



Judge Frank H. Woody

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TO THE
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VOLUME SEVEN

1910

Helena
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Preface.

The Trustees of the State Historical and Miscellaneous Library, after many unavoidable and vexatious delays, present volume seven of the "Contributions to the Historical Society," to the public. It has been the object and effort to make the volume interesting and valuable by having the contents treat subjects as different and varied in character, as possible. We therefore indulge the hope that the reader will find the volume attractive on this account, as well as instructive and valuable from the historical and biographical sketches it contains.

The management gratefully acknowledges its obligations to Messrs. Wilbur Edgerton Sanders, James Dawson, David B. Weaver, C. A. Woodruff, Amos Buck, Frank H. Woody, Wesley P. Emery, Charles S. Warren, Wyllys A. Hedges, Henry Edgar, Edward S. Munson, John W. Wade, Green Clay Goodloe, Lew L. Callaway, Henry N. Blake, William T. Hamilton, Charles P. Chouteau, David Hilger, William F. Wheeler, W. E. Brindley, and Mrs. W. J. Beall, who have all contributed interesting and valuable articles, for this volume, as shown in the table of contents. Many of these articles required much time and labor and are characterized by much ability and scholarship. Especially is this true in reference to the article by Mr. W. E. Sanders on "Montana—Organization, Name and Naming." Mr. Sanders devoted much labor covering three years in time in preparing this able and scholarly historical paper.

Since the organization of the present Board, the management has urgently and constantly appealed through the public press to the Pioneer Society and all persons interested in the work to come to the aid of the Library in its

effort to collect and preserve for all time the history of the men and women and events of our early pioneer days which were so full of struggle and suffering and sacrifice in the great and patriotic endeavor to found and build a commonwealth in this mountain land. The majority of this grand army of noble men and women has crossed the river already into the unknown land; the remnant is sadly, but bravely and rapidly filing down to the ferry. Soon all our Pioneers will have passed away, carrying with them the knowledge of the events that constitute the romantic history of Montana's early days. We appeal again to those who know these valuable things to write them down for this Library so that this early history may be preserved for future generations.

It is the hope that this little volume may find friends and a kindly welcome in the world, and prove a source of pleasure, interest and profit to those who take an interest in the things about which it speaks.

W. V. PEMBERTON, Librarian.

Helena, Montana.

March, 1910.

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Action of the Board of Trustees.

Helena, Montana, April 18, 1909.

The first meeting of the recently appointed board of Trustees of the Historical and Miscellaneous Department of the Montana State Library was held Saturday afternoon, April 18, 1909, at the office of the library in the State Capitol.

The board was organized by the election of Frank H. Woody, of Missoula, President; James U. Sanders, Helena, Vice-president; Wesley M. Biggs, Helena, Secretary.

W. Y. Pemberton was appointed librarian to succeed W. S. Bell, the present incumbent, whose term expires June 1, 1909.

The following named trustees constituting a quorum of the board were present, to-wit:

R. Lee Word, James U. Sanders, W. M. Biggs.

W. M. BIGGS,

Secretary Pro Tem.

ERRATA.

Page 16, line 8, "tread" instead of "trend"

Page 18, line 22 (2nd par., line 11), "so" instead of "too"

Page 78, lines 12 and 15 (2nd par., lines 6 and 9), "Shorthill"
instead of "Shothill"

Page 136, 7th verse, line 7, "war-whoop" instead of "war-hoop"

Hon. Preston Hopkins Leslie; a Short Sketch of his Life.

BY JOHN W. WADE.

Few men have had the honor of pioneering in two states. Still fewer are they who have taken first rank,—the highest place,—among men who have builded states; yet this distinction must be accorded the noble statesman whose life is here reviewed. It is said of him in biographies which appear in Kentucky that he did very much to shape the destiny of that state in the various capacities in which he served the people;—these justly praising him for invaluable services while governor at a period when good judgment, high patriotism and lofty statesmanship were indispensable elements in their chief executive. It is our duty and privilege to accord him an equally prominent place in the history of Montana.

