described the rapid development of the range in *Pioneering in Montana*. He wrote, "It would be impossible to make persons not present on Montana cattle ranges realize the rapid changes that took place on those ranges in two years. In 1880 the country was practically uninhabited. One could travel for miles without seeing so much as a trapper's bivouac. Thousands of buffalo darkened the rolling plains. In the whole Territory of Montana there were but 250,000 head of cattle, including dairy cattle and work oxen.

"In the fall of 1883, there was not one buffalo remaining on the range, and the antelope, elk and deer were indeed scarce. In 1880 no one had heard tell of a cowboy in this niche of the woods, and Charles Russell had made no pictures of them; but in the fall of 1883, there were 600,000 head of cattle on the range."

In 1885 the *Mineral Argus* published in Maiden, Montana, listed the following members of the Flatwillow Roundup Association: Pioneer Cattle Company (Granville Stuart and associates), 25,000 head of cattle; Conrad Kohrs, 11,000; Henry Sieben, 4,000; Robert Coburn, 5,000; Wisconsin and Montana Cattle Company, 500; McCauley and Snyder, 1,000; Duncan Brothers, 300. In addition the *Argus* listed the following in the Musselshell River Roundup Association: Burnett Brothers, 300; New York Cattle Company, 6,000; Montana Cattle Company, 20,000; and North West Cattle Company, 6,000. This would indicate that by the mid-1880s there were about 80,000 head of cattle ranging between the Judith Mountains and the Musselshell River, basically the area now included in Petroleum County.

By 1885 the sheep industry was also well established in

Central Montana. According to research by Anna Zellick included in her thesis "History of Fergus County, Montana, 1879-1915," Fred Lawrence trailed 400 Merino sheep into Flatwillow Creek in 1877. Although separate statistics are not available for the portion of Central Montana which was to become Petroleum County, it was estimated that almost 40,000 sheep had been brought into the newly formed Fergus County in 1885. By 1887 Ms. Zellick reported that Fergus County was second highest in sheep numbers in the Montana Territory with 187,962 head. By 1897, her research indicates, there were 514,256 sheep in the county.

M. A. Leeson's *History of Montana*, published in 1885, listed the Montana Sheep Company (east of the Snowy Mountains) as having 15,000 head of mostly Merino sheep; Foreman on McDonald Creek with a herd of 7000 head; Lawrence on Flatwillow Creek with 1500. Although not mentioned by Leeson, local information confirms that Mons Teigen and W. J. Winnett were established on McDonald Creek by this date.

Large sheep and cattle operations dominated the early development of the area, but smaller landowners soon settled along the creeks and stage routes. The discovery of gold in the Judith Mountains in 1879, and the building of Fort Maginnis in 1880 on the flank of the same mountains, necessitated a trade route into that area. A natural route, from the head of navigation on the Yellowstone River at Junction City, cut across what would become the southern edge of Petroleum County.

Land Acquisition Laws

Settlers acquired land under a variety of public land laws, and confusion often exists as to the meaning of such terms as "pre-emption," "homestead," "commutation," "desert claim," to name a few. The following review of federal land acts is not intended to include the details of amendments and obscure clauses of the various acts or to cover those acts which had little or no importance to Petroleum County. Rather it is meant to aid the reader in understanding the various methods and conditions under which land was commonly acquired.

In the early 1800s a number of pre-emption acts were passed by the U. S. Congress in order to discourage land speculation by foreigners and wealthy land owners. "Pre-emption" was the preferential right of a settler — or squatter as he was often called — to buy the tract of land upon which he had settled at a modest price without competitive bidding. In other words, he had the first right to buy the land after it had been surveyed by the government. The first pre-emption acts set the minimum and maximum acres which could be purchased in this manner and the price to be paid per acre. In 1841 a pre-emption act was passed by Congress which provided for the sale of a maximum of 160 acres of previously surveyed land at a minimum price of \$1.25 per acre without competitive bidding. Sale was open to any head of family regardless of age, to a widow or a single man over 21, and only to

persons who did not hold 320 acres or more of other land in the same territory or state. Further, the settler must not quit other land he might hold in order to live on the proposed new land, if the new land was in the same state or territory.

Minor amendments and proposals were made to the pre-emption act in the next 20 years, but it was not until 1862 that a major change in land policy became law. On May 22, 1862, President Lincoln signed the first Homestead Act. It granted the right of a settler to claim 160 acres of surveyed land for only the cost of a filing fee, usually about \$26.00. The settler in turn had to live on the land for five years and make certain improvements before title was secured. However, after six months the homesteader had the privilege of "commuting" his homestead rights for pre-emption rights. In other words, he could exchange his homestead claim for a pre-emption claim and purchase the homestead land outright under the pre-emption laws at the going rate — in most cases \$1.25 per acre. (In 1891 the commuting clause was amended to read that homestead lands could be commuted "after 14 months.")

