

National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in National Register Bulletin, *How to Complete the National Register of Historic Places Registration Form*. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. **Place additional certification comments, entries, and narrative items on continuation sheets if needed (NPS Form 10-900a).**

1. Name of Property

historic name John Ervin Homestead

other names/site number 24BL1546

2. Location

street & number River Mile 122.3 Left N/A not for publication

city or town _____ N/A vicinity

state Montana code MT county Blaine code 027

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended,

I hereby certify that this ___ nomination ___ request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60.

In my opinion, the property ___ meets ___ does not meet the National Register Criteria. I recommend that this property be considered significant at the following level(s) of significance:

national statewide local

Signature of certifying official

Date

Title

State or Federal agency/bureau or Tribal Government

In my opinion, the property ___ meets ___ does not meet the National Register criteria.

Signature of commenting official

Date

Title

State or Federal agency/bureau or Tribal Government

4. National Park Service Certification

I, hereby, certify that this property is:

___ entered in the National Register

___ determined eligible for the National Register

___ determined not eligible for the National Register

___ removed from the National Register

___ other (explain:)

Signature of the Keeper

Date of Action

5. Classification

Ownership of Property
(Check as many boxes as apply)

Category of Property
(Check only **one** box)

Number of Resources within Property
(Do not include previously listed resources in the count.)

- | | |
|-------------------------------------|------------------|
| <input type="checkbox"/> | private |
| <input type="checkbox"/> | public - Local |
| <input type="checkbox"/> | public - State |
| <input checked="" type="checkbox"/> | public - Federal |

- | | |
|-------------------------------------|-------------|
| <input type="checkbox"/> | building(s) |
| <input checked="" type="checkbox"/> | district |
| <input type="checkbox"/> | site |
| <input type="checkbox"/> | structure |
| <input type="checkbox"/> | object |

Contributing	Noncontributing	
4		buildings
		district
		site
		structure
		object
4		Total

Name of related multiple property listing
(Enter "N/A" if property is not part of a multiple property listing)

N/A

Number of contributing resources previously listed in the National Register

0

6. Function or Use

Historic Functions
(Enter categories from instructions)

DOMESTIC/single dwelling

DOMESTIC/secondary structures

AGRICULTURE/SUBSISTENCE/agricultural outbuilding

Current Functions
(Enter categories from instructions)

VACANT/NOT IN USE

Education for visitors to the Upper Missouri River Breaks National Monument

7. Description

Architectural Classification

(Enter categories from instructions)

OTHER/Western Stick

OTHER/Log Building

Materials

(Enter categories from instructions)

foundation: _____

walls: WOOD/Log

roof: Wood/tarpaper

other: Metal/Steel/Bentonite Clay

Narrative Description

(Describe the historic and current physical appearance of the property. Explain contributing and noncontributing resources if necessary. Begin with a **summary paragraph** that briefly describes the general characteristics of the property, such as its location, setting, size, and significant features.)

8. Statement of Significance

Applicable National Register Criteria

(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing)

A Property is associated with events that have made a significant contribution to the broad patterns of our history.

B Property is associated with the lives of persons significant in our past.

C Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.

D Property has yielded, or is likely to yield, information important in prehistory or history.

E a reconstructed building, object, or structure.

F a commemorative property.

G less than 50 years old or achieving significance within the past 50 years.

Criteria Considerations

(Mark "x" in all the boxes that apply)

Property is:

A owned by a religious institution or used for religious purposes.

B removed from its original location.

C a birthplace or grave.

D a cemetery.

Areas of Significance

(Enter categories from instructions)

AGRICULTURE ; EXPLORATION / SETTLEMENT

Period of Significance

1916-1954

Significant Dates

N/A

Significant Person

(Complete only if Criterion B is marked above)

N/A

Cultural Affiliation

N/A

Architect/Builder

Woodhawks or John Ervin (dendro dates
may tell).

Period of Significance (justification) see continuation sheet

Criteria Consideratons (explanation, if necessary) see continuation sheet

Statement of Significance Summary Paragraph (provide a summary paragraph that includes level of significance and applicable criteria)

see continuation sheet

Narrative Statement of Significance (provide at least **one** paragraph for each area of significance)

see continuation sheet

Developmental history/additional historic context information (if appropriate)

see continuation sheet

9. Major Bibliographical References

Bibliography (Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets)

Previous documentation on file (NPS):

preliminary determination of individual listing (36 CFR 67 has been Requested)
 previously listed in the National Register
 previously determined eligible by the National Register
 designated a National Historic Landmark
 recorded by Historic American Buildings Survey # _____
 recorded by Historic American Engineering Record # _____

Primary location of additional data:

State Historic Preservation Office
 Other State agency
 Federal agency
 Local government
 University
 Other
Name of repository: _____

Abbot, Jim

1976 *Jim Abbot May 24, 1976, 207 Commercial, Lewistown, Montana; Recorded by Edrie Vinson, BLM Historian, Missouri River History Project, on file at the Bureau of Land Management Field Office, Lewistown, Montana.*

Archer, David R.

n/d *Back Trailings, The old-time west, unpublished manuscript on file at the Montana Agricultural Library and Archives, Fort Benton, Montana.*

Archer, David R. Jr.

1976 "Peoples Column," in the March 10, issue of the *River Press*, Fort Benton, Montana.

Arthur, Jim

2003 Bob O'Boyle Interview with Jim Arthur, personal communication on December 1, *Making a Living in the Missouri River Breaks: Oral Histories of the Upper Missouri River Breaks National Monument.*

1997 *Retracing Kipp Trails*, Central Montana Publishing, Lewistown, Montana.

1988 *A History of Winifred, Montana*, Central Montana Publishing, Lewistown, Montana.

Bass, Sandra

1983 *Montana State Office Site Form 24FR402 Gus Nelson Homestead*, report on file, Archaeological Records, University of Montana, Missoula, Montana.

Bergum, Jack and Loraine Bergum

2004 Interview with Jack and Loraine Bergum personal communication on July 28, 2004, included in *More Making a Living In the Missouri River Breaks: Additional Oral Histories of the Upper Missouri River Breaks National Monument*, on file with the Lewstown BLM.

Berry, Lee, Rose Berry and Judy Berry

2004 2004 Interview with Lee, Rose, and Judy Berry personal communication on July 29, 2004, included in *More Making a Living In the Missouri River Breaks: Additional Oral Histories of the Upper Missouri River Breaks National Monument*, on file with the Lewstown BLM.

Burlingame, Merrill G.

1929 "The Buffalo Trade and Commerce," in *North Dakota Historical Quarterly* Vol. 3 (4):262-291.

CCC Alumni

2004 Roosevelt's Tree Army: A Breif History of the Civilian Conservation Corps, found on the World Wide Web at <http://www.cccalumni.org/history1.html>.

Cascade County Historical Society

- 1981 *Stone Age to Space Age in 100 Years: Cascade County History and Gazetteer*, Cascade County Historical Society, Great Falls, Montana.

Centennial Book Committee

- 1989 *Thunderstorms and Tumble Weeds: 1887-1987 East Blain County*, Jostens Publishing and Printing, Visalia, California.

Cheney, Roberta Carkeek

- 1983 *Names on the Faces of Montana: The Story of Montana's Place Names*, Mountain Press Publishing Company, Missoula, Montana.

Culbertson, Mollie

- 1976 Interview with Mollie Culbertson part 1, interview by Edri Vinsen August 9, 1976, included in *Making a Living in the Missouri River Breaks: Oral Histories of the Upper Missouri River Breaks National Monument*.

Dalich, C.A.

- 1968 *Dry Farming Promotion in Eastern Montana (1907-1916)*, unpublished Masters Thesis from the University of Montana, on file at the Mansfield Library, Missoula, Montana.

Deal, Babbie and Loretta McDonald

- 1976 *The Heritage Book of Central Montana*, Fergus County Bi-Centennial Heritage Committee.

