



# Archaeology of the Forest Reserve Act (1891): Scribed Trees on the Shoshone National Forest, Wyoming

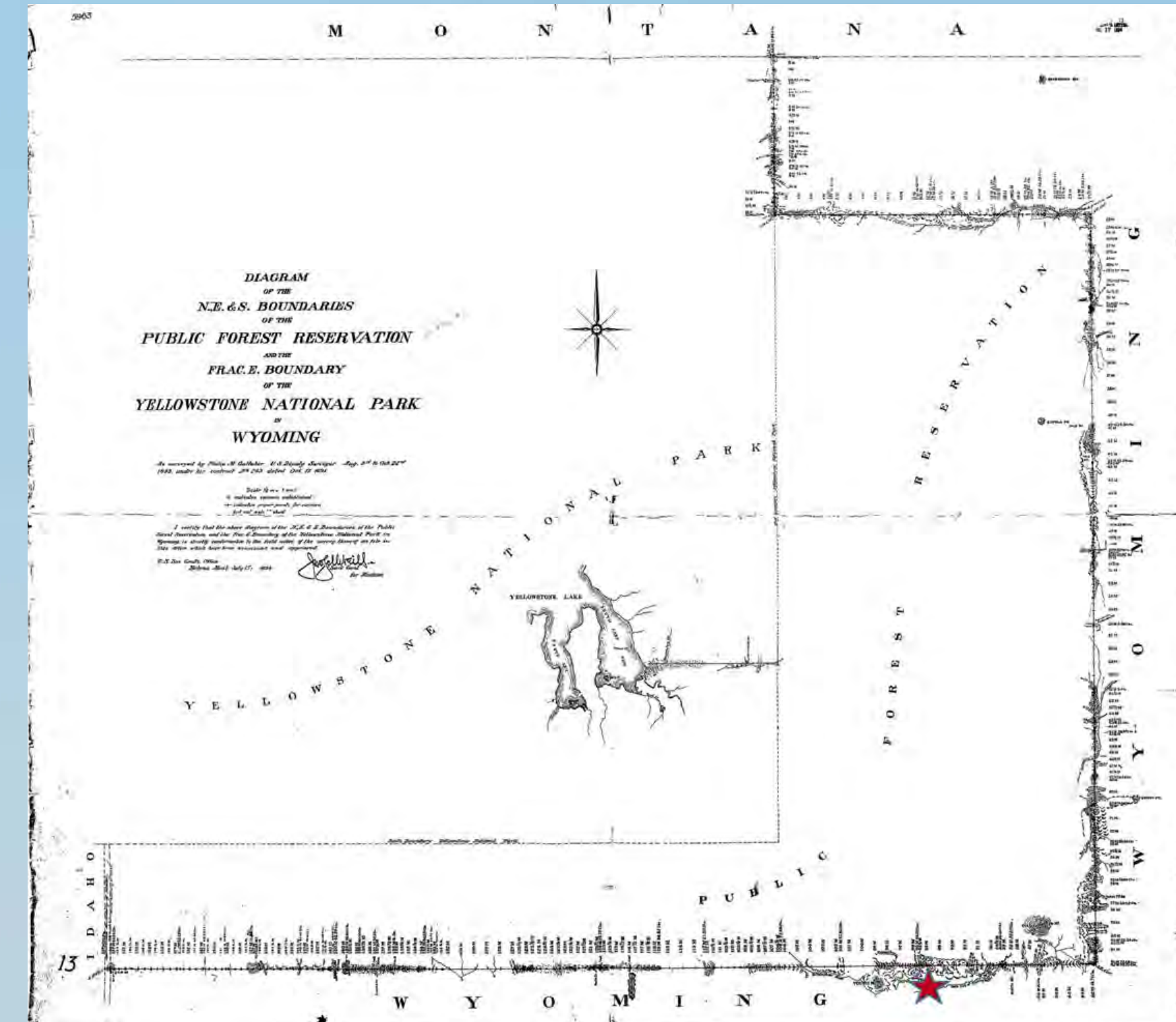
## Lawrence Todd (PCHPC), Kyle Wright (Shoshone National Forest), and Ron Ostrom (Shoshone National Forest)

