

POINTS WEST

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POINTS WEST

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Kathy McLane, Director of Membership
Buffalo Bill Historical Center
720 Sheridan Avenue, Cody, WY 82414
kathym@bbhc.org 307.578.4032
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Editor:
Designer:
Production Coordinator:
Photography:

Thom Hugel
Jan Woods Krier
Barbara Foote Colvert
Chris Gimmeson
Sean Campbell

The Buffalo Bill Historical Center is a private, non-profit educational institution dedicated to preserving and interpreting the cultural history of the American West. Founded in 1917, the Historical Center is home to the Buffalo Bill Museum, Cody Firearms Museum, Plains Indian Museum, Whitney Gallery of Western Art, Draper Museum of Natural History and McCracken Research Library.

www.bbhc.org

Above: Scenes like this were common on the lawless western frontier until permanent settlers established foundations of civilization. Buffalo Bill Historical Center.

Right: Buffalo Bill and Indian Scouts, 1886. William F. "Buffalo Bill" Cody and Pawnee and Sioux members of his Wild West show. Finley A. Goodman Collection.

Cover: Winchester Model 1895 Deluxe, .30-06, engraved lever-action rifle (Take-Down Variant), 1921. Gift of Margaret T. Moore Kane, in memory of her late husband. This sporting rifle, on display in the Cody Firearms Museum, was especially made for noted western author Zane Grey and bears his initials inlaid in gold. The leather carrying case, also with Zane Grey's initials, was made at the same time. BBHC photo by Devendra Shrikhande.

CALENDAR

OF UPCOMING EVENTS

APRIL 6-8 19TH ANNUAL COWBOY SONGS & RANGE BALLADS

10 NATURAL HISTORY LUNCHTIME EXPEDITION (FREE)

27 FOURTH FRIDAY, 5 P.M. (FREE)

MAY 5 ANNUAL OPEN HOUSE (FREE)

8 NATURAL HISTORY LUNCHTIME EXPEDITION (FREE)

JUNE 4-29 LAROM SUMMER INSTITUTE
TWILIGHT TENT TALKS, JUNE 7, 14, 21, 28

11-29 SUMMER YOUTH ADVENTURES

12 NATURAL HISTORY LUNCHTIME EXPEDITION (FREE)

JUNE 16-17 20TH ANNUAL PLAINS INDIAN MUSEUM POWWOW

JUNE 23-24 "EXPERIENCE THE WEST" OVERNIGHT FIELD TOUR
WITH BRETECHE CREEK FOUNDATION






N. C. Wyeth (1882-1945), *Wild Bill Hickok at Cards*, 1916. Oil on canvas, 32 x 40 in. Buffalo Bill Historical Center. Loan from Mr. and Mrs. W. D. Weiss. L.3.89.4

Right: James B. "Wild Bill" Hickok, black and white photograph, Vincent Mercaldo Collection.

“Many of the laws that impact our country today have their roots in the old West.”



FRONTIER JUSTICE

Past and Present

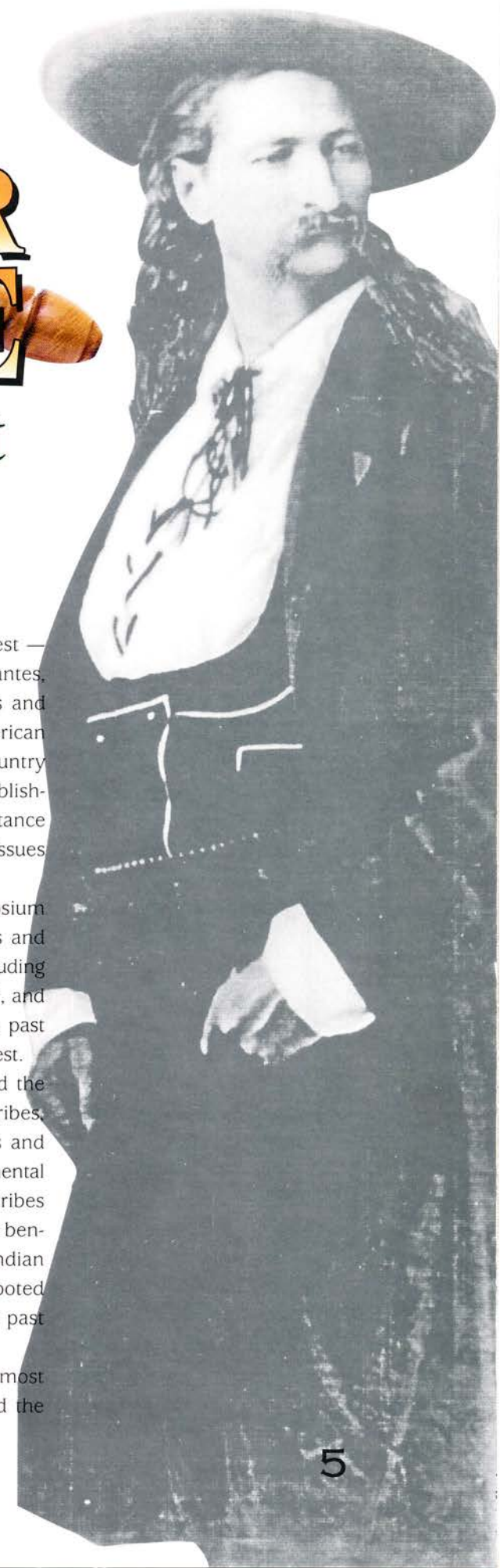
ROBERT B. PICKERING, Ph.D.
DEPUTY DIRECTOR OF COLLECTIONS AND EDUCATION

Frontier Justice — a phrase that conjures up images of the Old West — of gunfights, the lone lawman standing against desperados, vigilantes, raging battles over rights to land and water, powerful cattle barons and embattled homesteaders. While those images have passed into American mythology, their effects live on. Many of the laws that impact our country today have their roots in the old West. The 1872 mining laws, establishment of grazing rights, treaties with Indian nations, and the West's stance on individual rights vs. government intervention are all examples of issues that are as topical today as they were 100 years ago.

During the information-packed, three-day Frontier Justice Symposium in October, 2000, participants heard from some of the top scholars and thinkers in a number of fascinating and often controversial fields including "Indian Rights", "Ranching and Land Use", "The Military and the West", and "Law Enforcement and Violence". The speakers provided insights into past history, new legal developments, and differing interpretations on the West.

Some of the presentations in the Indian Rights session reviewed the long and troubled history between the U.S. government and Indian tribes, particularly on the Plains. Sadly, the story is one of broken treaties and promises ignored. Broken or not, however, those treaties and governmental promises are still valid. They are often the legal bases upon which tribes make claims for access to lands, hunting and fishing rights, and other benefits promised in the past. One of the presentations focused on the Indian gaming industry. Even this contemporary and contentious topic is rooted in agreements made between tribes and the Federal government in past generations.

The session on ranching and land management was perhaps the most spirited. The importance of cattle and access to land and water and the



fight over those resources are a large and noisy part of Wyoming and western history. Some recent historians have begun to look at the impact of ranching in different ways. We were pleased to be able to include very knowledgeable and articulate people with very different views. Two of the speakers of this session were Charles Schroeder, CEO of the National Cattleman's Association and Dr. Debra L. Donohue, College of Law at the University of Wyoming, who presented their divergent views and engaged the audience in respectful yet passionate debate.

The sessions on the military and the west, and law enforcement and violence provided great stories about some of the characters and events that have added color to Wyoming history. New insights and extraordinary details added to the richness of the program.

In addition to the sessions, Frontier Justice hosted three well-known and

Wyoming and the West have long roots into the past. The importance of cattle and access to land and water and the fights over those resources are a large and noisy part of western history.

respected figures to provide their own insights. Special guests included Judge Griffin Bell, former United States Attorney General, and Drew Lewis, former Secretary of Transportation and retired CEO of the Union Pacific Railroad. Our own Chairman of the Board of Trustees and former U. S. Senator Alan K. Simpson served in many roles during Frontier Justice. He introduced Judge Bell and Mr. Lewis, and provided his perspective on the subjects of the symposium. Judge Bell presented an inspiring talk on ethics in public office. Drew Lewis provided an interesting talk illustrated by slides on the intertwined history of Wyoming and the Union Pacific Railroad.

The Center for Western American Studies (CIWAS) sponsored this symposium. CIWAS is a new entity of the BBHC that will explore these and other important western issues. We were fortunate to have the University of Wyoming School of Law as our co-sponsor. The United States Supreme Court Historical Society was the honorary sponsor. The Frontier Justice Symposium provided a rich opportunity to meet notable historians,

legal professionals and policy makers who have been and still are involved in western issues.

In coming years, the Buffalo Bill Historical Center and CIWAS will present other major conferences on important issues related to the West. We are already planning a future Frontier Justice Symposium that will address a set of issues that are different from those presented last October. We are also planning a major symposium on Canada/U.S. cross-border issues. As one pundit has pointed out, in many ways, the western U.S. states and western Canadian provinces have more in common with each other than either of them do with the rest of their eastern neighbors on both sides of the border.