Dempsey, Hugh A.

- 2001 "Blackfoot," in *Handbook of North American Indians: Volume 13 part 1 Plains*, William C. Sturtevant general editor, Raymond J. DeMallie volume editor, Smithsonian Institution Press, Washington D.C.

Eigell, Robert W.

- 1987 *Cows, Cowboys, Canners, and Corned Beef and Cabbage: The Last Large-scale Epic about the Northern Ranges of the West*, Vantage Press, New York, New York.

Fowler, Loretta

- 2001 "History of the United States Plains Since 1850," in *Handbook of North American Indians: Volume 13 part 1 Plains*, William C. Sturtevant general editor, Raymond J. DeMallie volume editor, Smithsonian Institution Press, Washington D.C.

Fulbright, Zane L.

- 1998 *Missouri River Manors: An Overview of Homesteads and Historic Structures along the Upper Missouri Wild and Scenic River*, U.S. Department of Interior Bureau of Land Management, report on file at Bureau of Land Management Field Office, Lewistown, Montana.

Gillespie, Michael

- 2000 *Wild River, Wooden Boats: True Stories of Steamboating and the Missouri River*, Heritage Press, Stoddard, Wisconsin.

Gutfeld, Arnon

- 1979 *Montana's Agony: Years of War and Hysteria, 1917-1921*, University Presses of Florida, Gainesville, Florida.

Historical Book Committee

- 1962 *Rail Roads to Rockets 1887 -1962 : Diamond Jubilee Phillips County Montana*, Historical Book Committee, Malta, Montana.
- Hungry-Wolf, Adolf
 2006 *The Blackfeet Papers: Vol 1; Pikunni History and Culture*, Good Medicine Culture Foundation , Skookumchuck, British Columbia, Canada.
- Kunhardt, Phillip B. Jr., Phillip B. Kunhardt III, and Peter W. Kunhardt
 1992 *Lincoln: An Illustrated Biography*, Alfred A. Knoff Press, New York, New York.
- Kurland, Philip B. and Ralph Lerner
 1987 *The Founders of the Constitution, Volume 1 Major Themes*, University of Chicago Press, Chicago, Illinois.
- Lawrence, Lou
 1963 *Pioneer Days At Big Sandy, Montana*, Mountaineer Publications, Big Sandy, Montana.
- Lepley, John G.
 2001 *Packets to Paradise: Steamboating to Fort Benton*, Pictorial Histories Publishing Company, Missoula, Montana.
 1999 *Birthplace of Montana: A History of Fort Benton*, Pictorial Histories Publishing Company, Missoula, Montana.
- Loken, Scott C.
 1993 *Montana During World War Two*, unpublished masters thesis in Western History, University of Montana, Missoula, Montana.
- Malone, Michael P. and Richard B. Roeder
 1975 *Montana As It Was: 1876: A Centennial Overview*, Endowment and Research Foundation, Montana State University, Bozeman, Montana.
- McQuillan, Alan G.
 2001 "American Indian Timber Management Policy," in *Trusteeship in Change: Toward Tribal Autonomy in Resource Management*, edited by Richmond L. Clow and Imre Sutton University Press of Colorado, Boulder, Colorado.
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 1977 "Homesteaders," in *Montana Magazine of the Northern Rockies*, Vol 7(2):16-21.
- Monahan, Glen and Chanler Biggs
 1997 *Montana's Wild and Scenic Upper Missouri River: A Guidebook for the Upper Missouri National Wild and Scenic River and the Upper Missouri River Breaks National Monument*, Northern Rocky Mountains Books, Anaconda, Montana.
- Montana Historical Society
 1976 *Not in Precious Metals Alone: A Manuscript History of Montana*, Montana State Historical Society, Helena, Montana.
- Norskog, Bud and Virginia Norskog
 2004 Interview with Bud and Virginia Norskog personal communication on July 31, 2004, included in *More Making a Living In the Missouri River Breaks: Additional Oral Histories of the Upper Missouri River Breaks National Monument*, on file with the Lewistown BLM.

Oglesby, Richard Edward
 1963 *Manuel Lisa and the Opening of the Missouri Fur Trade*, University of Oklahoma Press, Norman, Oklahoma.

Presser, Marvin W.
 1997 *Wolf Point: A City of Destiny*, M Press, Billings, Montana.

Smith, Ervin
 1986 Chan Biggs Interview with Ervin Smith, interview April 8, 1986 from *Making a Living in the Missouri River Breaks: Oral Histories of the Upper Missouri River Breaks National Monument..*

Spritzer, Don
 1999 *Roadside History of Montana*, Mountain Press Publishing, Missoula, Montana.

Toole, K. Ross
 1959 *Montana: An Uncommon Land*, University of Oklahoma Press, Norman, Oklahoma.

Vivhorek, Daniel N.
 1993 *The Hi-Line: Profiles of a Montana Land*, American & World Geographic Publishing, Helena, Montana.

Wood, James Jr.
 1999 *History Of Loma, Montana (Chappell)*, Rettig Publishing, Inc./ DBA Mountaineer Printing, Big Sandy, Montana.

Writers Project of Montana
 2002 *Copper Camp: The Lusty Story of Butte, Montana, The Richest Hill on Earth*, Riverbend Publishing, Helena, Montana.

Historic Resources Survey Number (if assigned): N/A

10. Geographical Data

Acreege of Property 4.86
 (Do not include previously listed resource acreage)

UTM References

(Place additional UTM references on a continuation sheet)

1	<u>12</u>	<u>648344.04</u>	<u>5296095.14</u>	3	<u> </u>	<u> </u>	<u> </u>
	Zone	Easting	Northing		Zone	Easting	Northing
2	<u> </u>	<u> </u>	<u> </u>	4	<u> </u>	<u> </u>	<u> </u>
	Zone	Easting	Northing		Zone	Easting	Northing

Legal Land Description: The SW ¼ of the SW ¼ Section 34 Township 24 North, Range 21 East, and the NE ¼ of the NW ¼ of NW ¼ Section 3 Township 23 North and Range 21 East

Verbal Boundary Description (describe the boundaries of the property)

The boundary of the nominated property is delineated by the polygon on the USGS map Sturgeon Island (1954), whose vertices are marked by UTM reference points.

Boundary Justification (explain why the boundaries were selected)

The boundary includes the house, outbuildings, farm implements, garden, and the adjacent area that historically was part of the John Ervin Homestead and maintains the historic integrity.

11. Form Prepared By

name/title	<u>Robert O'Boyle</u>		
organization	<u>Integrity Resources Archaeology</u>	date	<u>July 18, 2009</u>
street & number	<u>2225 South Hole In The Wall</u>	telephone	<u>(406) 244-5865</u>
city or town	<u>Potomac</u>	state	<u>MT</u> <u>zip code</u> <u>59823</u>
e-mail	<u>integrityresources@hotmail.com</u>		