Governor Leslie was born in what is now Clinton county, in the State of Kentucky, on March 2nd, 1819. He was the second of eight children, all of whom were very young when their father, Vachel H. Leslie, died. Preston Hopkins became the acknowledged head of the household, and right well did he acquit himself of this responsibility, thus foreshadowing, in unmistakable lines, the faithful man of affairs, upon whom afterwards, so many distinguished honors fell. The Leslie family was of Scotch-Welsh ancestry, which long occupied an honored though humble place in the south-land; first in North Carolina and Georgia and later in Kentucky, where most of the remarkable career here under consideration was destined to be enacted.

Mr. Leslie was married November 11th, 1841, to Miss

Louisa Black of Monroe county, Kentucky, in the bright days of his strong young manhood. To them were born a number of children of whom three are yet living, namely: Mrs. Sarah E. Winn (wife of Dr. S. E. Winn), of San Diego, California; Mrs. C. T. Cheek (wife of Major C. T. Cheek), of Nashville, Tennessee; and Judge Jere B. Leslie of the District Court at Great Falls, Montana.

The mother and devoted wife contracted a fatal illness after sharing the joys and sorrows of her already illustrious husband for nearly a score of years, and died August 19, 1858, at which time Mr. Leslie was serving his third term in the legislature, being a member of the state senate.

In November, 1859, Senator Leslie married Mrs. Mary Kuykendall of Columbia, Missouri, who, like her honored husband, later won a warm place in the hearts of all Montanians who had the good fortune to meet her. The children of this last marriage,—Mrs. Isabelle Shobe, Miss Emily T. Leslie, and Dr. Robert M. Leslie,—accompanied their parents to Montana. The mother died in Helena, September 3, 1900. Miss Emily, accomplished in music and literature, had become thoroughly identified with the people of Helena as well as other places in the state, and it was with many expressions of regret that they learned of her death, which took place on the morning of the 14th of December, 1900. Mrs. Shobe, with her husband and three children, occupies the old family home in Helena, while Dr. Robert M. Leslie is located at Great Falls, Montana.

Very early in his young manhood Mr. Leslie was singled out by his neighbors and friends as a man more than ordinarily worthy of high trust, and from the time he reached his majority to the close of his eventful life, he was repeatedly reminded of this esteem by many successive calls to serve in some representative capacity.

He was admitted to the bar at the early age of twenty-one and two years later was elected prosecuting attorney of Monroe county. At the expiration of this service in 1844,

he was chosen to represent the same county in the state legislature, serving in the lower house two sessions, the last one as speaker. In 1852 he was elected to the state senate, where he also served two sessions, being re-elected in 1867. During the latter term he was chosen president of the senate and it was by reason of his last preferment that he subsequently became governor of Kentucky.

Governor Helm had died just five days after his inauguration and the lieutenant governor, John W. Stephenson, thus became governor, but, before the expiration of his term, he resigned to take his place in the United States senate, and Senator Leslie (acting lieutenant governor by virtue of his office in the senate) became governor. His inauguration took place February 13, 1871. To this high office he was elected the following autumn, his opponent at that time being the distinguished jurist John M. Harlan, later justice of the United States Supreme Court.

It is a most remarkable fact that, while each of these standard bearers for two great political parties, strove hard for the coveted prize, no semblance of attack was made nor was the slightest aspersion cast by the one upon the other's character. On the contrary they were, at the close of this campaign, the warmest of friends. They had canvassed the state together,—spoken to the same audiences, from the same platforms, and often at the close of a day of rigorous campaigning, slept in the same bed, where the events of the day or week were discussed with much good humor and badinage.

As an example of these pleasantries, Justice Harlan tells that, one night near the end of the struggle, as they lay in the same bed, he said to his bed-fellow, "I feel sure that the next governor of Kentucky occupies this bed to-night," which prophetic remark was somewhat emphasized, though more limited the next morning. Mr. Harlan arose first, and Mr. Leslie from the bed called out, "I say, Harlan, you may well say the next governor of Kentucky

occupies this bed." At another time Mr. Harlan, who had implicit confidence in Governor Leslie's judgment as well as in his truthfulness, asked him what he really thought would be the result at the polls. The governor replied, "Well, sir, I will beat you 40,000 votes." This was within a few thousand verified by the count.