The results of Frontier Justice and future seminars will be distributed in a number of ways. We are developing a telecourse on western law and history through the University of Wyoming. A series of short radio programs is in the works. It will be distributed to radio stations in the West and perhaps around the nation. The Law Review of the University of Wyoming's Law School is publishing the papers presented at the Frontier Justice conference.

The Buffalo Bill Historical Center has long been known for great exhibits, great collections and great events such as Cowboy Songs and Range Ballads, the Plains Indian Seminar and the Larom Summer Institute. Programs such as Frontier Justice and the Canada/U.S. seminar will attract new visitors — those fascinated with the American West on a deeper level—to the Historical Center. These programs also increase the stature of the Buffalo Bill Historical Center as a place where important topics are discussed critically but cordially by people with differing views and from a wide range of backgrounds.

Above: William Gollings (1878-1932), *Fight at the Roundup Saloon*, 1928. Oil on canvas, 32¹/₈ x 42¹/₈ in. 9.69.

The Range vs.

MARK BAGNE

The anticipation had been brewing for weeks as reporters, ranchers, lawyers and public lands specialists made travel plans for Cody to secure ringside seats to a debate featuring Wyoming's most controversial contemporary author.

They converged on the Buffalo Bill Historical Center in October for the hottest

ticket of the Frontier Justice Symposium: a battle of ideas between University of Wyoming law professor Debra Donahue and a leading spokesman for the cattle industry.

Donahue has served as a lightning rod for public opinion ever since she authored what Historical Center Executive Director B. Byron Price termed an important book that has sparked "much interest and furor."

The furor over Donahue's book, *The Western Range Revisited*, developed such intensity in Wyoming that

angry citizens called for her dismissal and some state legislators sought to withhold funding from the UW Law Department.

Defended by her university for her right to free speech, Donahue withstood that onslaught, but the controversy she sparked continues to draw crowds whenever she takes the podium.

In western states like Wyoming, where the history and importance of cattle and sheep grazing run as deep as the settlement of the West, Donahue was bound to encounter resistance when she asserted in her book that overgrazing is turning some western lands into barren deserts.

While many ranchers view her platform as an attack on their culture and



Charles J. Belden, (1887-1966), Hohn Piper at Francis Fork with Flock of Sheep, 4 1/8 x 5 1/8 in. Black and white glass plate negative. Charles Belden Collection. P.67.421.

the Ranches

livelihood, Donahue explained to symposium participants in Coe Auditorium that she's fighting to secure an even higher brand of justice for the earth itself.

"Restoring the health of the lands should have a special place in the 21st century," Donahue asserted. "We must allow the natural ecology to take its rightful place. Bringing an end to grazing on arid public lands could be the most significant way we have to restore the earth's ecological health."

As Donahue expounded on her point of view, waiting in the wings to respond was Chuck Schroeder, the CEO of the National Cattlemen's Beef Association.

Appearing before an audience comprised primarily of attorneys specializing in western law, Donahue methodically countered some of the more inflammatory perceptions of her opinions that have circulated in rapid-fire media accounts. Far from attacking the livestock industry as a whole, Donahue explained the restrictions she promotes affect a specific segment of grazing practices on specific lands, which, of all western lands, are the most vulnerable to human influence. She seeks to prohibit grazing on those "arid" public lands, receiving less than 12 inches of moisture per year, which are administered by the Bureau of Land Management in parts of Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming.

Overgrazing those lands has caused the demise of native vegetative species, dramatically changing the scope of western landscapes in a relatively short period of time. Those species can be restored to their natural state, Donahue said, only by removing grazing on lands that have been "unduly degenerated."

While ranchers have defended the livestock industry based on its importance



Charles J. Belden, (1887-1966), A Wintry day in the sage Brush Country. Subhead, Photo Cattle drive, Winter with Big Red in foreground on horse, ca. 1920. Charles Belden Collection. P.67.599.

to the economy, Donahue's studies have convinced her the economic contribution from grazing on public lands is "inconsequential."

"Most ranchers are in the business not to make money, but to enjoy their lifestyle — and they've employed the federal government to assist them," Donahue said.

Considering that only a minority of ranchers lease public lands for grazing, the law professor believes "ranching will survive" without public lands grazing.

The government could ease the burden for ranchers who depend on public leases by offering them conservation easements, and the innovative businessmen among them could find other ways to make a living. Despite their tendency to resist change, she notes, some ranchers have turned to dude ranches and bed and breakfasts as alternatives to the tough life of ranching.

As a spokesman for the cattle industry, and a lifelong cattleman himself, Schroeder asserted that ranchers have learned through a history of hardships to become good stewards of the land they and their families have depended on for generations.

"Properly managed grazing on the public lands is neither holy nor evil, but economically and ecologically sound," Schroeder said.

He pointed to scientific studies conducted in recent years, which have "debunked" the proposition that the mere absence of grazing by animals improves habitat.

When it comes to assessing impacts on public lands, Schroeder suggested, people should consider that ranchers have a vested interest in maintaining those lands, while the federal government has a track record "void of success stories."

"These lands are not just an expensive toy," Schroeder said. "They are the real world for families who have depending on them for generations. It is their back yard — literally, not just figuratively."

Tracing the history of the livestock industry, Schroeder made the point that ranchers have learned the hard way about the importance of land stewardship.

Cattlemen in the 1880s depleted many western lands to the point where there was no feed left over to make it through the winter. The harsh winters that followed spelled disaster.

As a result of experiences like those, cattlemen organized their industry into stockmen's associations and pooled their knowledge to make improvements, developing water supplies to farm hay, which they used to feed cattle during the bitter winter months.

Schroeder said those interested in protecting the environment should welcome real-life experiences like those as a worthy addition to the debate.



"The more we engage private industry interests, the better chance we'll have of making the right decisions," he said.

Also speaking at the public lands forum were Wally Johnson, a former Assistant Attorney General for the land and natural resources division, and Lois Schiffer, an assistant attorney general for environment and natural resources.

Johnson presented a fascinating history of Willis VanDevanter, the only Wyoming person ever appointed to the U.S. Supreme Court, while Schiffer spoke of Yellowstone National Park as a "microcosm of public lands mitigation." ■

Charles J. Belden. (1887-1966), Chuck Curtis and Others Trailing a Herd of Cattle on the Plains, 4 1/8 x 5 1/8 in. Glass plate negative. Charles Belden Collection. P.67.266.





VIOLENCE WOULD NOT PREVAIL

MARK BAGNE

Driving down main street of almost any western town, you'll see the manicured lawns of neatly kept homes, the downtown business section busy with shoppers, the combination police station and jail, the fire hall, city hall, and clock tower of the courthouse rising from a town square. You may notice a police officer cruising main street or a lawyer carting his briefcase through the courthouse door. So common have these symbols of law and order become that you barely give them a second thought as you continue on your drive through town.

For a legal historian like John W. Davis, the sight of the police station or courthouse at the heart of any western town provides reason to reflect on how far the West has come. It's hard to take the forces of law and order for granted when you understand the struggle they endured to survive and finally prevail over forces of violence that ruled the frontier.

Davis was one of four specialists in western law and the history of law enforcement who asked participants in the Frontier Justice Symposium one October morning to remember the days when the county sheriff or federal marshal was the underdog pitted against the sharp-eyed outlaw who was more apt to fire a bullet in his back than face him down in a stiff-legged shootout at High Noon.

During the Westering of America, a phrase penned by Steinbeck, the establishment of law was among the last elements of civilization to set down roots on the open spaces being prodded by explorers, trappers and traders. As settlers sketched out territories and carved boundaries of states, federal lawmen and local officers worked within confusing jurisdictions — sometimes chasing the same criminal for different crimes, according to Frederick "Ted" Calhoun, a former historian for the U.S. Marshal's Service.

Unclear about the scope of their mission, lawmen heading West for their first assignment were entering a dangerous world. An officer charged with enforcing court orders in the 75,000 square miles of Indian Territory after the Civil War confronted what was "probably the wildest place in western history, or on the face of the globe," according to Robert B. Smith of the University of Oklahoma College of Law.

At the peak of its lawless period, other pockets of the West such as the Big Horn Basin of Wyoming were also rocked by the "violence and mayhem" of the times. It was a world dominated by rough-and-tumble cowboys whose idea of a little fun was to circle round a grizzly bear and try to lasso the beast, a scene captured in the Charles M. Russell painting *The Strangers*.

In this vacuum of law and order, Davis points out, angry citizens were known to resort to vigilante justice — like the mob of cowboy raiders who swooped out

V. C. Forsythe (1885–1962),
Untitled, oil on canvas, 24 x
15⁷/₈ in. Gift of Irma D.
Larom. 15.85.

of the darkness one night, blasting their guns, killing three sheep herders and leaving their wagons ablaze in the aftermath of the Spring Creek Raid.