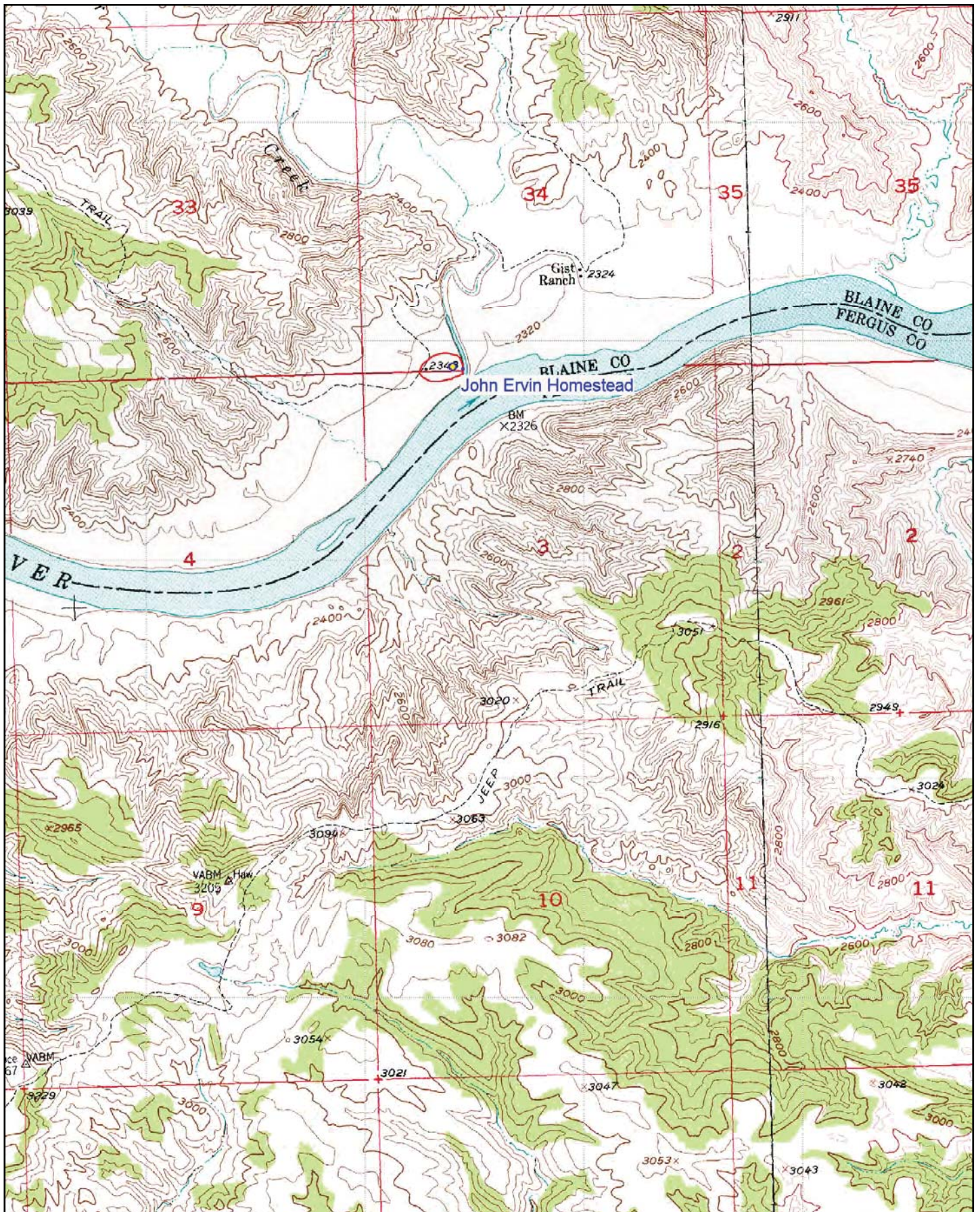
Additional Documentation

Submit the following items with the completed form:

- **Maps:** A **USGS map** (7.5 or 15 minute series) indicating the property's location.

A **Sketch map** for historic districts and properties having large acreage or numerous resources. Key all photographs to this map.

- **Continuation Sheets**
- **Additional items:** (Check with the SHPO or FPO for any additional items)



John Ervin Homestead on USGS 7.5 " Sturgeon Island; MT 1954

Photographs:

Submit clear and descriptive black and white photographs. The size of each image must be 1600x1200 pixels at 300 ppi (pixels per inch) or larger. Key all photographs to the sketch map.

See continuation sheet

Name of Property: John Ervin Homestead

City or Vicinity: Missouri River Mile 122.3 left

County: Blaine County

State: Montana

Photographer: See below

Date Photographed: see below

Description of Photograph(s) and number:

Paperwork Reduction Act Statement: This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C.460 et seq.).

Estimated Burden Statement: Public reporting burden for this form is estimated to average 18 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Office of Planning and Performance Management, U.S. Dept. fo the Interior, 1849 C. Street, NW, Washington, DC.

National Register of Historic Places Continuation Sheet

Jack Ervin Homestead

Section 7

Summary Paragraph

The Ervin Place is located at the confluence of Bullwhacker Creek and the Missouri River on river Mile 121.2 to 123 on the left. The Ervin Homestead is located in Section 34 of Township 24 North, Range 21 East, on the north side of the Missouri River, in what is now known as the Upper Missouri River Breaks National Monument, created through Proclamation 7398 in 2005 by President Clinton. In the proclamation it specifies the Bullwhacker area as "some of the wildest country on all the Great Plains" going on to say "the heads of the coulees and breaks also contain archeological and historical sites, from teepee rings and remnants of historic trails to abandoned homesteads and lookout sites used by Meriwether Lewis." There are two ways for vehicles to get into the site, one down Ervin Ridge and the other down Bullwhacker Creek. Both roads are treacherous and frequently wash out. The site is affected by highly erosive forces, which have left the site bisected by a draw which experiences seasonal runoff. The site is located in an area which experiences rapid changes from erosion. Access into the site is difficult at best by automobile. The site itself is stable, with the existing vegetation holding the soil in place. The soils are composed of sandstone, bentonite, and shale. Big Sage brush, prickly pear cactus, greasewood, cottonwood, juniper, yucca, crested wheatgrass, and various other native grasses provide stable ground cover.

Narrative Description

Building #1 (contributing): This was the primary residence. It is a two room residence partially dug into the bank. The cut bank of Bullwhacker Creek is ten feet from the front of the building. The front room, frame construction, may have been made from steamboat salvage. It functioned as a kitchen. The south wall of the front room is missing as a result of ice damage. The ridge beam is a 3"x12" timber. Two 8"x8" square timbers function as ceiling joints. A four pane window, 24"w x 18"h, was located in the south wall. Connecting the two rooms was a 6'x33.5" door, constructed of vertical planks, with board and batten on the west (interior) side. The door opened into the back room. The front door is located on the east side, and measures 1" x 73". It is Z-braced vertical planks, and has brand designs on the interior side. Both rooms have plank flooring. What may have been a doorway or window at the front of the log room has been converted into shelves for the kitchen. The back room may have been a one-room dwelling prior to the construction of the frame room in front. The back log room was eight courses high. The south wall was pushed in about 1.5' as a result of the ice damage. The door way between the two rooms shifted as result, and the frame splintered. Split logs and milled lumber was used as chinking. Mud and cloth daubing sealed the logs. The gaps between the logs were covered with sackcloth. Some of the identifiable brands include: Rex flour, ...Sugar company, Chinook, Montana, and Quaker Oats Corn Meal. The entire interior of the two rooms was whitewashed. The backroom has a 10" diameter ridge pole, and 9" diameter purlins. A square, tin-lined stovepipe hole is in the NW corner of the roof. The roof on the frame portion of the house is tarpaper over planks, and then covered with sod. The log room had tarpaper over planks, covered with corrugated steel which is in the process of deteriorating, and covered with sod. Un-insulated copper wire, which may have been electric fence, is on the south side of the building. Prior to the construction of the enclosure fence, cattle grazed on this roof.

Building #2 (contributing): This is a 6'x8' collapsed cellar constructed of milled timbers.

Building #3 (contributing): This is a 12'x 12' collapsed dugout that was constructed of v-notched logs.

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Jack Ervin Homestead

Building #4 (contributing): This is a collapsed outhouse. It is approximately 5'x 8', and had two holes. Z. Albright and S. Jaynes, the archaeologists that recorded the site believe that they have located the remnants of this privy.

Structure 1 (contributing) A circular log and pole corral is located northwest of the buildings. The gate opens on the NW side of the corral. Eighteen posts spaced approximately 10 feet apart, form the corral. The corrals are five and six rails high and have a diameter of roughly sixty feet. Erosion and deposition is affecting the corral, removing soil from some of the posts, and burying others.