When he retired from the governorship, Mr. Leslie again resumed the practice of law, where he was eminent and successful until the year 1881, when he was appointed to fill a vacancy in the office of circuit court judge. The same integrity and ability and the same high sense of justice characterized him on the bench, which had all along marked his official life, and so here again he won and kept the hearts of the people. It was, therefore, a matter of course that he was re-elected to the bench, where he further distinguished himself as a dispenser of justice.

A few years later he was made governor of the (then) Territory of Montana. President Cleveland had, in the presence of Justice Harlan, expressed himself as in a quandry as to the governorship of Montana, when the latter said, "Mr. President, I can name you a man, who, for integrity and ability, will fully measure up to the requirements; a man against whom I can say but one thing. He once beat me for governor of Kentucky—but he made a splendid officer, no doubt about that." "If he beat you for governor of Kentucky," said the president, "and yet retained your high regard and warm friendship, he is just the man I'm looking for, and I'll appoint him." Immediately his name was sent to the senate.

He was inaugurated in February, 1887. Thus did Montana secure this rugged citizen whose guiding hand was the last but one on the helm before the admission of Montana into statehood.

Governor Leslie now resumed the practice of law in Helena, in partnership with Hon. A. J. Craven. The firm was immediately successful, and for a number of years:

held a prominent place at the Helena bar, but President Cleveland, who was once more in the White House, again honored the veteran statesman, this time with the position of United States District Attorney for Montana, the arduous duties of which office he attended to with his usual fidelity, for a period of four years.

Governor Leslie loved the law for the law's sake and he loved a good lawyer as a brother. Accordingly the members of the bar, both in his native state and in Montana, had a very high regard for him. He was president for a time of the Montana Bar Association, where his colleagues seemed delighted to place him. Thenceforward he was in the practice of law up to the day when stricken with pneumonia, while sitting in his office. Even as he lay upon his bed with family and friends about him, with his name upon the door, "Attorney and Counsellor at Law," a petition to Governor Toole was being circulated and largely signed by the members of the bar of Helena, for his appointment to fill a vacancy in the office of district court judge, but he was not to return to his office nor to accept further preferment at the hands of mortals. He calmly put his house in order, gave final directions and admonitions to family and friends, and died at the age of eighty-eight. He was buried near the city of Helena, beside his faithful wife. There a monument inscribed with both names reminds the world that these lived and died among us.

Governor Leslie was a staunch Christian, being from boyhood a devoted member of the Baptist church and always prominent in the councils of this denomination. He was repeatedly called upon to act at Baptist associations and conventions as presiding officer, which place more than any other with which he had been honored, he greatly prized, because as he said, "I am most concerned as to the good will of Christian people."

His advent into Montana meant more to him than the

people of either state realized. He loved the old state dearly; he missed the familiar faces and no longer heard the kindly voices of the friends of other days. Coming here, an entire stranger to our people, he felt a loneliness which few even suspected, a longing for the trust and confidence of the people which none realized. But very soon he knew Montana and Montana learned to know him and from being dubbed a "carpet-bagger" he became the revered executive. When on the morning of February 7, 1907, (just twenty years after his inauguration) he was summoned by death, he was beyond question the best loved man in Montana.

In the annals of our state, nothing has been recorded of more significance than the coming of this great man into our midst. The stamp of his noble character has been fixed upon our people and will influence them through generations to come. It is a glory to any state to have such a name upon the roster of public officials. Rarely, indeed, can it be said of a leader in public life, as of this man, that the strictest examination, the closest scrutiny, of every detail of his public and private life, reveals no flaw. His life in Montana, as doubtless also in his native state, was a most symmetrical one,—almost ideal in its make-up.