Smith recalls another form of vigilante justice resulting from an ill-conceived effort by the Dalton Brothers to pull off "one last strike" on two banks in the small town of Coffeyville, Kansas. In the wake of that 1892 episode, the entire town rallied to defeat the bank robbers and parade their slain figures down main street. Newspaper photographers propped the dead outlaws up against a fence to pose a photo capturing the moment.

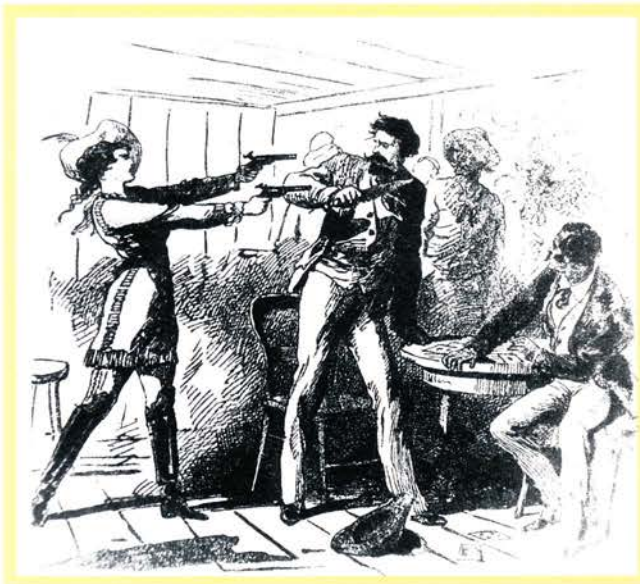
According to another story of the times, Smith told symposium observers, Judge Parker, "The Hanging Judge," once hung six convicts at the same time on one gallows. His gallows could handle as many as 12 and was purported to be the biggest in the world outside of France. His assistant, the "Prince of Hangmen," kept the gallows in perfect condition, and his well-oiled ropes in a special basket.

Stories like those represent the extremes of the times, not the daily course of life, but symposium speakers used them to help set the stage for the climate of danger and confusion facing law officers on the frontier. The times demanded a well-trained force of professional lawmen, but the marshals

who took up the challenge rarely fit the Matt Dillon mode.

Drafted into the frontier version of a war against crime, marshals heading out on their mission were provided few instructions, little training and a considerable dose of harping from government officials to keep their expenses down. "These were courageous and brave men, but they were amateurs," Calhoun says. "They were not professional gunfighters like the outlaws they chased who lived and died by their guns."

The outlaw of the West presented a formidable enemy. He was a wily character who was not about to challenge the sheriff to a clean and surgical duel on main street like the High Noon shootout staged in western movies. "The real pro shootist didn't fight like that," Smith points out. "He'd shoot you in the



Photograph of a drawing, Martha Jane Canary (Calamity Jane), black and white, 7.4 in. x 6.8 in. Vincent J. Mercaldo Collection. P.71.207.

back if at all possible, and he'd shoot you in the dark if he could."

The "amateur" federal marshals who served on the frontier in the late 1800s were often no match for the superior forces of outlaws and vigilante mobs. That imbalance of power spelled disaster for the lawmen who lost their lives in the Going Snake Massacre in Indian Territory in 1872, Calhoun says.

An Indian man killed his wife. He was charged with murder under Indian law and was ordered to stand trial in Indian Court. Since there was no courthouse in the vicinity, authorities established a makeshift court in a schoolhouse. As judges and attorneys gathered for the trial, a platoon of federal marshals took up posts around the schoolhouse to guard against potential violence from angry citizens. While the marshals stood guard, a 10-member posse of vigilantes, including four relatives of the murdered woman, drew up battle plans for an attack.

The posse of vigilantes swarmed down on the schoolhouse and overwhelmed its defenders. Even the judge and the prosecutors took up arms to aid in the defense of their courtroom, but the



Photograph of a drawing. Vincent Mercaldo Collection. MS16.

vigilantes slaughtered the marshals in the field outside. They shot seven marshals dead and inflicted fatal wounds on another.

The sheriff charged with law enforcement at the county level appeared similarly ill-suited for his work. Elected by popular vote, the sheriff was a simple man who came from any walk of life. In territorial Wyoming in the late 1860s, he was generally considered an unpopular tax collector and process server,

according to a study of the subject by Professor Theodore Lauer. "There were a couple of deputies killed," Lauer says, "and I know of one sheriff who got his belly creased by a bullet, but by and large they seemed to live long lives."

Movies often show the sheriff racing out of his office and leaping on his horse in pursuit of the outlaw galloping away from the scene of the crime. In reality, several days often passed before a sheriff was alerted to a distant robbery or murder. By the time he reached the crime scene, the criminal was long gone. "A sheriff did not actually do a lot of policing," Lauer notes. "For the most part, being a sheriff was a pretty dull pastime."

Speakers at the forum suggested law enforcement was hamstrung during its early years on the frontier because it had stretched too far beyond its critical support network of civilization. Without the sources of funding, communication, an established court system and other efficiencies of settled populations, law officers had to wait for civilization to reach them.

Davis points to a day in 1909 when a jury comprised mostly of farmers "finally vanquished" the rule of vigilante justice in the Big Horn Basin. In the wake of the Spring Creek Raid which left three sheepherders dead, the cattlemen suspected of murder were brought to trial. This was a time when cattlemen ruled the region and held the forces of law in disdain. To this point in Wyoming history, no cattleman had ever been convicted of a crime.

"But the pace of change was moving faster than anybody knew," Davis points out. "When the trial started and the jury was seated, the jurors were a group of neutrals. The basin had changed as irrigation brought farmers to the land." As the jury returned a first-degree-murder conviction against defendant Herb Brink, "the forces of law and order took control and the rule of vigilante justice was finally vanquished." ■

Speakers brought a variety of interests to the forum on Law Enforcement and Violence during the Oct. 19-21 Frontier Justice Symposium.

Davis served in the Army Judge Advocate General Corps before returning to his hometown of Worland, Wyo., to practice law. He has written two books, "Sadie and Charlie," and "A Vast Amount of Trouble," a legal history of the Spring Creek Raid. He is currently working on a manuscript about the sensational hatchet murder of Tom Gorman, which culminated in a vigilante lynching.

Smith is Professor of Law and Associate Dean for Academics at the University of Oklahoma Law Center. Before his retirement from the Army, he was a colonel in the Judge Advocate General Corps. He has authored six books, including *To the Last Cartridge*, and *Daltons*, in addition to 60 articles on subjects ranging from military and western history to legal writing.

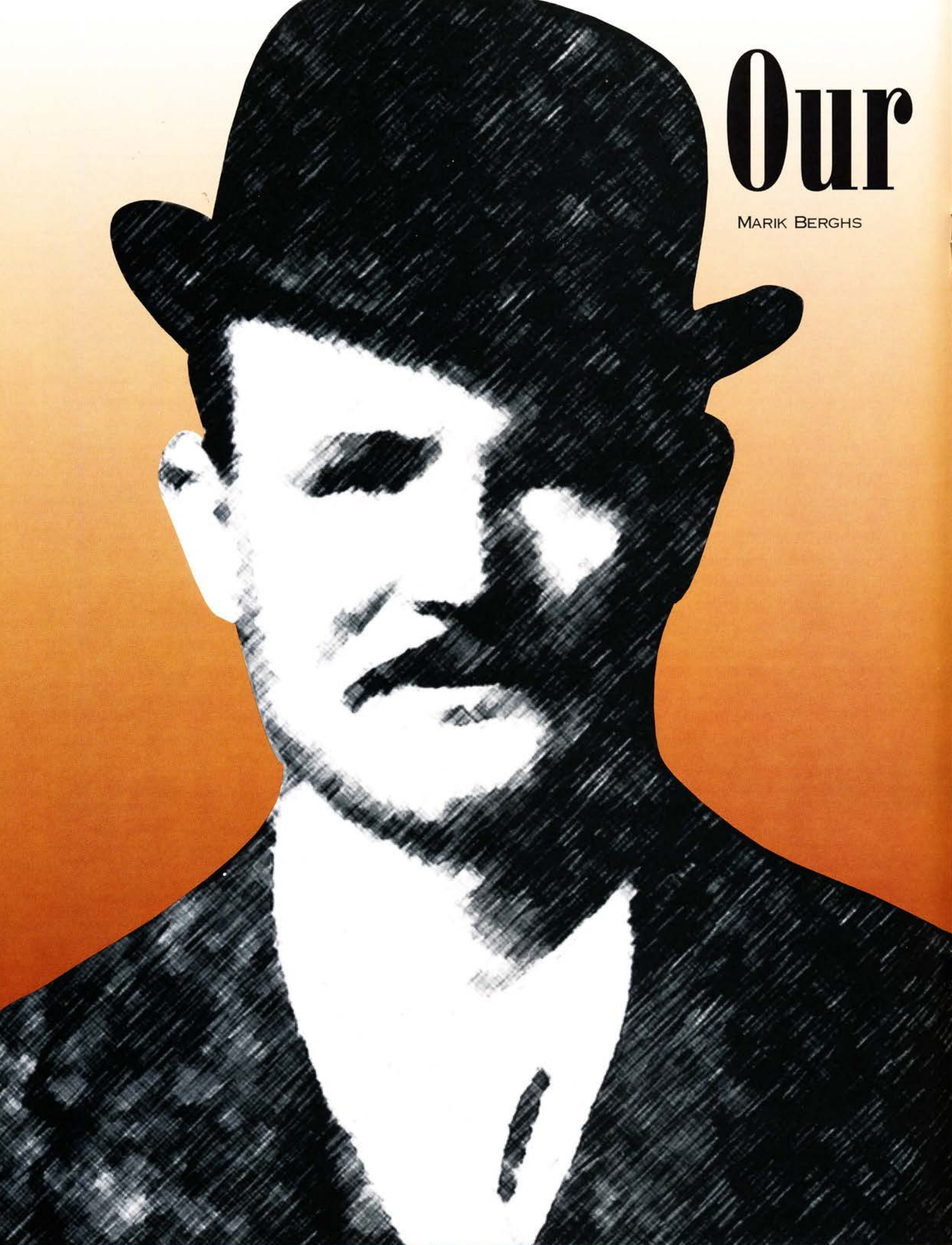
Calhoun is the author of *The Lawmen: United States Marshals and Their Deputies, 1789-1989*. During 15 years as historian for the U.S. Marshals Service, he coordinated the design and tour of a traveling exhibit on the history of the marshals, which is now on permanent display at the Wyoming Territorial Park in Laramie.