An act passed in June 1862 extended the pre-emption laws to cover unsurveyed land. Nothing in the Homestead Act precluded a claimant from being an owner of pre-empted land when he filed his homestead claim. Therefore, it was possible to claim 160 acres of homestead land and 160 acres of pre-empted land.

The Desert Land Act of 1877 entitled a settler to purchase 640 acres of land, either surveyed or unsurveyed, for a down payment of \$.25 an acre, plus \$1.00 at the time of making proof, on condition the land was irrigated within three years. The acreage provision was modified to 320 acres in 1890; in the next year, 1891, the General Land Revision Act specified that only 80 acres of the 320 acres need be irrigated. There was no requirement to live on the acreage, but the claimant had to be a resident of the state in which he filed the claim. This was to discourage outside land speculators from acquiring blocks of land. The Revised Act called for reclamation improvements of \$3.00 per acre (\$1.00 each year for three years) to be invested in the land.

The Timber and Stone Act passed in 1878 allowed the sale of 160 acres of timber land for a minimum of \$2.50 an acre, if the land was "unoccupied, unimproved, surveyed, non-mineral land which was unfit for cultivation." Originally the act applied only to California, Oregon, Nevada and Washington, but it was later extended to include all other public domain. The timber or stone was to be used for personal, not commercial, use.

The Land Act of May 1878 provided that a pre-emption claim might be commuted into a homestead. In 1880 another act further amended the land laws to eliminate other differences between pre-emption and homestead claims and placed them on a equal footing, in essence eliminating the need for a pre-emption law. It allowed any land which might be entered under the pre-emption law

to be entered under the Homestead Act with the same privileges and guarantees. The 1891 act, which actually repealed the pre-emption act, amended the Homestead Act to allow commutation (or the privilege of buying outright) after 14 months of residency.

The land act which was to have the greatest impact upon eastern Montana was the Enlarged Homestead Act of 1909, brought about by pressure on Congress from the arid west. The act provided for homesteads of 320 acres of non-irrigable land, one-fourth of which was to be cultivated. There was a five-year residency requirement to which western interests objected. They felt the homestead act as applied to the Midwest did not meet the needs of the arid west.

Consider the contrast between the early pioneer settler west of the Appalachian Mountains and the eastern Montana homesteader of 70 years later. Prime wooded land with water was readily available to the early pioneer. There was ample wood for heating, cooking and building snug cabins. In fact, clearing enough land to cultivate was the early settler's first major task. Unwittingly, the prairie homesteaders may have considered the lack of trees an advantage until faced with the hardships attendant to living without easy access to timber of any kind.

The lack of water compounded all of the hardships, particularly for the women. Even during the years when rainfall was adequate for crops, household water, for many, was a never-ending problem.

In 1912 the west won some concessions when a Three-Year Homestead Act was passed. It replaced the provisions of the old Homestead Act with 1) a residency provision of three years which allowed five months' leave of absence each year; 2) commutation after 14 months; 3) 1/16 of the land to be cultivated by the second year, 1/8 the third year. An extension clause allowed 12 extra months for completion of the cultivation if hardship was claimed.

In December 1916 the last major homestead act became law. It was the Stock Raising Homestead Act of 1916. The major provisions were 1) 640 acres maximum size; 2) land must be classified by the Secretary of Interior as being fit only for stock raising; 3) improvements to the land valued at \$1.25 an acre to be made; 4) no commutation allowed; 5) coal and minerals reserved by the government; 6) water holes (as well as certain trails leading to water) reserved for public use. Classification by the Interior Department was slow, and entries were not actually processed until 1918. Many of the family stories in the text of this book confirm that by 1918 the exodus of homesteaders had already begun, and the concessions won by the western interests were not only too late, but were too little.

Settlers came to eastern Fergus County under all of the Homestead Acts mentioned. The big surge, however, came when the Enlarged Act of 1909 was passed and when the railroads began their grand promotion schemes. The Three-Year Homestead Act of 1912 gave added impetus to settlement. Access to eastern Montana

was improving each year. The railroad arrived in Lewistown in 1903, and branch lines reached Grassrange in 1913, Roy in 1914. Melstone and Musselshell received train service in 1908. Nearly 2000 individuals received deeded land in what was to become Petroleum County under the various land acquisition acts.

A series of better-than-average years encouraged newcomers to believe they could overcome the odds. For many homesteaders, youth and enthusiasm were their biggest assets. Their stories were told over and over again in the text of this book. They danced on dirt floors in unfinished tar-paper shacks; they shared their joys and their sorrows, their books and their sugar. They built schools and established post offices.