He was physically perfect, standing six feet in his stockings and as straight as an Indian at 88 years of age. Intellectually he was a stalwart and morally and religiously a giant. Being a man of indomitable energy and courage, he generally accomplished whatever he undertook. Having the highest sense of moral obligation, and the most pronounced religious principles, he could always be counted on to take an unequivocal stand upon all questions relating to the uplift of his fellow citizens, and he was always "at hand" when a question for solution arose and was not "dodging" until the popular side of the issue could be described. His sound judgment and quick perception,

coupled with a profound sense of justice, made him a conspicuous figure wherever he chose to act or speak among men. Deprived in early childhood of the advantages of schools, except the most rudimentary, he early resolved upon getting "a peep into the world of learning anyhow," and, if the means were not at hand, enabling him to take a step in that direction when he designed it, he discovered, invented or created them, so that in very early manhood he had stored his ready mind with a remarkable fund of knowledge upon agriculture and woodcraft, upon civil government and sociology, as well as upon religion and law. In short *he* was recognized as learned, who had been accorded no place in the schools, and never relaxing a habit of the most industrious inquiry, he held throughout his long life a place of eminence among the educated and refined.

Much has been written justly emphasizing the mildness of his nature; his great kindness, boundless sympathy and his inimitable courtesy. The writer of this short tribute, through a score of years of the most intimate association with him, recognized these rare qualities and loved their possessor for them, but he would call attention to the possibility that this character may not be fully appreciated except another element be discovered in the composition. He refers to the element of "iron" found in all great men. To the casual observer this was not at all prominent but it was very manifest when occasion demanded. When he once made up his mind where the path of duty lay, no temptation could induce him to swerve from it by a hair's breadth nor was his physical courage less conspicuous than his moral firmness. An illustration of the one and the other will here follow:

During the first few days of his first term in the state senate of Kentucky he took occasion to antagonize a pet measure of a much older man, the "fire-eater" of that body, characterizing the bill as a "vicious piece of legislation, the nature of which could not but be recognized as such by

every man upon the floor.” He was soon apprized of the prevailing belief of his colleagues that such opposition, in such words, would certainly provoke from the older statesman a challenge to mortal combat. Senator Leslie weighed the situation fully, accepting the probability of a duel; going even so far as to decide upon the weapons to be used, naming rifles,* and calmly took his place on the floor the day following. With even more vigor he assailed the proposed measure, modifying his former statement, only for the sake of stricter justice, thus: “If the author of this bill does not already see the vicious nature and tendency of this measure he will see it before I take my seat,” and then with characteristic vigor and scathing logic, he proceeded to annihilate the very ground upon which his opponent stood—and the bill was lost, while the blanched faces of their colleagues revealed the general impression that “blood was going to be spilt.” Instead of this sanguinary outcome, however, a lifelong friendship sprung up between the elder and the younger statesman, which Senator Leslie prized very highly indeed, as doubtless did the old “fire-eater” himself.

The other illustration lay also in the state house of Kentucky, but while Mr. Leslie was governor. It was in the days of the “reconstruction” in the south following the awful days of the Civil War, when little reason was used or expected in dealing with the new situation. A bill was presented in the state legislature proposing to deal with the possibility of “negro domination” in the large cities of Kentucky, and, after laborious study and much consultation between the senate and house of representatives the shape of the measure was agreed upon and it was passed. The bill was duly signed by the presiding officers of the respective houses and forwarded to the governor for his signature. The measure sought a method of avoiding the hazard of an election in those cities where

*Senator Leslie was an expert rifleman.

the negro population was dangerously near if not altogether in the ascendancy. In short, it provided that each officer appoint his successor and he again his successor in an endless chain of official authority; this to obtain in every office of the various municipal governments. There was no fear that the governor would hesitate as to the propriety, nay, the necessity, of such a law, but so much was at stake as viewed by both houses that, at a joint session (immediately following the passage of the bill), it was determined that a formidable committee should visit the governor and make "assurance doubly sure" as to his early approval. This committee was made even more formidable by the coming of various men of influence from all parts of the state. By prearrangement all of these met at one time at the state capitol and proceeded with much determination and great confidence to the governor's office. Governor Leslie was not in when this array of statesmen appeared, but his private secretary assured them that his excellency was in the city and that he would immediately dispatch a messenger to inform him of their arrival. During the brief time which must elapse before his coming, the one subject and no other was discussed, because for some reason, through some medium (possibly only the air of the capitol), there was just a little fear that the governor might not approve the bill.