Professor Lauer teaches American Legal History and Criminal Law at the University of Wyoming College of Law. He is also the faculty advisor for the Prosecution Assistance Program.

Above: Colt Model 1847 Whitneyville-Walker. Colt Patent Firearms Manufacturing Co., Hartford, CT, sn-D Co. 66. Gift of Gordon T. Matson Family. 1966.12.1.

Our

MARIK BERGHS



Boy Butch

He caroused the wild towns of Arland and Andersonville and bellied up to the Cowboy Bar in Meeteetse. He sashayed through this area, perhaps with stolen stock or outlaw compadres. Yep, Robert LeRoy Parker was here, all right, but we just called him Butch. Cassidy, that is.

He was no doubt one of the most respected and well liked of the outlaws. An early Wyoming newspaper editor related, "I never met a man that didn't like Cassidy . . . but then, I don't know all the bankers."

Cassidy worked, served time, rustled, hid, partied, lived and loved here. Today, he is still called by some the "gentleman outlaw."

Born in 1865, he grew up in Utah, grandson of a Mormon bishop. At age 13, young Roy let himself into the locked local general store, leaving a note promising repayment. The storekeeper swore out a complaint, marking Roy's first run-in with the law.

The eldest child, Roy worked for ranches to supplement the family's living. At the Marshall Ranch, he took to an amiable drifter named Mike Cassidy who taught the young man about horses, guns, cattle, and rustling. Roy had found a release from weekly religion classes and hard work.

In 1884 his rustling was found out and he set out for Colorado. Cassidy's outlaw life, along with his Hole-in-the-Wall gang also known as the Wild Bunch, spanned 19 years across at least a dozen states. After his prison stint, he took up the life of an outlaw in earnest. But true to the pact formed between small settlers and rustlers, pioneers remember him as friendly and generous.

His time in Wyoming was spent in west central Wyoming near Lander, northwest to Dubois and northeast through the Wind River area to present-day Meeteetse.

Due west of the famous Hole-in-the-Wall, the Thermopolis and Andersonville area was a natural retreat for outlaws like Cassidy since county seats changed from year to year, and the nearest law was 60 miles away in Basin, Wyoming. The next nearest sheriff was 90 miles away.

It is said that Cassidy worked for the Embar Ranch near Thermopolis, Wyoming, during the summers and briefly wintered with a friend eight miles north of present Thermopolis.

The Wild Bunch disappeared to the Hole-in-the-Wall when the circumstances warranted. The Hole-in-the-Wall in the Big Horn Mountains is a V-notched valley. By sliding a boulder across the notch in the wall's cleft, no trail could be traced. Two miles away, makeshift corrals awaited stolen animals. This conduit foiled range detectives for years and allowed the Wild Bunch to operate until it was discovered in 1897.

It is believed that Cassidy never shot and killed anyone, but on two occasions, he had close calls.

Left: Robert LeRoy or George Parker, alias "Butch Cassidy." #187. Illustration from a black and white photograph of Parker in Wyoming State Prison from the Vincent Mercaldo Collection.

In 1894, in Lander, Wyoming, Butch Cassidy was found guilty and sentenced to two years. The night before he was to depart for the state penitentiary, Butch asked permission to leave on his own—"I give you my word I'll be back tonite." Such was the strength of a man's word that the warden granted his request. Butch returned to turn in his guns and serve his time.

At the Sherard Saloon in Andersonville, Wyoming, he shot at the rung of a chair to wake his sleeping friend, "Irish" Tom Walsh. Instead of hitting the chair rung, the bullet caught Tom in the leg.

Another time in the same saloon, Butch shot the tassel off the black cook's hat — narrowly missing his head. Obviously, Cassidy was an expert marksman who liked to have a good time. Not all his contacts returned the amicable feeling.

Otto Franc, owner of the Pitchfork Ranch near Meeteetse, was one of the land barons determined to nail rustlers to the wall and protect his own livelihood. Cassidy had "bought" three rustled saddle horses, although legal paperwork was never completed. During Cassidy's trial, Franc charged that Cassidy and a buddy (whom Butch suspected was connected to Franc) had committed grand larceny. Cassidy was found guilty of stealing a \$5 horse; his friend was let go. Public sentiment prompted Cassidy's pardon by Wyoming Gov. W. A. Richards on August 9, 1896.

After his release from prison, Cassidy was determined never to go back. He rounded up his gang and began his life of banditry with the Wild Bunch by robbing a bank in Idaho.

His doings were spiced by clandestine meetings with sweetheart Mary Boyd in Lander, Wyoming, train robberies, honest but short-lived jobs, good horses, travels with the Bunch, and stolen money given to women in need and friends in trouble.

Westward expansion was taming the frontier, however, and technology was improving communication. Poses were hired and the Pinkerton National Detective Agency tracked Cassidy. The Wild Bunch disbanded in 1901.

The lore of Cassidy saturates Wyoming's Big Horn Basin. Abby Tillot of the TX ranch recalled the following family legend.

"John Ellsbury, my dad's cousin, was an orphan at the age of 8.

He was sent to live with a man who was so mean he kicked a cat to death. Apparently he was not above attempting to do the same to John. The young Indian boy (of Cree, Chippewa and Assiniboin descent), finally ran away. He found a ranch with a group of cowboys who treated him better. Whenever strangers approached, however, he ran away and hid.

After one stranger rode up and talked with the men, a cowboy came to the shack where the boy was hiding and talked him into visiting with the gentleman.

He said he was John's uncle. It took awhile to convince the child because he was certain he was alone in the world. But after some time, the boy agreed to go with the stranger. They traveled thirty days to get back to the uncle's ranch. On the trail the boy was wary and expecting the worst. Once the older man killed an owl and told the boy they would be having it for supper. The boy was horrified. Unknown to him the uncle had also bagged two quail that he was cooking but it took the longest time to convince John to partake of the meal.

They reached the uncle's ranch and after a few days a man rode up leading a horse. He said his name was Thorndike. He looked like he'd been through some rough times. Thorndike said he needed John's help and asked if he would work for him through the summer. John agreed and mounted the extra horse. For the next 3-4 years he worked for Thorndike. His job was curious. Mr.

Thorndike employed several cowboys who didn't seem to accomplish much but race Thorndike's best horses up and down the prairie.

There were four corrals of horses. John was responsible for graining and feeding hay to horses in three of the corrals. The fourth corral held unusually fine horses. Though John worked with horses all his life and developed a reputation for it, he never saw horses like the horses contained in that last corral. He was allowed to ride one once and never forgot how wonderful the creature was. The cowboys taught John a lot about horses and generally treated him well. Mr. Thorndike was a nice man and John became known as Mr. Thorndike's range orphan.

It wasn't until some time later that he came to know Thorndike had other names, one of which was Butch Cassidy and that the famous fourth corral of horses contained the outlaws' getaway mounts."

John worked for Butch after he had been "killed" in Bolivia, the popular version of the end of the Wild Bunch as shown in the movie *Butch Cassidy and the Sundance Kid*.

This is not the only incident of Butch's life that area old timer's claim defy the accepted version of his Bolivian standoff. A story from the Wind River Indian Reservation is purported to have come from a "front man" for his bunch. This man claimed to have been told by Butch that they had never gone to South America. Butch and Sundance went to Arizona where they talked a greedy pair of greenhorns into going to South America to pick up their cache of cash. Legend goes that the greenhorns traded clothes (the clothes made historic in the famous Hole in the Wall photo) and took off, certain they would soon own the rainbow's treasure.