The dry summer of 1918 and the early severe winter of 1919 brought the stark realization to a number of families, particularly those on the poorer land, that they could no longer continue. Some returned to their old homes, some found employment in the growing towns which served more fertile parts of Montana, and some looked to the west coast. Had it not been for the discovery of oil in Cat Creek in 1920, many more would undoubtedly have abandoned their land. Oil leases, newly created jobs, and the excitement which led them to believe there might be oil beneath their land bolstered the sagging spirits and pocketbooks of many.

Even though confronted with major setbacks, a sturdy core of determined individuals remained. Their pride and determination encouraged them to think conditions would be even better if a separate county could be formed in Eastern Fergus County.

The Struggle to Become a County

Twenty-seven new counties were formed in Montana after 1910. It was an era of "county busting" with all of eastern Montana scurrying to be included. The arguments in support of new counties were the same in every section — accessibility to a courthouse; use of local taxes to improve local roads and bridges; administration of schools closer to home; more effective law enforcement; enhanced representation in the legislature. Advocates maintained that the larger number of representatives in Helena, from eastern agricultural counties, would mitigate the power of the western mining interests which had so long dominated Montana politics.

Even before oil was discovered in Cat Creek, interests in eastern Fergus County were campaigning for a separate county. The increased valuation derived from oil production stimulated the confidence of the proponents of a new county.

In 1919 two legislative attempts were made to create a county in eastern Fergus County. The first, House Bill 57, would have created Cruse County from an area encompassing all of Fergus County east of the Judith Mountains. The day after HB 57 was killed on the floor of the House, Senate Bill 54 was introduced in the Senate. SB 54 would have created a small McKinley County east of the Judith

Mountains, but one which included only the area south of Blood Creek. Although SB 54 passed the Senate, it was defeated by the House.

During the next legislative session, on February 3, 1921, Fergus County Representative J. H. Charters from Grassrange introduced House Bill 162 to create another Cruse County. The proposed boundaries were very similar to those of the first proposed Cruse County: Roy, Grassrange, Forestgrove, Becket, Winnett and Cat Creek were to be included in the new county. In fact, the *Grass Range Review* predicted in an editorial on February 3, 1921, that "the proposed new county . . . will be great enough in extent to permit an assessed valuation sufficient to make a good county at the start, and eventually to permit new counties being formed on the east and north." Although the Cruse County bill passed the House, it was killed in the Senate.

Fergus County Representative Homer Geis, a Winnett resident, did not support Mr. Charter's proposal. He believed a bill to create a smaller county would have a better chance of passage. He also may have been concerned about the location of a county seat in the proposed county, since Roy was a thriving little town and would perhaps bid for the location — or support Grassrange as the county seat! At any rate Representative Geis introduced House Bill 212 in the same session of the legislature. The bill would have created Edgerton County with its western boundary several townships east of the proposed Cruse County line. Roy, Forestgrove and Becket would no longer have been included. This measure did not get out of committee.

Undaunted by legislative defeat, proponents of a new county in eastern Fergus County took advantage of legislation which permitted county formation by petition and election.

In April 1921 Daniel McKay, known as Montana's "county splitter," was called in to organize a county formation campaign (See also MCKAY — Winnett). Specific conditions of the law had to be met: the assessed value of the new county must be \$4,000,000; the parent county's remainder must be 1200 square miles with a valuation of \$10,000,000; the new county line must be at least 15 miles from the old courthouse; and a petition for the new county must be signed by 58 percent of the voters in the proposed new area before the issue could be put on the ballot to be voted upon by the registered voters of the new district.

Dan McKay and a division committee agreed upon the proposed name of Petroleum County and upon the boundaries of the new county. The area would not include territory as far west as Grassrange. The committee rationalized that if Grassrange people wanted a county of their own, there was still adequate area in Fergus County from which they could carve another county.

Petitions for the creation of Petroleum County were circulated, but opponents, in turn, circulated withdrawal petitions. (A withdrawal petition requested removal of

one's name from the original petition.) Not to be outdone, Dan McKay and his committee followed behind and circulated "withdrawal from withdrawal" petitions!

The process took longer than anticipated. McKay had predicted that the Fergus County commissioners could expect the petitions as a 1921 Christmas present, but it was not until April 18, 1922, that the petitions were filed. The commissioners did not hold a hearing on the petitions until May, and then they began a slow process of examining the validity of each signature. Only registered voters were eligible to sign the petitions.

According to a thesis written by Joanne Hassing ("The Creation of Petroleum County: A Case Study in 'County-Busting'"), "The crucial blow came when judges rejected about 130 signatures because they constituted withdrawals." They did not accept as valid the "withdrawal from withdrawal" petitions. In all, about 200 names were rejected, and on June 16, 1922, the Fergus County commissioners denied the petition for the creation of Petroleum County, because the petition did not contain the needed 58 percent of the electors of the proposed new county.