Period of Significance (justification) 1840's to 1980

The Steamboats to the Open Range

The Missouri River was particularly important in western expansion, because it provided the easiest access to the resources of the west. Many different kinds of water crafts were used to travel up the Missouri including the bullboats and the dugouts of the Indians followed by the mackinaws and keelboats of the early traders (Gillespie 2000). The traders quickly employed steamboats as an easier method of transporting large quantities of goods on the Missouri, as the large keelboats were dangerous and labor intensive. The *Independence* was the first steamboat up the Missouri in 1819, and by 1829, Kenneth MacKenzie had established Fort Union at the mouth of the Yellowstone River for the American Fur Company, and it was here the steamboat entered into the fur trade (Lepley 2001). The steamboat on the Missouri accelerated trade because of its increased cargo capacity. On July 15, 1831, the steamboat *Yellowstone* returned from Fort Union with "a full cargo of buffalo robes, furs, peltries, besides ten thousand pounds of buffalo tongues" (Burlingame 1929:275). In the fall of the same year, James Kipp, an employee of the American Fur Company, built Fort Piegan, at the mouth of the Marias River. However, the American Fur Company only used the fort for a short period, operating from October of 1831 to the spring of 1832. Fort Piegan was very lucrative and when Kipp returned to Fort Union that spring it was with: 9,000 buffalo robes, 2,800 muskrat pelts, 1,200 beaver pelts, 1,500 prairie dog pelts, 40 otter pelts, 390 buffalo tongues, 200 Red Fox pelts, and 19 bear skins (Arthur 1997). The die was cast; the Upper Missouri River was a rewarding place to do business. Indians burned Fort Piegan after Kipp and the others left. But because business was so good, the American Fur Company built Fort Mackenzie in 1832 only six miles up river from the remains of Fort Piegan, where it did business (Cheney 1983). Beginning in 1834, Fort Mackenzie came under the supervision of Alexander Culbertson, who left the fort to Francis A. Chardon's charge in 1841. Chardon and his men were in a skirmish where they fired a cannon point-blank at a group of Blackfeet who had come to trade, killing and wounding thirty of the men (Lepley 1999). They soon realized the dangers of killing a group of Blackfeet in Blackfeet Territory and they abandoned Fort Mackenzie. Culbertson returned to the Upper Missouri River and built a fort at the mouth of Cottonwood Creek on the south side of the river, but he soon found this location was less than practical and in 1847, eighteen years after the establishment of Fort Union, construction began on what, in 1850, would be called Fort Benton (Lepley 1999). Fort Benton became the premier trading post on the Missouri River, and thousands of people began traveling up the Missouri, with steamboats transporting and receiving goods.

The United States Government needed to address the movement of peoples into the western lands. The House of Representatives Public Land Committee declared that squatting on public lands "was inevitable and even desirable" in 1828 (McQuillan 2001:75). The process began for the legalized settlement of public lands. A number of acts finally resulted in the Federal Homestead Act of 1862. Abe Lincoln signed the act into law on May 20, offering 160 acres of public owned land to anyone who claimed and occupied an area for five years

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Jack Ervin Homestead

while making improvements on it, prompting more and more people to move west (Kunhardt Jr. et al. 1992:180). However, free land was not the only reason for people to move west.

Events culminated in the 1850's and early 1860's leading to increased populations in the west. In 1855, the Blackfeet signed a treaty with Governor of the Washington Territory, Isaac Stevens, at the mouth of the Judith River creating the groundwork for the railroad to cross through the country (Dempsey 2001). Joining the Blackfeet at the Judith were representatives from the Salish, Pend d'Oreille, Nez Perce, and Broken Arm and his band of Cree (Hungry Wolf 2006). The United States also began to see migration on a large scale with the population tripling in the years from 1850 to 1900, with many emigrants heading west (Toole 1959). Furthermore, the territory's residence began to see the beginnings of a gold rush. In July of 1862, miners made the first large strike in the area later known as Montana at Grasshopper Creek. The strike rapidly attracted people who settled the first gold town, Bannack, in the area (Montana Historical Society 1976). Gold discovered in Bannack caused a rush, similar, though somewhat smaller in scale to those that had already hit California, Colorado, and Nevada. The period of the gold rush saw the first major migration of the area. The settlement was made possible because of the fur and hide trade, because it was trappers who in their spare time would "look for a little color" in the streams (Cascade County Historical Society 1981).

In 1859 and 1860, Lieutenant John Mullan and crew completed the Mullan Road, a 624-mile route connecting Fort Walla Walla to Fort Benton (Lepley 1999). The Mullan Road was the route that allowed Fort Benton to transform from a fur trade post to a port, shipping people and goods from back east to the west and vice versa. With the rush for gold also came other groups besides miners – including, farmers, ranchers, and entrepreneurs. The first steamboat reached Fort Benton during the high waters in the spring of 1860, allowing the mountain region to be readily accessible for the first time (Toole 1959). A community, beyond that of a trading post or mining camp, began to emerge. Fort Benton experienced a "building boom" in the 1860's as "saloons, brothels, gambling houses and other commercial enterprises sprang up along the levee" (Lepley 1999:40).

As the emigration increased, the country was involved in conflicts on several fronts. The miners and settlers during the gold rush created increased tension between whites and Indians, as more and more moved into Indian lands. Displaced tribes in the east were being pushed west, causing wars between different Indian tribes. There was also turmoil in the eastern part of the nation. The Civil War divided the country - pitting brother against brother; an unpopular war that undoubtedly saw many people choose to leave the states for the west. Following the Civil War there were many volunteer military regiments that headed west and began to propagate the interest of the United States Government, protecting white settlers in Indian Country and setting the stage for the Indian Wars in the west (Fowler 2001).

The time of trappers, traders, and explorers gave way, as people were coming to the area to live and raise families. Settlement in the breaks had begun as Woodhawkers, like Mose La Tray, began to settle along the river cutting wood and selling it to steam ships in the 1860's (Deal and McDonald 1976). Cow Island was important along the river; because, many of the steamboats had problems reaching Fort Benton, since the Missouri was unpredictable and not easy to pilot. The bottom at Cow Island was often the farthest point that riverboat captains could navigate on the river, therefore, boats were unloaded there and freighters, called bullwhackers, took shipments overland on the Cow Island Trail. The Cow Island trail was about 120 miles long; going up Cow Creek and then west across Bullwhacker Coulee toward Warrick, then south of the Bear Paws and the big northern bend in the Missouri and finally turning south toward Fort Benton (Arthur 1988). T.C. Powers began his long history of business in the area during this steamboat era forming the Benton Transportation Company, moving freight through stagecoaches, steamboats, mule, and oxen trains.

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Jack Ervin Homestead

When David Archer settled near the confluence of the Marias and Missouri in 1868, he said that “all the neighbors came to help build the homestead” (Archer n/d:170). Archer and his class were not the huge cattle barons or fur traders; they were beginnings of the “blue-collar” settlers along the Missouri; the first of a group that would find living in the Missouri River Breaks country quite difficult. After consulting his friend Bill, Archer initially decided to get into hogs as apposed to cattle, concluding that they would get rid of cactus and rattlesnakes:

“We had been in the hog business almost a year and although we did not have a few more than when we started, we also had just as many Prickly Pear Cactus and I guess just as many, if not more, rattlesnakes We never had a hog that was really fat enough to butcher but we did kill a few just to break the monotony of our diet of antelope and other wild game. One thing that Bill had not figured on was the wolves and coyotes liked ham and bacon quite as well as we did and they were not particular as to whose property it happened to be, or maybe they just had a fondness for ham-sandwich, on the hoof.”

David Archer n/d:175

After his failed attempt as a pig farmer, Archer, like most of the settlers at the time, got into the cattle business. In late October of 1883, Archer finally proved up on his claim, but that winter killed all of his cattle, 300 head, and he was never able to recover and he moved into Fort Benton in 1903, where his child David was born (Archer 1976). This struggle to make a living in the Missouri River Breaks connects from the first agriculturalist to this day.