The federales ended their career. There was not much left to identify from those corpses with the now-famous photograph sent from the States except the clothing they wore, which matched the picture of gentlemen in some fancy clothes. This legend goes on about how Butch came back to Lander and the Lander area to live out the remainder of his life. Other local legends claim he returned to the States using the alias William T. Phillips, married, had a family and became an inventor and businessman in Spokane, Washington. He revisited Wyoming in the 1920's and 1930's and even met Mary Boyd in Riverton, Wyoming, then a widow. William T. Phillips died in 1937 of cancer, depressed, bedridden, and broke.

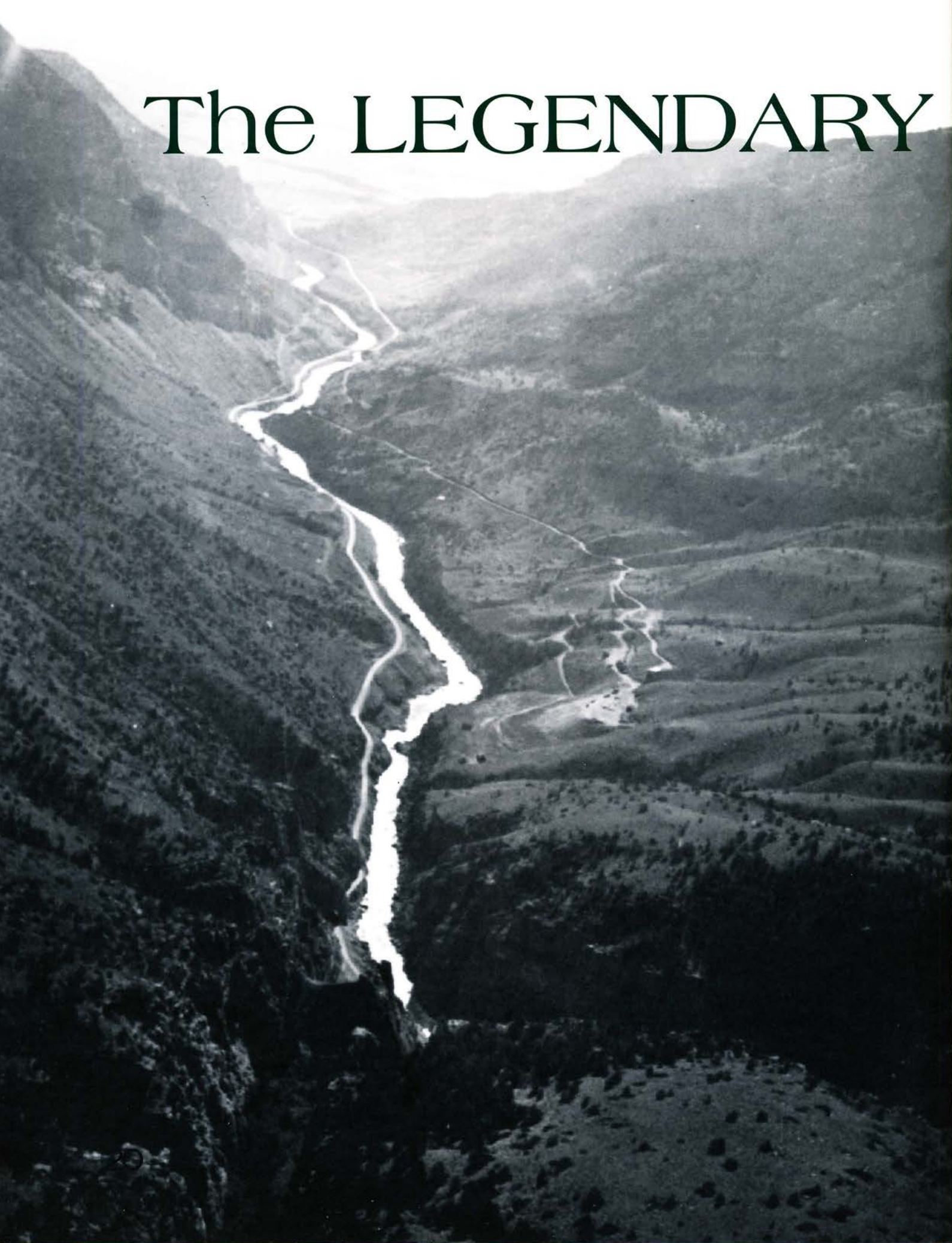
It is not known for certain where and when Roy Parker, alias Mr. Thorndike, alias William T. Phillips, met his demise. Perhaps that is only a reflection of the affection in which people held him. He was a western Robin Hood and many stories circulate of his genial personality. Perhaps the smoke around the facts of his death explains the unwillingness to surrender Butch and Sundance to the merciless fusillade of hostile bullets.

Many say, as if to honor our naughty boys and hold them dear, "After all, he never meant to hurt anyone..." ■



Harry Longbaugh "Sundance" (once served time in Cook County jail in Sundance, Wyoming) and Etta Place (her exact relationship with Sundance and Butch remains a matter of speculation). Black and white photograph, 5 x 7 in. Vincent Mercaldo Collection. P.71.751.

The LEGENDARY



Earl Durand

LILLIAN TURNER
PUBLIC PROGRAMS COORDINATOR

For nine days in March of 1939, the nation was intrigued by the daily unfolding of the story of a "true woodsman" from a remote corner of the West. As *Time* magazine described him, he was the "huge, shaggy, young Earl Durand" who "was something of a hero, something of a joke in the country around Powell, Wyoming." Just who was this "Tarzan of the Tetons"? Why was so much attention being given to his story?

He was Walter Earl Durand, born on January 9, 1913, a few months before his parents Walter W. and Effie Durand moved from Rockville, Missouri, to Powell, Wyoming. Earl was their only son. He had two older sisters, Laura and Ina Mae. There would also be a younger sister, Mildred.

The Durand's were ranchers/farmers who lived northeast of Powell. Earl's childhood was typical of farm children of that period. He played the usual games — and performed the necessary chores: gardening, feeding, milking cows, and working in the fields.

He loved books — books on folk stories, wildlife, camping, woodcraft, and nature. His interest grew to include books on history. And he read the Bible — five times through — according to his family. He was particularly fond of a small Bible that had been given to his Aunt Emily in 1872; she had given it to Earl in 1917; it was always with him.

Durand was a remarkable physical specimen — six feet two inches tall, blond and blue-eyed; he weighed close to 250 pounds, none of which was fat. He ran miles every day and reportedly could cover 40 miles a night at a lope. He lived in a wall tent behind his parents' home.

Quitting school after the eighth grade, he devoted himself to a life in the outdoors. His sister Mildred told of his working on farms haying and taking care of cattle on the range to earn money for the things he needed. He'd spend weeks at a time in the Absaroka Mountains west and north of Cody. He fought forest fires in Oregon and traveled on horseback and foot to Mexico and back.

According to his sister Mildred, he had a natural talent for hunting and trapping and became quite expert at both. A family friend stated, "No one could exaggerate what a good shot he was." It was said he was able to put four rifle bullets through a thrown baseball before it hit the earth. When the rifle ceased to be a challenge, he began to use a bow and arrow.

It was a hunting escapade which began the series of events that led to his death. On March 13, 1939, Durand and three companions, Gus Knopp and two teenage boys, killed four elk out of season up the north fork of the Shoshone River, west of the town of Cody, Wyoming, on the road to Yellowstone Park. A resident of the area reportedly notified the authorities. Two game wardens, Dwight King and Boyd Bennion, began an investigation that ended with their waiting at Wylie Sherwin's Trail Shop at the Shoshone Forest boundary for the hunters to return with the evidence.

To quote the *Cody Enterprise*: "Finally in pitch darkness, a car came roaring down the highway. The two wardens tried to halt it by standing in its way. Slowing down only slightly, it missed Warden King by only a few inches. Warden Bennion sprang onto the running

Left: View of the north fork of the Shoshone River west of Cody. (Kershaw photo).

board, whereupon the occupants tried to throw him off until he poked his gat [pistol] into the driver's ribs, saying, 'Stop, or I'll stop you!'"

Durand, carrying his rifle, jumped from the car on the passenger side and disappeared into the darkness.

The game wardens brought Knopp, the two boys, and the portions of the elk found in the trunk of the car into Cody to the jail. In the absence of Sheriff Frank Blackburn who was in California, his daughter Janet admitted the three culprits. The ten pieces of elk were to be sold at auction three days later.

The next morning a North Fork rancher, Johnny Yeates, found two of his cattle shot. One was dead and missing a single hunk of meat from its flank. He telephoned Undersheriff Noah Riley who, supposing Durand to be responsible, joined the two game wardens in their search. Rancher Leonard Morris and former Game Warden Tex Kennedy added themselves to the party as they tracked Durand eastward down the North Fork highway in the snow. They came into the Shoshone River Canyon just west of Cody where about a half-mile above Hayden Arch they found Durand. Accounts vary, but either Morris or Kennedy was able to get the drop on him, disarming him and bringing him into Cody.