The Winnett Chamber of Commerce claimed injustice and irregularities and arranged to take the issue to the Supreme Court. The Supreme Court ruled that it had no original jurisdiction over the case and that the petitioners should have gone to district court. The determined petitioners took the case back to the local court, where Judge Rudolph Von Tobel ruled against them.

A new finance committee was formed by the boosters (Anthony Rasmussen, Elmer Eager, Dr. J. L. Alexander and Raymond Wiedman), and funds were collected to appeal the case to the Supreme Court. J. Otis Mudd and Elmer Eager signed the bond for appeal costs for Archibald Faragher who had agreed to file the case. The case entered the Supreme Court on June 26, 1923, and a decision denying the appellants came on July 10, 1923. A headline in the *Winnett Times* three days later made it clear that the fight was not over: "Another Effort to be Made to Divide Fergus County by the Indignant Citizens of the East End."

Dan McKay was called back even before the Supreme Court rendered its decision. The two questions of boundary and name again surfaced. Finally, a boundary between ranges 23 and 24 in the south half of the proposed area and between ranges 22 and 23 in the north half was agreed upon, and the name Petroleum County was again chosen.

Circulation of new petitions began immediately, and on October 10, 1923, an election petition containing 71 percent of the registered voters in the proposed new county was presented to the county commissioners. The board set a hearing date of November 7, and everything seemed to be progressing smoothly. On November 6, however, an attorney for the opponents of division appeared and asked for a postponement of the hearing. The request was granted, and a second hearing was

scheduled on November 20. No vocal opposition surfaced at the hearing, and the petition was granted with an election scheduled for February 23, 1924. Several petitions for exclusions were considered, and the people of the Dory, Valentine and Nordquist precincts were granted exclusions. The proposed county still contained the necessary valuation to qualify as a new county.

On January 3, 1924, Charles J. Marshall, attorney for the opposition, instituted a suit to test the validity of the petition and asked for a temporary injunction. Marshall contended: 1) the valuation had been based on an incorrect date; 2) that oil royalties had been incorrectly valued; and 3) that hearing notices had not been published the required two weeks prior to the hearing date.

The third issue needs clarification. It was contended that the county clerk had not made an order designating the newspapers to publish the notice of the original hearing; that the notice appeared in the *Fergus County Argus* and the *Winnett Times* without published designation; and, further, that the notices did not qualify as having appeared for the required two weeks, since both papers were weekly publications and, although the notice appeared twice, the actual number of days before the hearing was 12 days for the *Times* and 13 days for the *Argus*.

Judge William L. Ford of White Sulphur Springs heard the case. To the dismay of the proponents of division, two representatives of Mid Northern Oil Company unexpectedly appeared to fight the creation move. Proponents of the new county had been led to believe that the oil companies were not going to become involved in the issue but were willing to let the voters rule. After a bitter public and private exchange regarding this corporate interference, the case proceeded. Judge Ford sustained the contentions of the anti-divisionists and ordered the temporary injunction to be made permanent. The Fergus County commissioners stated they would not take the case to the Supreme Court.

The *Winnett Times* fumed: "The citizens of the proposed Petroleum County will fight on and on until Petroleum County is a reality and in this fight ask no quarter nor offer any." And fight they did. Again, funds were raised to appeal the case, and slogans and editorials appeared regularly in the newspaper: "Gophers Digging for Facts about Fergus County," "Proponents of Petroleum County Know no Defeat," "Fergus County Leads Montana in Orneriness and Indebtedness."

In spite of the determined fight by the divisionists, Chief Justice L. L. Callaway delivered an opinion which upheld the district court. No mention was made of the critical issue of the value of oil royalties, but rather the decision was based upon the technicality of the dates of publication of the hearing. Justice Callaway ruled that publication had to have been made a full 14 days before the hearing, even if it involved publication for three weeks in the weekly newspapers.

Ms. Hassing summarized the situation very well when she wrote: "Thus, the second attempt to create

Petroleum County by petition and election came to an end in the Supreme Court, as had the first. The unsuccessful endeavors to create a county from eastern Fergus County now included four legislative attempts, two petition and election movements, two district court cases and two Supreme Court appeals. Little had been attained. One could expect perhaps that the divisionists would consider the effort futile after such a history of failure. Such was not the case.

"That the divisionists intended yet to continue their fight was at once apparent. Crying that 'neither the courts, the Lewistown politicians nor the Standard Oil Company can obliterate the Petroleum County issue,' the proponents of a new county prepared still a third movement . . . indeed, the circulation of petitions had already begun before the case entered the Supreme Court in May 1924. Within a week, over 65 percent of the voters of eastern Fergus County signed the third petition."