### ABSTRACT

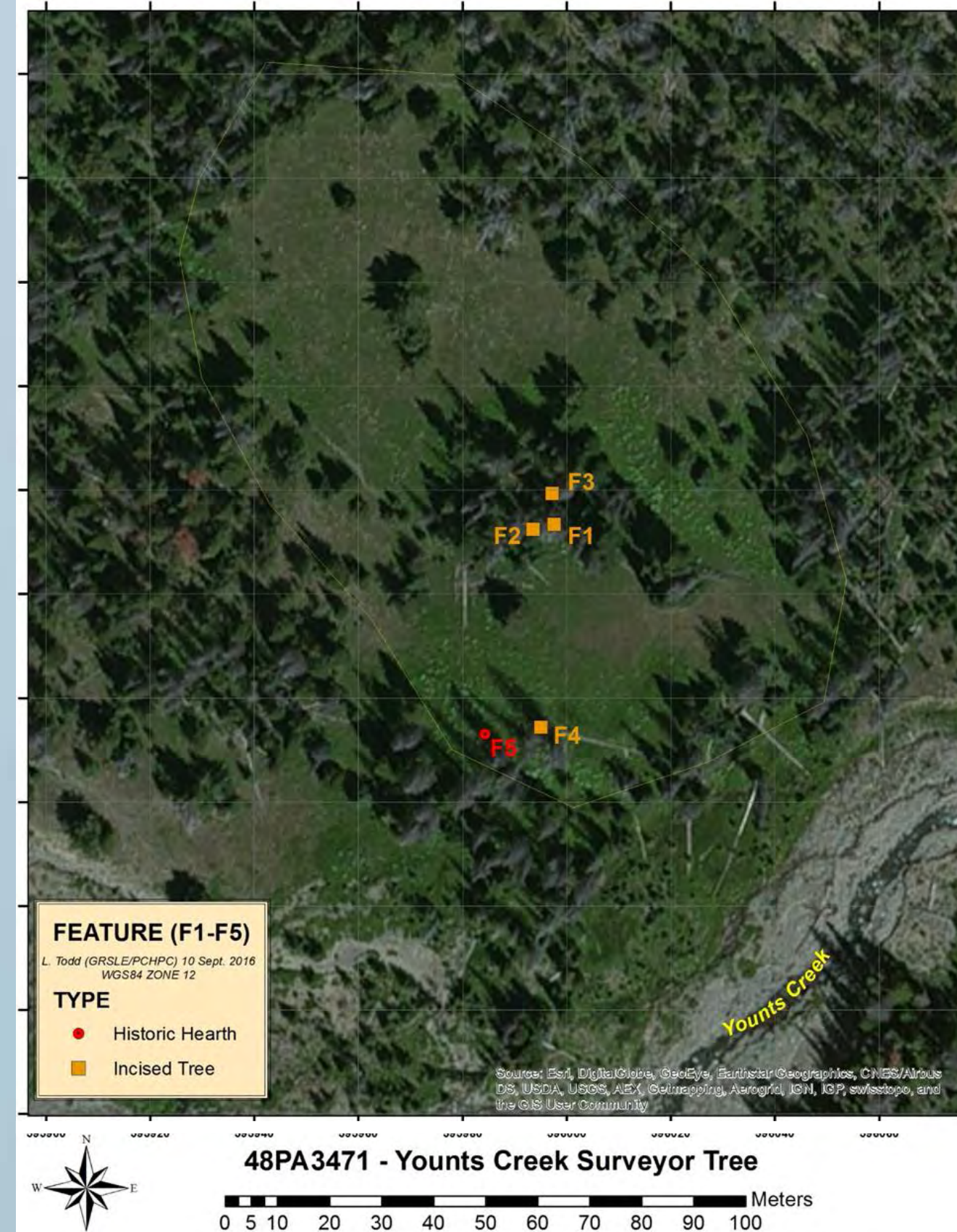
*Before the establishment of the National Forests, efforts to manage forest lands took several forms, including the Forest Reserve Act of 1891, which established a number of Forest Reservations. One of these became known as the Yellowstone Forest Reserve and eventually became part of the Shoshone National Forest in NW Wyoming. In 1893 a survey party led by P.M. Gallaher, Montana US Deputy Surveyor completed a boundary survey of the east and south sides of a timber reserve that surrounded Yellowstone National Park. While marking bearing trees and witness trees was party of their day-to-day activities, the team also left an unusual inscribed tree commemorating their efforts in what is today the Washakie Wilderness. Documentation of this, and three other inscribed trees on site 48PA3471 provides a record of changing perspectives on land management in the western United States.*