The four were brought before Judge W. S. Owens who sentenced Knopp to two months in jail and a \$100 fine for having two elk in his possession. The two youths were paroled after what was described as a blistering lecture by Judge Owens.

Durand pleaded guilty to killing two elk and was sentenced to six months in jail and a \$100 fine. The ten pieces of elk salvaged from the four that were killed were auctioned on the post office steps Thursday afternoon for \$31.75.

Late in the afternoon on that Thursday, March 16, about 5:30 pm, Undersheriff Noah Riley brought the prisoners their evening meal. When he opened Durand's cell, Durand grabbed the milk bottle, hit Riley over the head, took his revolver and an additional rifle, and prepared to escape. With Riley as a hostage, Durand forced him to drive him to his parents' home near Powell, a distance of approximately 25 miles, presumably to get provisions and gear.

A VERY SERIOUS TURN

By now word of his escape complete with the description of the commandeered car had reached Powell. A car fitting that description was reported to have been seen approaching the Durand home. Deputy Sheriff D. M. Baker, age 69, of Powell, and Town Marshal Chuck Lewis, age 44, reportedly a friend of Durand's, went to the Durand farmhouse to take him into custody. Durand shot them both. Baker died at the scene. In the commotion, Riley escaped. Durand fled. Durand's parents took Chuck Lewis to the hospital where he died later that night.

With Undersheriff Riley injured, Sheriff Blackburn in California, and Lewis and Baker dead, a question arose as to who was in charge. Oliver Steadman, the county attorney, knowing that Riley was injured, asked former Game Warden Tex Kennedy to take charge. Riley meanwhile had called Big Horn County Sheriff Don Parkins to take over. A conference of sheriffs, deputy sheriffs, and undersheriffs took place in Powell. By 3:30 a.m., a posse of nearly 50 men under Kennedy left Cody in a snowstorm with orders to shoot to kill. Eventually, four groups totaling approximately 100 men were deployed to patrol the nearby hills and the area around the Durand home.

By daylight on Friday, local pilot Bill Monday was searching from the air for tracks in the snow. Neither he nor the posse found any sign of Durand. By Saturday when Sheriff Blackburn arrived from California to take charge, various places around the Powell flat were searched with no results.



Posse headquarters on the Jim Owens ranch near the mouth of the Little Rocky Creek canyon. (Sturm photo).

Sheriff Blackburn requested the use of bloodhounds from the Colorado State Penitentiary at Canyon City.

From Thursday the 16th until Tuesday the 21st, Durand was able to elude the posse — was actually in hiding along Bitter Creek not far from his parents' home.

The people of Powell panicked. Doors were bolted. Folks went about carrying rifles. The entire area was emotionally high strung — a fact that should not be overlooked.

On Tuesday, March 21, Durand appeared at the Herf Graham home where he took a rifle and left a letter to Sheriff Blackburn. The letter ended with this statement: "Of course I know that I'm done for and when you kill me I suggest you have my head mounted and hang it up in the courthouse for the sake of law and order. Your beloved enemy, Earl Durand." The return address on the envelope was Earl Durand, Undertaker's Office, Powell, Wyoming.

It was also believed that he made appearances at the Harley Jones' place and Bill Croft's home the same night. His parents were staying with the Croft family.

Later that night — close to morning — about 4:00 or 4:30 a.m., he came into the Art Thornburg home — people he knew — and awakened them. Mrs. Thornburg offered to fix him breakfast — all the while with no lights on. He wanted them to drive him somewhere. Since there was not enough gas in the car, he siphoned some from their truck. They drove him to a place called Little Rocky Creek near the mouth of the Clark's Fork Canyon, north of Cody near the Montana-Wyoming line.

Although the Thornburgs passed telephones at Clark and Badger Basin, it was not until they returned to Powell about 8:00 in the morning that they informed the posse of Durand's location. The posse quickly departed for Little Rocky Creek where headquarters were set up at the Jim Owens ranch about noon.

To establish communications with town, Dave Carlson and assistant forest supervisor Carl Krueger were stationed at the ranch with a short wave radio. They kept in contact with Harry Moore who had a short wave set located at the Hopkins ranch on the Clark's Fork. From there phone calls

could be made to Cody for necessary supplies. And requests did go out for flashlight batteries, gasoline, and horses. Telephone calls were made to people throughout the surrounding Sunlight Basin and Clark's Fork areas to alert them to be on their guard.

Because the canyon extended across the Montana border, Montana governor Roy Ayres directed his adjutant general to give all necessary assistance. Captain Charles Wheat and an eight-man detachment from Howitzer Company, 163rd Infantry of the Montana National Guard were dispatched from Livingston, Montana, with a 37mm howitzer, range 1800 yards, and 360 rounds, and a 3-inch Stokes trench mortar, range 800 yards, and 100 rounds. Wyoming's governor Nels H. Smith authorized the Montana National Guard to enter Wyoming.

The Wyoming National Guard could not be used for criminal cases, but the governor sent a trench mortar, dynamite, and tear gas bombs. Pilot Bill Monday flew to Casper, Wyoming, to pick up the supplies and returned, landing as close as possible to posse headquarters. It was to be his task to drop the tear gas bombs when Durand was located.

A request by Wyoming's Senator, Joseph O'Mahoney, to General Malin Craig, U. S. Army Chief of Staff, for a howitzer and troops to be sent from Fort Francis E. Warren, was refused on the grounds that it was contrary to law.

The bloodhounds had now arrived from the Colorado State Penitentiary. They were of no help.

Durand was sighted in an inaccessible rocky fortress up the side of a cliff between Little Rocky Creek and the mouth of the canyon. To reach him from above was virtually impossible. To storm his location was suicide. Despite warnings not to try it, Arthur Argento (age 50), a Meeteetse, Wyoming resident and an expert in blasting powders and dynamite, and Orville Linaberry (age 40), a former Montana cowboy and rodeo rider then of Cody, started up the hill. Refusing to listen to warnings from Durand himself, they were both killed. At this point, afraid even to retrieve the bodies, the posse withdrew to their headquarters at the Owens ranch, three miles from the canyon. Here Sheriff Blackburn, in reply to an inquiry by a newspaperman as to whether they had Durand cornered, stated: "We haven't got him cornered by any means. He's got us cornered."



Howitzer Company, 163rd Infantry, Montana National Guard, waiting for orders to fire upon Durand's mountain fortress. (Sturm photo).

Only later was it learned that Durand had slipped from his perch in the night, taken Linaberry's shoes, the laces from Argento's boots, Argento's deputy badge, their weapons, and disappeared. He followed the posse down to the ranch, unnoticed by them, in hopes of taking Sheriff Blackburn's car to make his escape. However, there were too many men in the vicinity of the car. Durand proceeded on down the stream at the bottom of the canyon almost to the spot where the Thornburgs had left him originally. There he hid himself in a thicket near the road waiting for a single car to come along. Wednesday night — all day Thursday — Thursday night he waited. Cars came but always in groups of two or three.

During this time the posse discovered Durand was no longer in his fortress. Knowing the survival skills of this man of the mountains, the posse never dreamed he would head in any direction other than deeper into the mountains. Sheriff Blackburn selected 12 top riflemen and headed up into the hills.

On Friday morning, March 24, Harry Moore, the radio operator stationed at the Hopkins ranch, accompanied by John Simpson who was running the Hopkins ranch, and Simpson's 86-year-old father Peter, was driving toward the posse's base camp. A man was seen sitting on a boulder by the road. He had a rifle and wore a deputy's badge. He flagged down the car. Identifying himself as a posse member, he requested a ride to the base camp, asking that they stop down the road where he had left his bedroll. After placing his bedroll in the trunk of the car, Durand identified himself to Harry Moore and requested that the car be turned around and headed toward Powell.

The route from Clark went through Badger Basin along the Sand Coulee route to Ralston. From there they skirted the business district of Powell, driving through the south outskirts on to Deaver, 16 miles away, to the railroad depot where Durand reportedly picked up 300 rounds of

P.S. I know where King lives so he may expect me around any time to do hands.

My Dear Mr. Blackburn,

That was one dirty trick for you to jail those 2 boys just because I got away. If you send them over the road I will kill you and that bloody blank district attorney if I live long enough and possibly can.

Tell King and Kennedy to always carry a pistol. If I ever meet them I will give them a chance for an even draw; something I won't give you if you put up those boys.

Tell that man whose key I killed that if I live long enough to get back in the mts. that he has nothing to fear from me, I hope I never see him again.

When you get after me better take about 20 men; for your body guard and put braces on their knees.

Of course I know that I'm done for and when you fill me I suggest you have my head mounted and hang it up in the court house for the sake of law and order. Your beloved enemy

Earl Durand.

Durand's letter to Sheriff Frank Blackburn protesting the second arrest of the two teenage boys. (Kershaw photo).

ammunition he had previously ordered. He took Harry Moore into the depot with him, leaving the Simpsons in the car.