The area to be encompassed in the new request was altered to include more territory to the north than had been in the former petition after exclusions were allowed. Only an exclusion of 2¾ townships, including the Valentine Post Office, was granted in this final drive. A petition by Weingart-Ashley was denied. Opposition from the Mid Northern Oil interests did not develop, and the commissioners accepted the petition as valid and set the general election date of November 4, 1924, as the date for the issue to be placed on the ballot.

Voters in 17 precincts were eligible to vote — Ashley, Blakeslee, Dovetail, Flatwillow, Frantz (Cat Creek), Hoyle, Kelley, Leslie, Myers (Bervie), Nordquist (Ross), Plainview (believed to have been near Blakeslee), Teigen, South Valentine, Weede, Weston (Upper Musselshell), North Winnett and South Winnett. The final vote was 891 for and 235 against creation of Petroleum County. Only the Myers, Teigen and Nordquist precincts failed to support the new county. Winnett received 80 percent of the vote for county seat.

Petroleum County became a legal entity on February 24, 1925, 90 days after the election. A full slate of county officials, who had been on the November 4, 1924, ballot in anticipation of passage of the county formation, took office on that date: State Representative, R. J. Woods; State Senator, Guy Schellenger; County Commissioner (six-year term), J. W. Beck; County Commissioner (four-year term), Robert P. Hays; County Commissioner (two-year term), George A. Burr; Clerk and Recorder, Ella V. Millsap; Sheriff, Perry Baker; Treasurer, William F. Kindt; Assessor, Kuyphauson E. Park; Clerk of the Court, Ida S. Rigg; Superintendent of Schools, Amanda Swift; Attorney, Nick Langshausen; Surveyor, John W. Woods; Public Administrator, John Sinclair; Coroner, Dr. Alexander.

One parting frustration was to emerge before the legal status of Petroleum County was secure. A bill relating to changing the boundaries of Fergus County and Judith Basin County was passed in the 1925 legislature.

Unaware of the details of the measure, no one from Petroleum County protested its passage. As Ms. Hassing observed in her thesis, "The circumstances suggest confusion and preoccupation with another problem, rather than conspiracy." Regardless of intent, the law abolished Petroleum County and vacated the offices which had just been filled. Again it was necessary to request a Supreme Court decision. The court declared a section of the act to be invalid and dismissed the complaint. At long last, Petroleum County was an uncontested political entity.

The realities of "running their own business" quickly descended upon the newly elected county officials. An agreement was reached with Elmer Eager to rent his Mercantile Company store building as a temporary courthouse, and a contract was let to buy new furniture. The commissioners were immediately presented with a taxpayer petition stating that second-hand furniture should be purchased instead of new. Remodeling expenses amounted to \$1526, and a janitor had to be hired. All records pertaining to the new county had to be transferred and/or transcribed from Fergus County records. Apportionment of Fergus County's assets and debts had to be agreed upon. Requests for road and bridge work were received. One of the strongest advocates of county division, Mr. Doherty, editor of the *Winnett Times*, objected when the commissioners decided to "post" rather than "print" the proceedings of commissioner meetings.

Oil production was no longer growing by leaps and bounds, and the boundaries of the oil field had not expanded. Population was already declining in the new county, and homesteaders were abandoning their property. Weather extremes were taking their toll. Total precipitation for 1928 in parts of the county was 6.5 inches — only 12 nights were above zero degrees in January of 1929 — and the summer of that year was again very dry.

The *Winnett Times* reported in January 1930 that for three miles outside of the town limits the snow was three feet deep on the level. Several volunteers were building a big snowplow in hopes of opening school routes and other main roads. The road from Winnett to the water well north of town had been so blocked with snow that the water truck was unable to get through. This left the half of the town not served by the city water system without water. There was a severe shortage of livestock feed as well.

By contrast, in January 1931, dust storms were reported in the county. The total precipitation for 1931 in most parts of the county was under six inches. Legal notices by the county began to appear in the *Winnett Times* announcing foreclosure for delinquent taxes. The Farmers and Merchants Bank closed its doors in January 1930.

Drought and Depression

Drought and depression were not unique to Petroleum County. Indeed, the entire nation was suffering its worst

economic disaster. Franklin Roosevelt was elected president in 1932, and he undertook a massive relief program. By February 16, 1934, twenty-four government "alphabet" programs were listed in the *Winnett Times*. The new government departments ranged from the well-known FERA (Federal Emergency Relief Administration) to the obscure CSB (Central Statistical Board). (According to a news account, the CSB was "an inter-departmental group which neither gathers nor compiles statistics, but gives advice with reference to fields that should be covered and technical systems to be employed in gathering and compilation of the data." Bureaucratic jargon obviously is not new!)