One of the biggest problems of the early small farming/ranching operation was the small size of the average farm or ranch. While 160 acres may have been enough land to make a living in Virginia or Illinois, the harsh “American Desert” was unforgiving. In the area soon to become Western Montana, the people made a living based on the extraction of resources such as precious metals and lumber, along with merchants, ranchers and farmers. However, the eastern and central portion of the territory “depended on grass, weather, and luck” (Toole 1959:141). Small homesteaders had trouble getting a foothold in eastern portion of the territory, and the cattle became the driving force of the economy in the area. With few regulatory factors and even less real enforcement, the cattlemen soon began to control large portions of the territory in order to maintain their growing herds. The government gave right of “prior occupation,” granting an additional 640 acres to the original homesteads in the Desert Land Act of 1877; however, it was still only for “a few hundred acres” – even for those with herds of cattle in the tens of thousands (Toole 1959:141). Men, such as Johnnie Grant, had begun to develop large herds of cattle by the mid 1850’s, allowing the demands of the miners in the 1860’s to be met. Grant built up his herd by trading two trail weary cows for one well-fed cow, rapidly multiplying his herds (Toole 1959). By the 1860’s, when the settlement of the Missouri River was beginning, men like Conrad Kohrs were making their fortunes running cattle. Most of the people coming into the territory wanted to dig for gold and not mess with cattle. Con Kohrs started as a butcher setting up the Highland City Meat Market with 1000 cows, and quickly became a wealthy man owning land and running cattle all over Montana (Cascade County Historical Society 1981). Robert and Clifford Tingley, who settled in the Big Sandy area, drove a large herd of cattle from Cheyenne, Wyoming (Lawrence 1963).

In 1864, Montana officially became a territory; however, territory-ship hardly constituted organization. The deep division the country was experiencing because of the Civil War found its way to the new Montana Territory. In 1863, Abe Lincoln assigned Sidney Edgerton, a man who called Southerners “uncultivated savages,” to be Territory Governor of Montana Territory (Toole 1959:98). However, many of the mining camps

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were filling with Southerners and creating a tension between the Territory Governor and the legislature. It was during this later part of the 1860's where River traffic peaked. In 1867, alone the riverboat freight business made three million dollars in profits, with over 24 million dollars in gold moving down the Missouri in 1867 and 1868 (Lepely 1999).

The placer mining boom began to slow down and by 1868, and while some people were still looking for the big strike, others were beginning to leave the Montana territory seeking their fortunes elsewhere. The landscape in central and eastern Montana was shifting, from mining to ranching and farming. The decade of the 1870's, found a significant increase in farms in Montana, jumping from 851 in 1870 to 1,519 in 1880 with the acres being farmed quadrupling (Malone and Roeder 1975). The territory's population continued to grow with over 20,000 people in the 1870 census (Gutfeld 1979). In Butte, the silver and gold mines that had been found in 1865 and 1866 were being replaced with copper mines, enticing many of the "hard-bitten and experienced miners" from California, Arizona, Nevada, and Utah, as well as many of the immigrants from Ireland and Wales to travel to Montana (Writers Project of Montana 2002). Montana also offered other opportunities.

The Montana Territory was the last of the open range, and in the 1870's and 1880's the cattlemen sought to take advantage of the opportunity (Presser 1997). Robert S. Ford, who was a freighter over the Mullan Trail, saw the Sun River area as a great place for cattle and he moved 1412 head from Colorado in 1870, branding them with a "70" to commemorate the year; the 70 herd was one of the earliest north of the Missouri (Cascade County Historical Society 1981). Soon Ford and others were trailing many more herds into the area. The vicinity along the river had plenty of water and good grass for feed. Ranchers along the Sun River formed the first Montana stock association in 1874 (Lepely 1999). Herds were swelling and outfits like the Home Land and Cattle Company, also known as the "N-N," had 100,000 cows on the open range at one point (Presser 1997). On the Missouri River, some of the large ranches ran a thousand cattle at a time in the breaks (Abbot 1976). While many herds moving up to Montana were longhorns from Texas, Durham shorthorn crosses from Oregon and Washington began to be crossed with the longhorns because they could winter better and put on weight faster (Cascade County Historical Society 1981). Range cattle would get quite wild, "just like a bunch of deer" (Abbot 1976:7). As the herds grew, the number of people trying to get in on the action was growing as well. In 1884, Grandville Stuart, Teddy Roosevelt, and a number of other ranchers formed the Montana Livestock Association, in part to organize against the growing number of cattle rustlers in the area, declaring "outright war," on the cattle rustlers – who hid out in the Missouri River Breaks (Centennial Book Committee 1989). "Stuart's Stranglers," as they were called, managed to break the rustlers' might through brutal methods.

One of the biggest ranches found along the Missouri River was the Powers Norris Ranch. The confluence of the Judith and Missouri was an important location along the Missouri, with occupation at all phases of Montana history. Native American peoples had trails, residential sites, and burial grounds located in this area (Monahan and Biggs 1997). Additionally, Judith Landing had been the location of Fort Chardon in 1844 - 1845, Camp Cooke in 1866, and T.C. Power's Built Fort Claggett in the same location in 1869, and in 1872, Power moved the post a quarter mile up the Judith where he established the stone trading post and the Powers Norris Ranch operation (Arthur 1997; Monahan and Biggs 1997). The Powers Norris, or PN, employed many cowboys from all over the country. The PN trading post was an important feature on the river serving as store, restaurant, and post office (Presser 1997; Culbertson 1976). The place also was the location of the PN Cable Ferry, which ran from 1880 to 1908 (Monahan and Biggs 1997).

As the ranches began to grow, several factors came together to create a need for more land and the possibility for ranchers to get it. Ranchers continued to move more and more cattle into the area, despite the lack of legal

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claim to the land. As cattle herds grew the range began to be overgrazed, and in the breaks, ranchers would move their cattle out in the winter and allow them to feed on the "home ranches" farther back from the breaks (Abbot 1976:23). In 1885, cattle prices dropped slightly and many cattlemen held off on shipping their cattle back east, but the drop in prices was followed by the devastating winter of 1886 - 1887 (Toole 1959). The tough winter in 1886 and 1887, immortalized by Charley Russell's "Last of the 5000" or "Waiting for A Chinook," saw many cattle lost, and ranchers desperately needed lands to reestablish the herds.

Indian people had largely maintained control of the area north of Fort Benton into the 1870's. During the mid 1800's, Gros Ventre, Lakota, and Blackfeet frequently attacked remote settlements and wagon trains, but times were changing. The bison herds which had numbered an estimated 6 million in 1870, were virtually eliminated in the area by 1883, with the last one in the area killed in Eagle Creek in 1889 (Laurence 1963). The elimination of the bison was significant because the bison was a staple for tribes in the area, and cutting cattlemen's competition for the rangeland. The decimation of the bison herds effectively ended the whiskey and hide trade. Pressure also increased on Indian people by U.S. military after the Battle of the Little Big Horn. The year following the Battle of Little Big Horn, in 1877, a group of Nez Perce crossed the Missouri at Cow Island, where there was a small skirmish before American soldiers caught Joseph's group just south of the modern location of Chinook (Toole 1959).

Many Indian people near the Missouri River began the long process of settling into reservation life. Just as the absence of the bison on the plains left a niche that livestock filled, the forced removal of Indian peoples left the area open to further settlement. The Dawes Allotment Act of 1887, divided reservation lands into individual allotments (Toole 1959:135). The Euro-American population long attempted to compel the concept of personal land ownership on Indian people. The Dawes Act shifted the system in Indian Country from tribal ownership to individual Indian ownership, and left all "unclaimed land" opened to white settlement. The cattle industry, coming off a desperate time in the "Last of the 5000" winter, eagerly began to move into the area for free grass. Along with more land opening for homesteading, new means of transportation came into the area.