At Deaver, Durand noticed the car was low on gas and filled it up — paid \$2.70 which he told Moore was only right under the circumstances. They then returned to Powell where Durand stopped at his parents' home to pick up some belongings from the tent in which he lived behind their house. He told his parents goodbye.

Durand next directed Harry Moore to drive north of Powell toward the Pine Bluffs coal mine where they arrived about 12:30 pm. He told the men he was taking the car and that they could walk the three miles to the nearest ranch. He asked Harry Moore if the car was insured and seemed pleased to find that it was covered by theft insurance. As Durand drove away, he called out, "Come to my funeral, boys," and honked the horn as he disappeared over the hill.

The three men walked to the nearest ranch. From there they were driven to the closest telephone. By the time they called Powell, Durand was dead.

Just what Durand did during the hour after he left, no one knows. It is believed he visited the

site of his hideout on Bitter Creek. At 1:30, however, he parked Harry Moore's Buick 100 feet east of the First National Bank in Powell, and with a pack on his back and carrying a .30-.30 rifle, he made his way hurriedly to the bank.

He approached the bank president Bob Nelson and announced he was robbing the bank. There were nine people in the bank at the time — five of them were customers. Armed with the Winchester and with a revolver in a holster on his belt, Durand ordered the employees and customers to line up facing the wall. Convinced by cashier Maurice Knutson that the safe could not be opened because of



Crowds of curiosity seekers begin to fill the streets shortly after the bank robbery. (Kershaw photo).

a time lock, Durand emptied out the cash drawers, taking between \$2000 and \$3000.

Then the unexplainable happened. Here was Durand with ample funds to finance his getaway, a car waiting outside the bank, nearly all the law enforcement officers in the region 40 miles away at the Clark's Fork Canyon still convinced he was deep in the mountains, no one aware that he was even in town — and he suddenly opened fire inside the bank. An estimated 40-60 rounds hit walls, windows, ceiling — even windows in nearby buildings — for ten minutes or so.

The alarmed citizens of Powell were convinced that gangsters were robbing the bank. They, too, still believed that Durand was in the Beartooth Mountains.

George Blevins, a local correspondent for the *Billings Gazette*, worked part time in a drugstore across the street from the bank. He called George Beebe, his editor in Billings, to report the bank robbery. The news was also relayed to Billings radio station KGHL. Powell residents listening to their radios that afternoon soon heard what very well may have been the first live coverage of a bank robbery in progress.

Armed citizens converged on the bank — seeking shelter in doorways — some on the roofs of buildings nearby — waiting for the robber or robbers to appear. Finally, four men stepped into the doorway — Bob Nelson, Maurice Knutson, and the young teller, Johnny Gawthrop — their hands tied together with a leather thong. Durand was behind his human shield.

Directly in front of the bank was Otis Roulette's Texaco station. Among the men inside was a 17-year-old Powell high school junior who was skipping school that warm, sunny, Friday afternoon. Tipton Cox had wandered into the gas station as the robbery was in progress and hit the floor along with the others when the shooting began. For some reason, Roulette



Local businesses were hit by Durand's wild gunfire. (Kershaw photo).

gave Tip Cox a rifle just as Durand and the men left the bank. Guns were fired at the men from all directions in the panic that ensued. Unfortunately, Johnny Gawthrop was mortally wounded.

Tip Cox stood in the doorway of the gas station. As he related the story, he fired on Durand only when Gawthrop fell and he realized that Earl was aiming his rifle at him — and he could not be sure that Earl did not mean to shoot. The bullet felled Durand but did not kill him. He crawled back into the bank where he took his own life.



Bank president, Bob Nelson, and cashier, Maurice Knutson, re-enact the bank robbery for photographers. (Kershaw photo).

People poured into the streets. Many were still not aware that the bank robber was Durand. George Blevins, at the request of the Billings editor, took pictures of Durand and the gathering crowds. He then rushed the film to Billings, aboard his brother-in-law's motorcycle, in time for the Saturday newspaper.

Durand's body was taken to Easton's Funeral Home. There was such a demand from the gathering crowd to see him that once his body had been prepared, Durand was placed on a couch in the foyer so that people could file by. Hour after hour they came; some even flew into Powell to see him. By 2:00 a.m., the Eastons had to get some rest. A colleague volunteered to sit up the remainder of the night.

On Sunday afternoon at 4:00, a private funeral was held. After a brief service, a short procession of cars escorted Earl Durand to the Crown Hill Cemetery east of Powell. But only Durand's body was buried.

THE LEGEND BEGINS

As one journalist stated in 1973: "Many here profess admiration for Durand. Others seem to be attempting to bury Durand's memory. If that is the case their efforts are in vain. The legend of Earl Durand is buried in fertile soil. It continues to grow."

The legend began before Earl Durand died. Newspaper reporters camped out in Cody during the manhunt sent out releases portraying him as a raw meat eating wild man of the mountains. He reminded them of Tarzan and "Tarzan of the Tetons" he became, although the title was geographically inaccurate.

It was an era of bank robberies and gangsters and movies that told their stories on every small town movie screen in the country. But here was the same story with an Old West twist . . . a mountain man Robin Hood bank robber who poached elk and deer to feed those in need.

On the day of the bank robbery, young Tipton Cox was mobbed by reporters and press photographers asking him to re-enact the shooting scene at the gas station. By Saturday morning he was being flown to Denver to make an appearance on radio station KLZ. Directors of the national radio program "We the People," through their Denver representative Charles Inglis, approached Cox's parents with a proposition that they fly him to New York to appear on their Tuesday night program. During the four days he was in New York, newsreel footage was made of him that would be shown in theaters nationwide.

Within three months after Durand's death, more than newsreel footage was available to local theaters across the country. Republic Studios released one of John Wayne's last B westerns on June 29, 1939. The film's title was *Wyoming Outlaw*. Although there is a disclaimer at the beginning of the film that it does not represent any person living or dead, the film's title and content clearly indicate that the screenwriters were drawing from newspaper accounts of Durand's story. "Tarzan of the Tetons" became Wild Man Parker for the movie. Already he was acquiring superhuman abilities as can be noted at the beginning of the film when Parker/Durand picks up and carries off not just a portion of meat as Earl had done but an entire steer that he has killed.

Available on the newsstands at the same time the film was released was the July issue of *Inside Detective* magazine containing Tipton Cox's own story, "I Bagged Wyoming's Terror of the Tetons." Also, in the same month, the magazine *Official Detective Stories* carried Al Totten's article, "Wyoming's One-Man Reign of Terror," the only article officially sanctioned by the Park County peace officers.

Although the story was told and retold in the communities most affected by the events of that March in 1939, it only occasionally reached a major publication such as the February 1950 issue of *True, the Man's Magazine*, which carried Donald Hough's story, "The 11 Days of Earl Durand."

But Durand's legend continued to grow. The accounts usually described him as a young giant who was not only the biggest but also the best — the best marksman, runner, outdoorsman. He was credited as being an Olympic class skater. So strong was the memory of his story, that whenever a manhunt or jailbreak occurred in that part of the West associated with him, the story of Earl Durand often surfaced again in the newspapers.

For twenty years little was written about Earl Durand. Then in the 1970s he re-emerged. Chet Huntley, noted television newscaster, was planning to write a book about Durand when he retired. Hollywood decided again to portray him in film. This time, as with the 1939 *Wyoming Outlaw*, it is evident that the screenwriters at least familiarized themselves with his story, even using as dialogue verbatim quotes from newspaper accounts of the events surrounding Durand's escapades. But the screenwriters were apparently more intrigued by the fiction than the facts. The result was *The Legend of Earl Durand*, which premiered at the Teton Theatre in Powell, Wyoming, on October 8, 1974. Upset by the film's failure to tell the real story of Durand, some Cody and Powell residents walked out on the film.

But then that has always been the problem with Durand. What is the real story? Even 62 years after it all happened there is just as much division over who was this Earl Durand — Robin Hood hero or cold-blooded killer. His legend is a product of over sixty years of media attention. It is as difficult to sift through these contradictory accounts of his life to find the truth as it has been with other legendary westerners such as Jesse James, Billy the Kid, or Butch Cassidy. Therein lies the dilemma — print the truth or print the legend? ■

WE STILL NEED GENUINE

MARK BAGNE

Recalling the character traits of some of America's greatest presidents, a former U.S. attorney general and "gentleman of the South" traced a picture of an ideal leader for those attending the opening night banquet of the Frontier Justice Symposium.

Modern times of shifting ethical standards and politics ruled by arrogance and intolerance demand a renewal of the time-proven attributes of genuine leadership, Griffin Bell told those gathered in the entryway of the Buffalo Bill Historical Center. Bell, a Georgia native who served as attorney general during the Carter Administration, was introduced to his audience by a longtime friend and colleague —

BBHC board chairman and former U.S. Senator Alan Simpson of Cody.

"He is a wonderfully warm, wise and witty man — a gentleman of the South," Simpson said. "He is one of the most refreshing and delightful human beings I know."

Bell set the tone for his address by recalling the qualities attributed to President Lincoln in the wake of his assassination. All of Lincoln's deeds, Bell recalled, rested on the attributes of truth, justice, humanity and pity.