If a program failed or was declared unconstitutional, seemingly three new programs sprouted from the ashes. T. C. Spaulding, Director of Montana State Relief and the FERA in Montana, was quoted in the *Winnett Times* (4-20-34) as saying, "... the original RFC (Reconstruction Finance Corporation), the FERA and particularly the CWA (Civil Works Administration) were emergencies, wartime (like) measures, to meet a critical situation. Those things have been changed now (in 1934) and a new plan has been formulated by the Federal Government in meeting a nation-wide planning program for the rehabilitation of our citizenry and the rehabilitation of our natural resources."

Mr. Spaulding did not realize how his remarks might be construed in later years when he continued, "Herr Hitler's Nazi movement to nationalize Germany; Mussolini's reconstruction of Italy; The Socialist Soviet Republic's five-year plan for the advancement of Russia — momentous ideas, yes, but they're just a drop in the bucket compared to President Roosevelt's new long-time program for the rehabilitation and advancement of the United States."

Petroleum County was deeply involved in some of the state-administered federal programs. Until the Civil Works Administration closed in 1934, it employed a number of local men in public work projects — graveling county roads, installing indoor laboratories and a sewer system in the school, building an airport and constructing reservoirs. Direct relief in the form of money and commodities was available to many.

The Federal Emergency Relief Administration took over all relief activities of the CWA in April 1934. New emphasis was placed on employment of all able-bodied individuals who applied for aid. The FERA was reported to be the largest single employer in Montana in June 1934, employing 10,000 men and providing direct relief to many more. FERA work programs were eventually replaced by WPA (Works Progress Administration) projects. Local WPA projects included tennis courts in Winnett, a county jail, city street improvement, prefabricated outdoor toilets, and grasshopper and prairie dog eradication.

The CCC (Civilian Conservation Corps) was designed to employ young men ages 18 to 25 years old in conservation oriented programs. The boys were provided board

and room in army-type camps and received a base wage of \$30.00 per month. Not only did a number of young men from Petroleum County join the CCC and go to camps throughout Montana, but a CCC camp was located in the county. In November 1935, a \$30,000 camp to house 200 boys was completed just east of the town of Winnett. The camp consisted of two barracks equipped with showers, wash rooms and lavatories; an officers' and technicians' building; an infirmary; a recreation hall; a mess hall and a garage. (See pictures in Town of Winnett Introduction.)

The men from the Winnett cantonment, in cooperation with the Montana State Water Conservation Board, completed two major projects in Petroleum County. They built a new intake ditch to War House Butte Reservoir and did extensive repair work to the dam itself; they built Yellow Water Reservoir. In addition, they did contouring and border diking on approved private land projects.

The men from the Winnett camp were assigned to Lewistown and Winifred in September 1938, and in December 1938 fifty CCC boys from Jordan and Lewistown came to Winnett to dismantle the buildings. The salvaged materials were trucked to other CCC camps at Winifred, Jordan, Lewistown and Bozeman.

The NYA (National Youth Administration), meanwhile, provided part-time jobs for eligible young men and women who were still in school. Applicants had to be 16 years old and prove economic need to qualify for the program. If accepted, satisfactory performance on the job was required, as well as satisfactory academic work in at least $\frac{3}{4}$ of their classwork. Petroleum County also participated in this program.

Land Reclamation

President Roosevelt's administration, however, was not only concerned with depression relief; it was concerned about land conservation. In 1934 a major shift in federal land policy became evident. Prior to the 1930s, the government had opened the public domain to settlement with the title of the land going into private hands. This was to come to an end in the 1930s, and emphasis was to be placed upon reclamation.

Montana was a forerunner in recognizing the need to return submarginal land to grazing. The first non-profit cooperative grazing association established in the United States was the Mizpah-Pumpkin Creek Association in Custer County, Montana. A special act of Congress in 1928 permitted its organization and utilization of federal lands. As an outgrowth of this experimental project, the first Montana Grazing District laws were enacted in 1933. By December 1934 eight grazing districts had been set up in Petroleum County. The success of the Custer County experiment lent support to the passage of the federal Taylor Grazing Act in 1934.

Secretary of Interior Harold Ickes was convinced that 25 million acres of submarginal land should be retired

from farming. A massive federal land classification program was promoted, and vast irrigation projects were planned. The administration hoped to retire five acres of submarginal land for every new acre of irrigated land put into production, giving submarginal land owners first chance to be resettled onto the irrigation projects. The submarginal lands acquired by the federal government (which became known as LU or land utilization lands), the public domain (PD lands which had never been homesteaded), and the vast areas of lands which had reverted to the counties because of tax delinquency were to be rehabilitated and leased to organized grazing districts. The Taylor Grazing Act and the Resettlement Administration were designed to accomplish these goals.

The Taylor Grazing Act of 1934 provided for the segregation of 80,000,000 acres of public grasslands, to be administered by the Department of Interior. The department had broad powers to develop water, to stop soil erosion, to organize grazing districts and to issue grazing permits.