In 1887, James Hill began to lay track on April 2 of 1887 in Minot, North Dakota, and by September 28, the crew passed through Fort Benton and on October 15, the railroad had reached Great Falls (Vichorek 1993:14). Mining companies had utilized the railroad in the southwest portion of the territory for several years before to great success. Late in 1881, the Utah and Northern narrow gage connected Butte with Ogden, Utah (Writers Project of Montana 2002). The railroads were important to the Montana economy at the time both providing a means to efficiently import and export goods, in addition to providing work for a number of people, with over 8,000 men on the 1887 project alone (Historical Book Committee 1962). The introduction of the railroad into north central Montana was one of the most significant changes in commerce of the area since the arrival of fur traders. The cattle business continued to grow and by 1890, individual herds estimated at up to 25,000 head at a time forded the river at the Judith Landing on the Missouri (Cheney 1983). Railroad and cow towns sprang up quickly, and as the means for transportation improved, riverboat traffic slowed. Cities like Malta, Big Sandy, Glasgow, Roy, Winifred, Chinook, and Wolf Point began to thrive as shipping locations for sheep and cattle.

As early as 1871, the partnership of Robert Ford and Thomas Dunn, who had a cattle company on the Sun River, got into the sheep business (Cascade County Historical Society 1981). Though they shared the same territory, conflicts between cattlemen and sheepmen were rare in the breaks, and when they did occur, most of the conflicts and shootings were over personal differences (Lawrence 1963). One incident involved Jack Ervin, who lived at the bottom of Bullwhacker Creek, and a shepherd. When he found a shepherd grazing sheep on his land Ervin told the shepherder not to come around to his place. Soon afterwards Ervin was awoken by

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the tingle of a sheep bell. Ervin went and got his thirty thirty and went and killed the sheepherder (Smith 1983). Even though Ervin killed the sheepherder, he was acquitted when other cattlemen came to his defence and he was let off as the incident was determined as "self defence." The 1890's were particularly big for sheep men. The number of sheep in Montana reached 1,555,116 in 1890, and wool prices were rising, and with the cattle market failing, many of the cattlemen who had gone broke in the 1880's got into the sheep business (Toole 1959). In 1891, Oscar Stevens drove 10,000 sheep into Big Sandy for shearing and for transport of the wool, via the railroad (Lawrence 1963).

The advent of statehood also came in the late 1880's. Montana officially became a state in 1889. Statehood meant several things to Montana and its settlers. It gave Montanans representation in government and it opened the door to more homesteading. Before anyone could homestead, the land needed to be surveyed. One of the early methods was to tie a rag to a wagon wheel and determine how many revolutions it would take to stake out 160 acre track or later 320 (Lawrence 1963). Statehood meant a system of legitimate government began to be implemented. The days of take what you want were giving way to the legalized settlement of land in Montana.

Homestead Boom 1910 through 1919

The early 1900's saw cattle business in Montana declining, and agriculture was emerging as the main industry in eastern Montana. The cattle had overgrazed, in a decade, land that had supported millions of bison for millennia (Toole 1959). The railroad companies had made a substantial investment in the rail through Montana, and they were not going to let their money go to waste. The Great Northern needed people to keep their trains full, and in 1909, they began to promote the area with vigor. Jim Hill, "the empire builder," began to travel throughout the world propagating his vision of dry-land farming with a "family farm on every 160- or 320- acre tract on the high plains" (Presser 1997:5). Montana was portrayed as the promised-land - "a land where a poor man could make his fortune on his own land, his plow literally turning over the coin of prosperity" (Montana Historical Society 1976:169). In 1909, the government aided in Hill's cause by passing the Enlarged Homestead Act, increasing the number of acres on a homestead from 160 to 320, and in 1912 they further augmented the act by reducing the time it took to "prove up" from five to three years (Toole 1959). In addition, in 1910, the government passed an act allowing for homesteading on known coal lands. Several farming and ranching operations in the Missouri River Breaks benefited from this and had coal operations supplement their livelihood. It worked, and the homestead boom was on, with over 42 percent of Montana's land settled, and most of it in the eastern part of the state (Miller 1977). People began to trickle into Montana for the last of the free land in 1909 and 1910 and by 1911, homesteaders were pouring in. Many people came on emigrant trains or cars. The homesteader would purchase transport on a railroad car where they could pack all of their possessions and go west. The homesteader would be met at the train by a "locator" who would whisk them out in the countryside to look at land, and the land was flat and to the people from a humid area the fact that there were no trees and no water did not always seem like an immediate problem (Toole 1959). However, the arid Montana prairie soon proved too difficult for many.

There was plenty of deception at the time about the fertile land and new dryland farming techniques during the second decade of the twentieth century. Initially the weather was cooperating. From 1910 to 1917, farms were productive in both relation to the weather and the price of grain. In 1916, Northern Wheat sold for \$1.05 a bushel, Hard Montana Wheat was \$1.04 a bushel, flax was \$2.10 a bushel, oats were \$1 a bushel, and eggs sold for 15¢ a dozen and butter was 35¢ a pound (Wood 1999). However, while many early homesteaders were grain farmers, "stock remained the big economic factor in the mountains and along the Missouri River" (Lawrence 1963:33). In 1916, the Government further helped the homesteading cause by passing the Stock Raising

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Homestead Act, which gave a homesteader up to 640 acres. The government designed the Stock Raising Homestead Act specifically for lands that were chiefly valuable for grazing and required residency and one dollar and twenty-five cents worth of improvements per acre. The railroads began to expand into area such as Lewistown and Wolf Point to provide services for the budding communities and to ship goods out of the state.

Numerous homesteaders came to the Missouri River during the boom, but the Missouri breaks area presented unique problems for the early settlers. One of the most crucial differences in the breaks is the isolation. While many of the people would gather for dances and card games, the area was still very broken up. The deep valleys and coulees were geographical barriers that would isolate neighbors, which may account for the many single male homesteaders as opposed to families in the breaks. While there were several families that did homestead along the river like the Sanfords, Kipps, Jones, and Hagadones, many homesteaders were single middle age men. Many of these men like Jack Ervin, George Middleton, and August "Gus" Nelson never married. Some people were complete hermits. There were "a number" of people, likely all men, in the Missouri River Breaks who "for reasons known only to themselves, forsook civilization and choose to live a single, solitary existence by means known only to themselves" (Eigell 1987:304). The breaks, in addition to being geographically isolating, also cut back on productivity of lands on a homestead. There was not enough room to have a useful grain farm, even on the fertile lands along the river. Many people went into ranching; horses were popular as were cattle and sheep.

The Depression 1919 through 1945

Many of the homesteads established in the early portion of the second decade of the twentieth century were quickly disappearing by the late teens. Many of the men served in World War I from the Missouri River Breaks area. Some of the veterans from World War I could not keep up with the improvements required to keep their homestead and they had to leave. Others managed to get their time in the service to count toward their time to prove up on their homestead. The war elevated the price of wheat, and many homesteaders, seeing prices climb, began to invest in new equipment and land. People began to buy cars, and seemingly, the homesteaders were going to be able to make a good go of it, but as the war ended, prices for grain began to fall, and land that had been producing twenty five bushels an acre were now only producing two and a half bushels an acre (Toole 1959). Many people had stuck their necks out on the premise of high yields and high prices, taking out loans against their land. The end of the war corresponded with environmental disaster in Montana in the form of drought. Those homesteaders who came found they did not have enough land to make it and many just starved out, simply turning loose their livestock and walking away (Deal and McDonald 1976).