"I would add to these four characteristics one more — and that would be called a sense of shame," Bell said. "It would be a terrible thing to have a leader who has no sense of shame."

These days, the former attorney general observed, too many people believe "truth" is a relative term, which varies according to the "situational ethics" of circumstances.

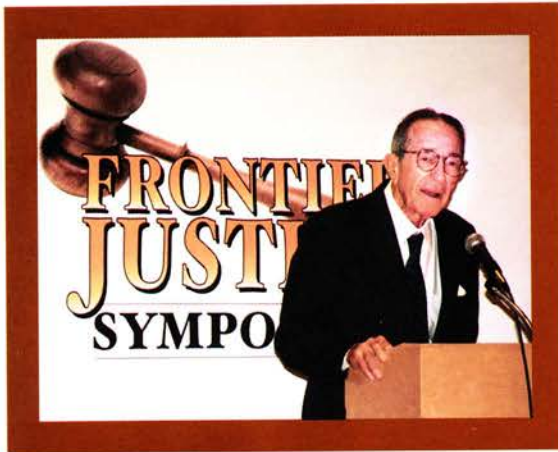
"We no longer have a sense of moral outrage that we once had," Bell said. "We no longer accept responsibility when something goes wrong. We should be careful of any leader who finds someone else to blame."

One of the most meaningful gifts Bell ever received was a plaque inscribed with these words: "There is no limit to what a man can do, or where he can go, if he does not mind who gets the credit." To this day, he keeps the plaque on his desk. A sense of modesty was among the traits that made President Truman one of America's greatest leaders, Bell relayed to his symposium audience.

"He was a man of strength, intelligence, compassion and courage, but he always conducted himself in a modest manner," Bell said.

On Truman's first day in office, a newspaper reporter asked the new president to describe the first thing he did that day. "Well," the president responded, "I put the suitcases in the attic."

"Imagine a president nowadays who would take the time to put the suitcases in the attic," Bell said, prompting a wave of chuckles from his audience.



Griffin Bell at the Frontier Justice seminar held at the Buffalo Bill Historical Center, October, 2000.

LEADERS

Truman also exhibited courage, another trait of a great leader, when he advanced the Marshall Plan even though the opinion polls showed only 20 percent public support.

"Today, probably no one would do that — yet it saved Europe from communism," Bell said.

Throughout his speech, the longtime attorney and appeals court judge complained that modern politics is too angry, and that too many politicians take themselves too seriously, considering themselves better than others because they know best.

Contrasting that brand of politics with the politics of true leadership, Bell recalled President George Bush's admonition to his speech writers to always use the word "we" instead of "I" and to ripple his speeches with self-deprecating humor.

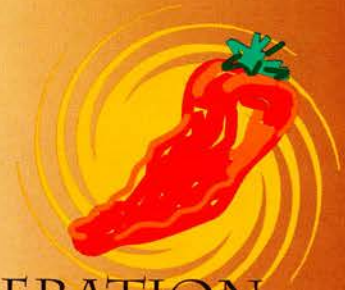
"He told them to never use humor at the expense of someone else, and to never make too much of his war experience — because that could have been anybody in the same circumstances."

When assessing leadership qualities of modern public officials, Bell advises the public should subject them to the "simple test" of the military honor code: "I will not lie, cheat, nor steal, nor tolerate anyone who does."

"I don't see how we can require any less of people who are running for president or any other public office," Bell said. "Before we vote we ought to always apply that test."

Bell closed his address with some personal reflections, noting he's reached a point in life where he can say just about anything he wants.

"It's hard for the average person to know what the truth is because of all the spinning that goes on," Bell commented. "I am tired of the two political parties fighting each other. We have to get to the point in this country where we think about our country, we think about the big problems in our country, and we go and solve those problems and stop fighting about who's a Republican and who's a Democrat." ■



OPERATION ROOSTER PEPPER SAUSAGE

During his tenure as attorney general for the United States, Griffin Bell was one of those select Americans with a backstage pass to the inner workings of the White House. Of all the stories of high-level intrigue he might share from his days with the Carter Administration, Bell, a reflective man of humor and perspective, favors the tale of a clandestine operation to smuggle a secret package into the White House kitchen.

Buffalo Bill Historical Center board chairman Alan Simpson described Bell as a man with a reputation as "quite a good cook." He recalled that his culinary skills intrigued President Carter, who invited him to share his favorite recipe.

Carter had never heard of Bell's favorite dish — a purported delicacy of southern Georgia that goes by the name "rooster pepper sausage." Suspecting that Bell was "making that up," the president demanded to see and taste some proof of its existence.

Bell advised Carter he could acquire a shipment of rooster pepper sausage from southern Georgia. Carter went along with the plan as long as it was conducted as an undercover operation.

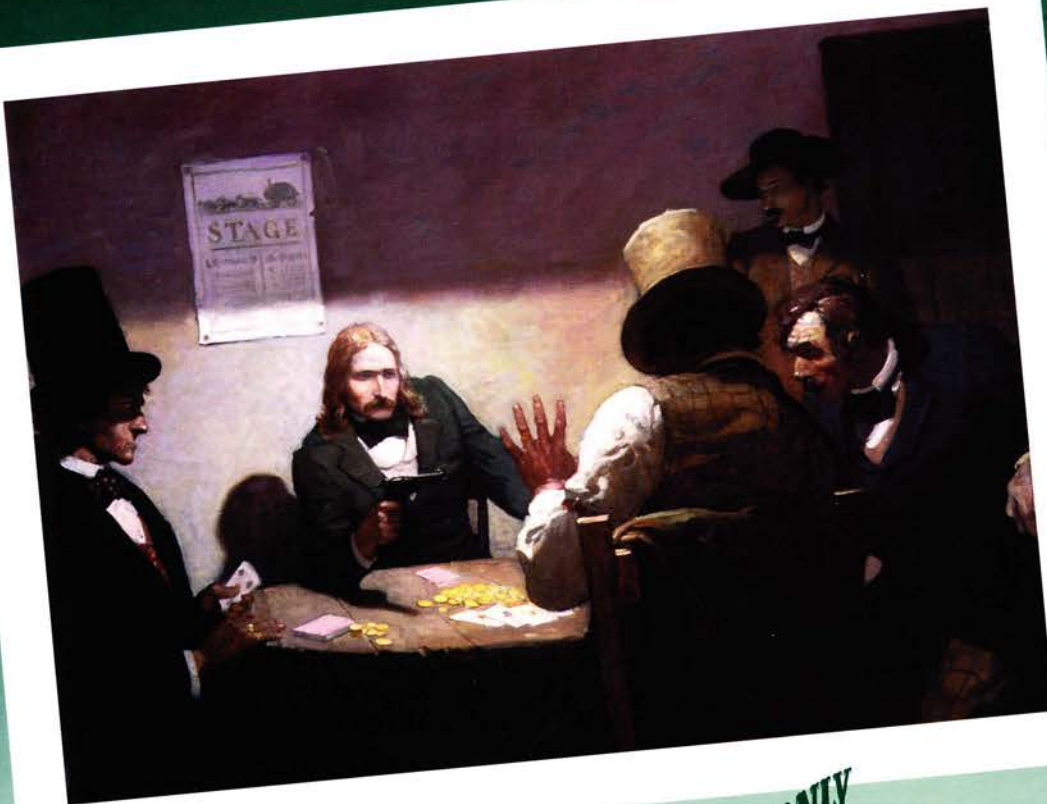
"Don't send it through regular channels," Carter directed. "The Secret Service will get it and eat it." The dejected president explained that people sent him cakes and pies all the time, but they never reached his table. "The Secret Service eats 'em," Carter said. "I never get any of it."

Slipping the rooster pepper sausage into the White House, under the nose of vigilant Secret Service agents would require a delicate late-night maneuver. "What would you think about just smuggling it through the Pennsylvania Avenue fence?" Bell asked Carter. He said, "Well, I think that would be fine."

Bell arranged for a friend of his to pick up the rooster pepper sausage, hide it under his trench coat, and deliver it to the White House fence at a pre-determined time. Following a quick exchange through the fence, another trench-coated operative secreted the peppery package to the president's living quarters, where it was cooked and had for supper.

Bell didn't divulge the president's reaction to the meal or the ingredients of the mysterious dish from the South, but did use the story to make a point about the modern world. Fearing that any package to the White House might contain a bomb, no one would dare try to smuggle one into the presidential fortress off Pennsylvania Avenue today.

"Since then, they've closed the whole street off," Bell reflected. "At that time, we didn't think about those things. Now there's no humor, and we take things so seriously." ■



Wild Bill Hickok At Cards

THIS FINE ART PRINT
IS SOLD SEPARATELY
OR BEAUTIFULLY
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From the painting by N. C. Wyeth (1882-1945), *Wild Bill Hickok at Cards*, 1916. Oil on canvas, Buffalo Bill Historical Center. Loan from Mr. and Mrs. W. D. Weiss.

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