The first Farm Resettlement program in the United States was begun in Blaine, Phillips, and Valley counties in 1934. It was called the Milk River Northern Montana Land Utilization Project. Another resettlement program, commonly referred to as the Fairfield Bench Project, was to become important to a number of Petroleum County homesteaders who sold their land to the federal government and resettled near Fairfield.

On October 5, 1934, the *Winnett Times* printed a letter from the office of the Musselshell Land Repurchasing Project, a federal district office, to all owners of land in Golden Valley, Wheatland and Petroleum counties. It stated, "This project is an experimental project in land repurchase. If farmers and landowners desire to sell their land at a reasonable figure and allow the land to return to its proper use, this is an opportunity to do so. This program is optional and you are not being forced into it, but if you wish to sell your land, list it for sale at once in order that we may make as many appraisals this fall as possible."

The value of grazing land was set from fifty cents to two dollars per acre, depending upon its classification. Improvements such as reservoirs and buildings were given considerations. The Rural Rehabilitation Division of the Federal Emergency Relief Administration assisted the seller in locating and financing a new farm.

In May 1935 eighteen government appraisers were working in Petroleum County classifying land. Meanwhile the FERA, employing WPA workers, had already begun construction of fences, stock reservoirs and other public works on public lands in the county. It was announced in November 1935 that the Resettlement Administration and the WPA had reached agreement on rural rehabilitation programs. Families not accepted for rehabilitation would continue to be cared for by other state and federal agencies. Montana received \$1,579,644 for land purchases. In December of the same year, \$46,395 was

made available for loans and grants to rehabilitated individuals.

The *Winnett Times* (4-2-37) headlined an article "Resettlement makes splendid progress!" According to the report, 450 rural relief cases in Musselshell and Petroleum counties were working on land rehabilitation development programs. Ninety dams had been completed in Petroleum County and 12 were under construction. Seeding of crested wheat was beginning, fences and cattle guards had been built, springs were cleaned and developed and prairie dog eradication was underway. Old buildings and fences were wrecked and salvaged. A number of references to "working on the resettlement" will be found in the text of family stories. Arrangements were made to lease all repurchased land to the local grazing districts. By 1937, 241,000 acres had been purchased by the federal government in Musselshell and Petroleum counties at a cost of \$461,000.

Meanwhile federal measures were taken to aid the grain farmer and the stockman who stayed on his land. The "Triple A" (AAA — Agricultural Adjustment Administration), the CCC (Commodity Credit Corporation) and FCA (Federal Credit Administration) were initiated in 1933.

The AAA sponsored a production curtailment program designed to reduce both grain and livestock surpluses. During the summer of 1934, it was estimated that the federal government might purchase, nation wide, as many as 7,000,000 head of cattle for slaughter. First priority was given to cattle in drought-designated areas such as Petroleum County. A cattle appraisal and buying office was opened in Winnett in early September 1935. Prices paid for cattle ranged from \$12 to \$20 per head for two-year olds and older, \$10 to \$15 for yearlings, \$4 to \$8 for calves. If it was determined that the stock were not fit for human consumption, the animals were killed by the owner and the hide presented to the proper authorities before payment could be received. Sellers had to qualify for the program by proving they did not have adequate feed to winter the livestock. In 1934, 1631 head of cattle were purchased by the federal government in Petroleum County with only a few head condemned.

The purchase of sheep was a different matter. In some areas in Montana as high as 92 percent of the sheep were condemned and killed. Nearly 11,000 sheep were purchased in Petroleum County at \$2 per head; about 5000 were condemned. Sheep skinners were in great demand, and the FERA employed crews of men to carry out the task. Where large flocks of sheep were condemned, a procedure known as "ballooning" was employed to speed up the skinning process. A jet of compressed air was forced between the flesh and the skin of the sheep. It quickly loosened the hide, and the skinner only had to remove the pelts from the animals' extremities. The pelts were shipped to Miles City where a tanning factory was set up to process them.

Participation in a corn-hog surplus reduction program

was also carried out in Petroleum County. Figures are not available concerning the extent of the program, although the *Winnett Times* reported that recipients in Petroleum County received \$801.15 for corn and \$1212 for hogs under the program during October 1934.

Under the AAA, an acreage reduction program combined with a guaranteed "parity" price was initiated for grain commodities. Parity was a price computed on a base period (1910-1914 in most cases) plus cost of production factors. For those who chose to participate in the program, a guaranteed price and/or loan was paid by the federal government for various grains. The Federal Credit Association and PCA (Production Credit Association) made loans available with reasonable interest rates for seed, fertilizer and operating costs. The SCS (Soil Conservation Service) was established in 1935 to aid and encourage soil conservation practices on privately owned lands. (FERA and Resettlement conservation programs were limited to government owned or acquired lands.) State Soil Conservation districts were established. With various changes and modifications, many of the same programs existed for farmers in 1989. Since the 1930s, numerous federal programs have encouraged crop reduction, and marginal lands are periodically taken out of production under AAA-type federally sponsored programs. The Soil Bank was a classic example in 1956, and the current CRP (Crop Reduction Programs), initiated in 1985, repeats the same long-term goals.