In addition to the poor productivity of the badlands, many of the homesteaders were inexperienced at farming and ranching and failed because of inexperience. Emigrants came to the area with the promise of good fertile free land, but many were from European cities and had no idea how to farm, and the isolation of the river proved to be too much for many. Many of those who homesteaded along the river did not speak English. Scores of those who had been barrowing money against their land, in hopes of the next big crop, lost it to the bank a few years later. Some of the people who left went to Butte and worked in the mines, others went to work for the railroad or to neighboring towns and settled, and several left Montana completely. Montana's government was trying to minimize the effects that drought was having. The Billings Chamber of Congress, fearing the news of the drought would ruin Montana's reputation as a stable farming and ranching area, stated, "industries are being discouraged by grossly exaggerated reports of failure and ruin in this state" (Dalich 1968:6). There is no accurate account of the influx of people into Montana during the second decade of the nineteenth century as many of the homesteaders came after the 1910 census and fled before the 1920 census.

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The agricultural community began to make a slight recovery in the 1920's, but the drought that had begun in 1917, continued for the most part into the 1930's. The largest exodus from the Missouri River country was in 1919 (Lawrence 1963). It was around 1920 that the winds began to blow. Since much of the land had been cultivated and there was no grass to hold down the soil and the topsoil blew to North Dakota (Toole 1959). Further complicating problems grain prices were dropping. Wheat that was \$2.34 a bushel in 1919 was down to 92 cents in 1922, likewise from 1919 to 1921, cattle dropped from \$9.92 per hundred pounds to \$5.42, and sheep went from \$9.92 per hundred pounds to \$4.49, and wool dropped from 58 cents to 19 cents per pound (Lawrence 1963). In 1921, there was further distress for those who were hanging on, hoping that the next crop would be the one that saved them, borrowing money against the land for seed, but that year wheat stem maggots, grasshoppers, and Mormon crickets, combined with continuing drought to send more homesteaders away (Lawrence 1963). Often homesteaders would prove up on their land and get a deed to it, and then would borrow money against it from a loan company, usually about \$3000, and walk away (Arthur 1988). In 1929, during these tough times, the stock market crashed marking the official beginning of the Great Depression.

As elsewhere around the country, the 1930's were hard times in the Missouri River Breaks. People seemed to have a "we are all in this together" attitude. The agricultural community, which was Montana's leading industry, lost nearly 53 percent of its annual revenue between 1930 and 1932. In addition, between 1930 and 1940, 5,672 Montana farms went bankrupt (Loken 1993). The Government sought to provide relief to the nation in a variety of ways. Roosevelt came forth with his New Deal. Programs like the Agricultural Adjustment Administration (AAA) sought to give relief to struggling Montana farmers, subsidize their incomes, reducing the acreage they needed to farm (Loken 1993). In 1933, Roosevelt established the Works Progress Administration (WPA) and the Civilian Conservation Corps (CCC). These groups put people in the Missouri Breaks region to work on a variety of projects ranging from planting trees to the building of dams. The construction of Fort Peck, while displacing many people who were living on the river, put more than ten thousand people to work (Spritzer 1999). People were working on building highways, with 33.5 million dollars going to improve and build 2,756 miles of highway in Montana (Loken 1993). Young men working for the CCC were paid thirty dollars a month and families received a twenty-five dollar allotment (CCC Alumni 2004). Times were especially hard in 1937, and as cattle prices fell and farmers continued to struggle, the Government passed the Bankhead-Jones Farm Tenant Act. The government would buy back many of the private lands that they deemed agriculturally unfit. Bankhead-Jones lands are also classified as Land Use or LU lands.

Modern 1945 through 2004

World War II was a significant event to those living in the Missouri River Breaks in several ways. Most of the New Deal projects lasted through the thirties and up to the mid 1940's, with the bombing of Pear Harbor and America's entrance into World War II. In the early 1940's, Montana's unemployment rate had hit a ten-year low, with only 9000 unemployed, as Montana and the nation began to recover from the depression (Loken 1993). The WPA, the CCC, and other programs, while not officially eliminated, had their funding canceled as the country went into the war. Before the war, the country was still struggling to recover from the Great Depression, which had hit the area of the Missouri River between 1915 and 1920. Following the Second World War, people were able to go and get a job that would pay; many who had been living hand to mouth suddenly had cash and were able to buy things. The increased cost of labor also made it more expensive to run an operation, especially a large one. The rising cost of labor may also have fueled the mechanization of farms. While the price of cattle or grain was at the mercy of the market, labor is a controllable cost, and mechanization allowed farms and ranches to cut labor costs. In 1945, the average size farm had grown to over 1,500 acres and a full 64 percent were using tractors, compared with 36 percent in 1930 (Loken 1993). The mechanization of

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farms allowed the farms and ranches to increase in size and increase in production on those lands. Family farms and ranches were beginning to be divided generation after generation, and many of the farmer's children were leaving the farm to find work elsewhere or go to school. A consequence of this pattern was for many of the farms and ranches to be sold to neighbors allowing for the consolidation of land. Farms and ranches continue to consolidate and grow as the "ma and pop" farm or ranch becomes, more often, the corporate industry.

Section 8

Statement of Significance Summary Paragraph (provide a summary paragraph that includes level of significance and applicable criteria)

In order for a property to be eligible for the National Register of Historic Places, it should possess all, if not most, of the seven aspects of integrity. These are location, design, setting, materials, workmanship, feeling and association. The Jack Ervin Homestead possesses all seven of these traits.

The Jack Ervin Homestead is significant under Criterion A, as defined in 36 CFR 60.4. The Jack Ervin Homestead embodies the settlement along the Missouri River and across much of central Montana. The place may have been built during the steamboat era. As cattlemen moved into Montana in the late eighteenth hundreds, Jack Ervin, following herds of cattle from Texas, made the small cabin on Bullwhacker Creek his home. Following Ervin's tenure at the cabin, it was sold to a homesteading family. The place remained in use through World War II and continued to be utilized by the Gist Family until 1979, when it was sold to the Bureau of Land Management. Now people come to the Missouri River Breaks National Monument to look in wonder at this rough country and imagine the people who have been there before. It is hard to imagine a place in Montana which embodies the history of white settlement of Montana more than the Jack Ervin Homestead.

The Ervin Place may have been settled as early as the 1840's or 50's. Oral accounts of the property claim the place was initially built by "woodhawks." Woodhawks were men who cut wood for to fuel the steamboats that traveled up the Missouri River. John Ervin settled at this location sometime in the late 1800s. John "Jack" Ervin, also spelled elsewhere as Irvin, Erwin, and Irwin, was one of the real characters of the Missouri River Breaks. According to Ervin Smith, who knew Jack well, the correct spelling of his name was Ervin (Smith 1986). This spelling, Ervin, also is consistent with his signature as witness on James Kipp's Homestead Entry Final Proof. Ervin was born in 1860, likely in Texas (Kipp 1922). Jack left home when he was eleven years old and stayed with a sheepherder for a month (Smith 1986). He then followed a cattle drive up from Texas sometime in the 1890's, and he was likely a wanted man at the time (Arthur 2003). Ervin settled along the Missouri River where Bullwhacker Creek empties into the Missouri River. Jack was a "thin wiry man of medium height," who had, by 1930, "a full head of white hair and a pair of piercing blue eyes," and "a large, walrus type mustache" (Eigell 1987:263). The dugout cabin that Jack moved into was an old woodhawker's cabin (Gist 2003). Aside from the cabin, Ervin had a small log barn, a corral, and a privy. He also apparently harvested alfalfa hay in the field across Bullwhacker from his cabin at the place now known as the Gist Place. Ervin did several things to make a living including making moonshine and raising draft horses, but according to Ervin Smith he never ran cattle (Smith 1986). By 1915, Jack had a herd of one hundred and fifty horses, mainly Percheron (Arthur 1988). Jack always had a six-shooter, a single action frontier model colt in an "odd caliber" which he was proficient with (Eigell 1987:265). The gun was always within his reach, Ervin seemed to be famous for it (Arthur 2003). Jack was known to have killed atleast two men, one was a sheepherder who grazed on his land (Smith 1986), and the other was a man he caught stealing horses (Arthur 1988), and he possibly

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killed more, both in Montana and Texas (Eigell 1987). He also told Ervin Smith he robbed a bank. Smith said that was why people like Jack Ervin moved to the Missouri River Breaks country, “that’s the reason all them outlaws went down to the river more than anything. They went down there to get away from the law” (Smith 1986). In 1930, Robert Eigell said that Johnny and Willie Sanford bought Jack’s place, and they asked if he wanted to spend that winter down there with them, he describes his time there with Jack in some detail in his book, *Cows, Cowboys, Cannners, and Corned Beef and Cabbage* (Eigell 1987:261-266). Johnny was the son of Oliver “Boss” Sanford. Jack Ervin lived alone in the cabin along Bullwhacker until he eventually moved into Hays where he died.