It was even suggested that if he should veto it "such and such would follow," whereupon the chief speaker put an end to all conjecture by the remark that no matter what his personal views might be the governor dared not veto the measure in the face of manifest public feeling in the matter. The governor's private secretary, who had apparently up to this moment taken no notice of the trend of the conversation, said rather abruptly and with an oath, that if they hoped to bank anything on the governor's fear to refuse approval he begged them to take no solace to themselves on that score, adding: "For if he thinks the

measure worthy of veto, I'll be hanged if he don't veto it."

When the governor appeared and had cordially greeted all, he said in reply to the announcement of their mission, that he had given the proposed law a great deal of thought and that among other considerations, he had canvassed the question of the effect it would have upon the very fabric of our form of government, not only of their beloved commonwealth but of the republic itself, and that he had already determined to veto the bill. It was immediately returned along with an exhaustive review of the reasons which impelled such veto. The two houses met in their respective halls, avowedly to pass the bill over the veto. The message was read in the senate and did not go further. Many were on their feet at once. Senator Blackburn, who afterwards became somewhat noted in the national halls of congress, was accorded the privilege of making the first speech, since he was the author of the bill and its most able advocate. To the astonishment of nearly everyone he spoke in favor of sustaining the veto, and in a most eloquent speech reiterated the cogent reasons advanced by Governor Leslie against this revolution in representative government. The veto was sustained.

Thus we see the well rounded man of great affairs; the sympathetic brother; the self-sacrificing friend; the rugged statesman; the Christian gentleman.

Montana vies with Kentucky to do him honor and challenges the dear old Blue Grass State to show more devotion to his memory than is enshrined in the hearts of all Montanians for this man of God.

Note.—It is fitting by way of supplement to the above sketch of Governor Leslie's life that two voices should be heard setting forth from two different viewpoints, namely, Church and Bar, an estimate of the man.

First, as viewed by members of his own church. Rev.

J. H. Spencer writes to Rev. L. G. Clark as follows:

Parsonage, North Adams, Massachusetts.
130 Church Street. First Baptist Church,

"Dear Bro. Clark: I thank you for remembrance of me in connection with the passing of one of God's great saints, Governor Preston H. Leslie. It is one of the joys of my life to have known him, and to have had some measure of his regard is one of my most consoling reflections.

God give us more such to serve our day and generation.

It makes Heaven dearer to cherish the hope of seeing again the honored and beloved who have fallen asleep before us.

As ever, yours sincerely,

JAMES H. SPENCER."

Second, as seen by members of the Montana Bar.

Resolutions were prepared and presented to the Bar Association and in presenting the same the chairman, former Governor B. P. Carpenter, said:

"In the memorial here presented to the court the committee has sought to make an accurate statement of the leading political and professional events in the career of Governor Leslie and couple therewith a true estimate of his character and achievements.

It has not indulged in extravagant encomium, but has expressed opinions which it is believed his former acquaintances will be willing to certify as facts. The committee has thought that a suitable memorial of Governor Leslie, who for nearly twenty years was a worthy practitioner in Montana's Halls of Justice, who was eminent in at least two states, whose character was irreproachable and whose citizenship was really sublime,

should have a permanent abode in the archives of this court."

These resolutions begin by reciting quite accurately the events of Governor Leslie's life; then comes the following remarkable statement:

"As a public officer he discharged with fidelity the duties of every station to which he was assigned, and no breath of suspicion tarnished his name.

"As a lawyer, he was capable and commendable, ever seeking to support justice and suppress fraud, and invariably observing the ethics of the profession.

"As a man, he was the personification of integrity, and nobleness, conscientious in all his transactions and always the courteous gentleman. He was truly without a superior as illustrating the best American citizenship."

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