As the 1930s wore on, in spite of all the disaster relief programs, more and more people abandoned their land. Three and four page sections of the *Winnett Times* were devoted to listings of tax delinquent property. In May 1939, the newspaper listed Petroleum County as owning 138,910 acres of land, the federal government 375,000 acres. Of the federal lands, 135,000 acres were tax deed lands which had been bought from the county or taken back from private individuals under various rehabilitation programs. The balance of the federal land had never been homesteaded. The majority of the federal land was leased by local grazing districts.

Ownership of such a high percentage of land by the county and the federal government obviously meant a reduction in local property tax collections in spite of the fact that the federal Bankhead-Jones Act called for payment to the counties of 25 percent of the net revenues received from federal lands. Faced with this reduction in tax collections and other economic problems of the period, Petroleum County found itself in serious financial trouble. In 1937 the commissioners had sold 43,521 acres of tax-deed land to the federal government for \$52,226, but this represented a one-time sale, and when the money was spent, no more could be anticipated from that source. The assessed value of property in Petroleum County declined from \$4,875,000 in 1926 to \$2,398,600 in 1942. Montana law in 1942 limited to 16 mills the tax which could be levied for county purposes — \$12,028 in Petroleum County's case. Expenditures were running about \$22,000 per year.

County Manager Plan Emerges

The county commissioners tried to control expenditures by consolidating some of the elected offices, but this did not prove to be entirely satisfactory. Dr. R. R. Renne and Dr. Merrill Burlingame from Montana State College were consulted. No other county had ever taken advantage of a 1931 Montana law which allowed counties to adopt a managerial form of government. Based upon the law and the recommendations of Dr. Renne and Dr. Burlingame, the county commissioners took the necessary steps to set up Montana's first county manager form of government.

The plan was approved by voters in July 1942 by a vote of 277 for and 135 against. Under the plan the manager would be the chief executive officer of the county. The Board of Commissioners would act as a policy making body, and the manager would be directly responsible to the board. Roy Martin of Lewistown, Montana, was hired as Petroleum County's first county manager in December 1942. Instead of 13 elected county officials, five individuals were appointed to carry out the necessary

duties of running the county. Within five years, Petroleum County had paid off its bonded indebtedness and retired its outstanding warrants.

Since that time, other consolidation measures have proved to be economical. Petroleum County is the only county in the state which has but one elementary and one high school district. It also has the only county-wide combined elementary-high school-community library.

In spite of the successful measures adopted to effect efficiency in local government, ominous clouds are on the horizon for those who believe there is a place for Petroleum County in the great state of Montana. Elsewhere in the state there are those who believe efficiency can only be accomplished by consolidating Montana's 56 counties into 16 or 18 counties. It was hard to believe Petroleum County's representation in the legislature was so easily stripped away by reapportionment in 1965. Now, with even less voice in the affairs of state, the status of the county itself may be in jeopardy.

Montana State Centennial 1989



(Photo courtesy Carol Schaeffer)

Between 750 and 800 alumni, including guests, attended the Winnett High School all-class reunion on July 15 and 16, 1989. A feature of the occasion was a Centennial Parade on Main Street of Winnett. Prize-winning entrants were awarded Montana Centennial medallions. Above: Carroll Manuel and his six-horse hitch. Below left: Honky-tonk music in a saloon setting. Below right: Another distinctive feature of the reunion was a Centennial exhibition in the D and E (Winkes Brothers Store, 1921) building.



(Photo courtesy Lewistown News-Argus)



(Photo courtesy Lewistown News-Argus)



(Photo courtesy Gerald Bartow, Roundup, MT)

Several local people participated in the Great Montana Centennial Cattle Drive between Roundup and Billings beginning Labor Day weekend. Above: Horse-drawn wagons wending their way through the Bull Mountains. Below left: "Empty Saddles on the Old Corral" and a beautiful herd of horses. Below right: The Yellow Circle of wagons from Petroleum and Fergus counties.



(Photo courtesy Gerald Bartow, Roundup, MT)



(Photo courtesy Barb Delaney)

Many folk attended the official State Centennial Celebration on November 8, 1989, in Helena, via television. In Winnett, residents were thrilled to hear the old school bell as it respectfully rang at the exact time the bells were ringing in Helena. Left: Bernice and Rudy Glatz, Sandy and Dana Glatz, Dee and Jim Johnke, and Jim and Diana Brady attended the Centennial Ball in the State Capitol. Right: Also attending the ball were Lee and Marcia Iverson.