The Sanfords had lived there for a short time and built some of the buildings. After the Sanford boys left the Ervin place, they sold it to Jimmy Kinkaid in May of 1942 (Fulbright et. al. 1997). Kinkaid was an old time cowboy who “loved to ride broncs” (Gist 2003). Kinkaid did not live there long and he sold the place to the Gists. The Gist family moved down to the Ervin place in 1948 until the spring of 1949 when they moved a bunkhouse and school down to the river and settled the place now know as the Gist Place. In 1952, when Jack Gist got married, he moved his new bride down into the old dugout cabin of Jack Ervin. Jack and his new bride lived across Bullwhacker Creek from Jack’s brother, Sonny and his mother. The Gist family lived down on the Missouri River and utilized the Gist Place and Ervin Place until the late 1970’s.

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Jack Ervin Homestead Photographs

Name of Property: John Ervin Homestead

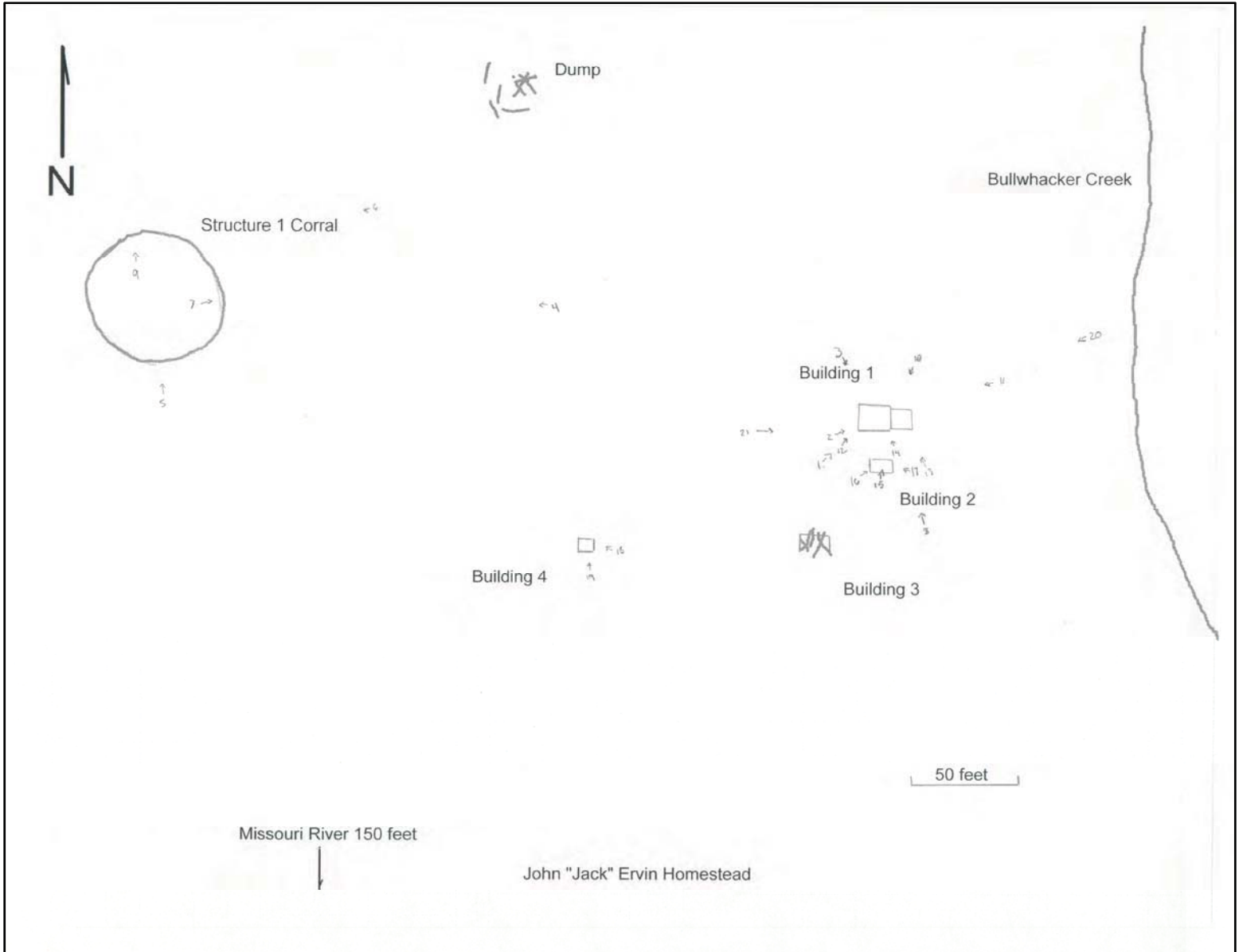
City or Vicinity: Missouri River Mile 122.3 left

County: Blaine County

State: Montana

Photographer	Date Taken	Location of Originals	Subject	Direction	Photo #
Unknown	1976	Lewistown BLM	Building 1 Main Cabin	NE	1
Bob O'Boyle	6/26/2009	Lewistown BLM	Building 1 Main Cabin	NE	2
Unknown	1976	Lewistown BLM	Building 1 Main Cabin	SE	3
Unknown	1976	Lewistown BLM	Structure 1 Corral	NW	4
C Lind	1981	Lewistown BLM	Structure 1 Corral	N	5
C Lind	1981	Lewistown BLM	Structure 1 Corral	W	6
C Lind	1981	Lewistown BLM	Structure 1 Corral	E	7
C Lind	1981	Lewistown BLM	Building 1 Main Cabin	N	8
C Lind	1981	Lewistown BLM	Structure 1 Corral	N	9
C Lind	1981	Lewistown BLM	Building 1 Main Cabin	SW	10
C Lind	1981	Lewistown BLM	Building 1 Main Cabin	W	11
Chan Biggs	1983	Lewistown BLM	Building 1 Main Cabin	NE	12
Chan Biggs	1983	Lewistown BLM	Building 1 Main Cabin	N	13
Bob O'Boyle	6/26/2009	Lewistown BLM	Building 1 Main Cabin	NW	14
Bob O'Boyle	6/26/2009	Lewistown BLM	Building 2 Cellar	n/a	15
Bob O'Boyle	6/26/2009	Lewistown BLM	Building 2 Cellar	NE	16
Bob O'Boyle	6/26/2009	Lewistown BLM	Building 2 Cellar	W	17
Bob O'Boyle	6/26/2009	Lewistown BLM	Building 3 Dugout	W	18
Bob O'Boyle	6/26/2009	Lewistown BLM	Building 3 Dugout	N	19
Bob O'Boyle	6/26/2009	Lewistown BLM	Building 1 Main Cabin	W	20
Bob O'Boyle	6/26/2009	Lewistown BLM	Building 1 Main Cabin	E	21

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Ervin Homestead Site Sketch Map

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Photo #001



Photo #002

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Photo # 003



Photo # 004

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Photo #005



Photo # 006

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Photo #007



Photo #008

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Photo # 009

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Photo # 0010



Photo #0011

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Photo #0012



Photo #0013

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Photo # 0014



Photot #0015

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Photo #0016



Photo #0017

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Photo #0018



Photo #0019

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Photo #0020



Photo # 0021