### INTRODUCTION

Following the establishment of Yellowstone Park in 1872, some lands in what today is designated the Greater Yellowstone Ecosystem (GYE) were administered by a number of Federal laws. Two laws enacted in 1878 – the Timber and Stone Act and the Free Timber Act – set the stage for subsequent legislation that led to the development of the Forest Service as part of the Department of Agriculture. In particular, the Free Timber Act “provided that residents of the Rocky Mountain states -- Colorado, Nevada, New Mexico, Arizona, Utah, Wyoming, Dakota, Idaho, and Montana -- might cut timber on mineral lands, for building, agricultural, mining, or other domestic purposes, subject to such regulations as the Secretary of the Interior might prescribe” (Ise 1920: 62). Since the wording of the act was fairly vague, particularly in terms of the meaning of “on mineral lands,” enforcement of was difficult and in his 1878 report Secretary of the Interior Schurz stated that “[t]his bill is equivalent to a donation of all the timber lands to the inhabitants of those states and territories. The machinery of the Land Office is wholly inadequate to prevent the depredations which will be committed.” Secretary Schurz foresaw the same results, “It will stimulate a wasteful consumption beyond actual needs and lead to wanton destruction,” he said, “for the machinery left to this department to prevent or repress such waste and destruction through enforcement of the regulations, will prove entirely inadequate, and as a final result, in a few years the mountainsides in those states and territories will be stripped bare” (Ise 1920:66). Over the following decade, Schurz’s concerns were demonstrated to be well founded and need for better forest management was clear and in 1891, Section 24 (Forest Reserve Act) of the General Revision Act “provided that the President might from time to time set aside forest reservations in any state or territory having public lands wholly or in part covered with timber or undergrowth. This provision, definitely providing for national ownership of forest lands, a complete departure from the forest policy hitherto pursued, is by far the most important piece of timber legislation ever enacted in this country” (Ise 1920:109). Less than a month the Forest Reserve Act, President Harrison “proclaimed the Yellowstone National Park Reserve, adjoining Yellowstone Park in Wyoming, and in September of the same year added still another section to the reserve, giving it an area of over a million acres” (Ise 1920:120).



Map of 1893 Gallaher Public Forest Reservation Boundary Survey. Site 48PA3471 near red star (source: <http://www.wy.blm.gov/cadastral/countyplats/fremont/t46nr105w.pdf>).



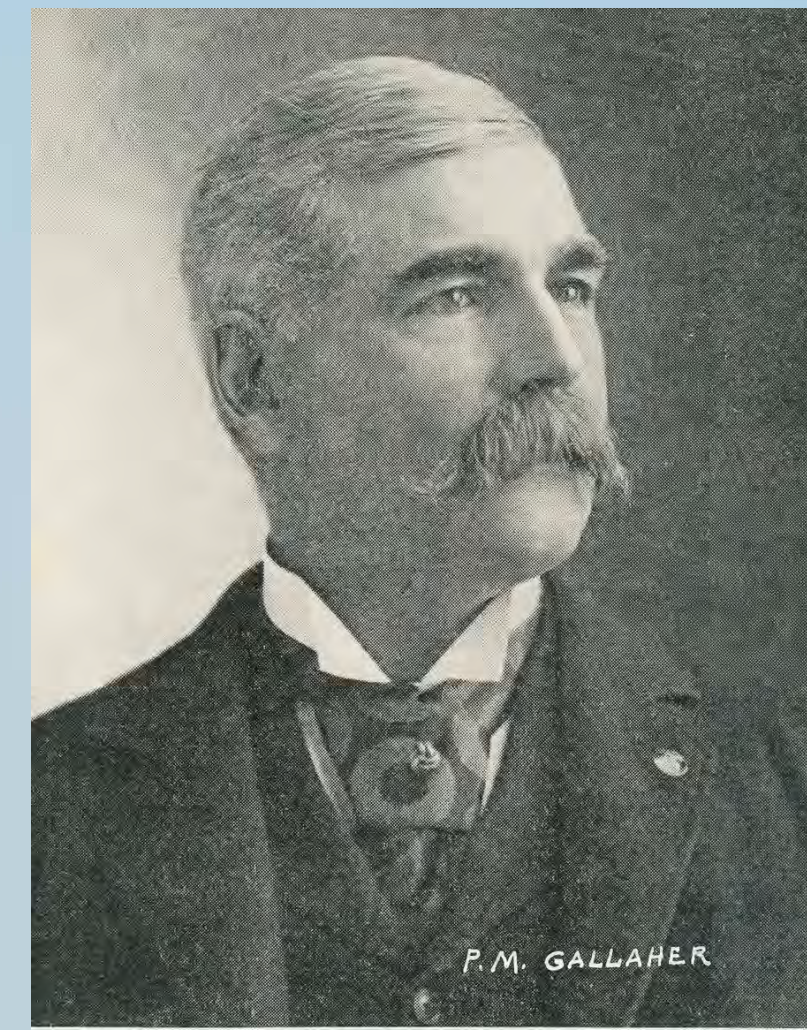
Features at 48PA3471 include four inscribed trees (F1-4) as well as more recent hearths (F5).



48PA3471 (2013 air photo as part of Hardluck Fire management, and 2016 archaeological documentation).



**SURVEY PARTY**  
**P.M. GALLAHER**  
**J.L. DORSH**  
**C.L. SAWYER**  
**J.E. SHAW**



Phillip M. Gallaher and the October 3, 1893 Survey Party inscribed tree at 48PA3471 (Feature 1) including names of several of the chainmen, and examples of professional scribed letters and numbers using a timber scribe.

### THE GALLAHER SURVEY

Almost immediately after the Wyoming Reserves were established, the Department of Interior contracted for the arduous task of conducting a survey of the new Reservations. As reported in the 1894 Report of the Secretary of the Interior:

#### **YELLOWSTONE NATIONAL PARK AND PUBLIC FOREST RESERVATION IN WYOMING.**

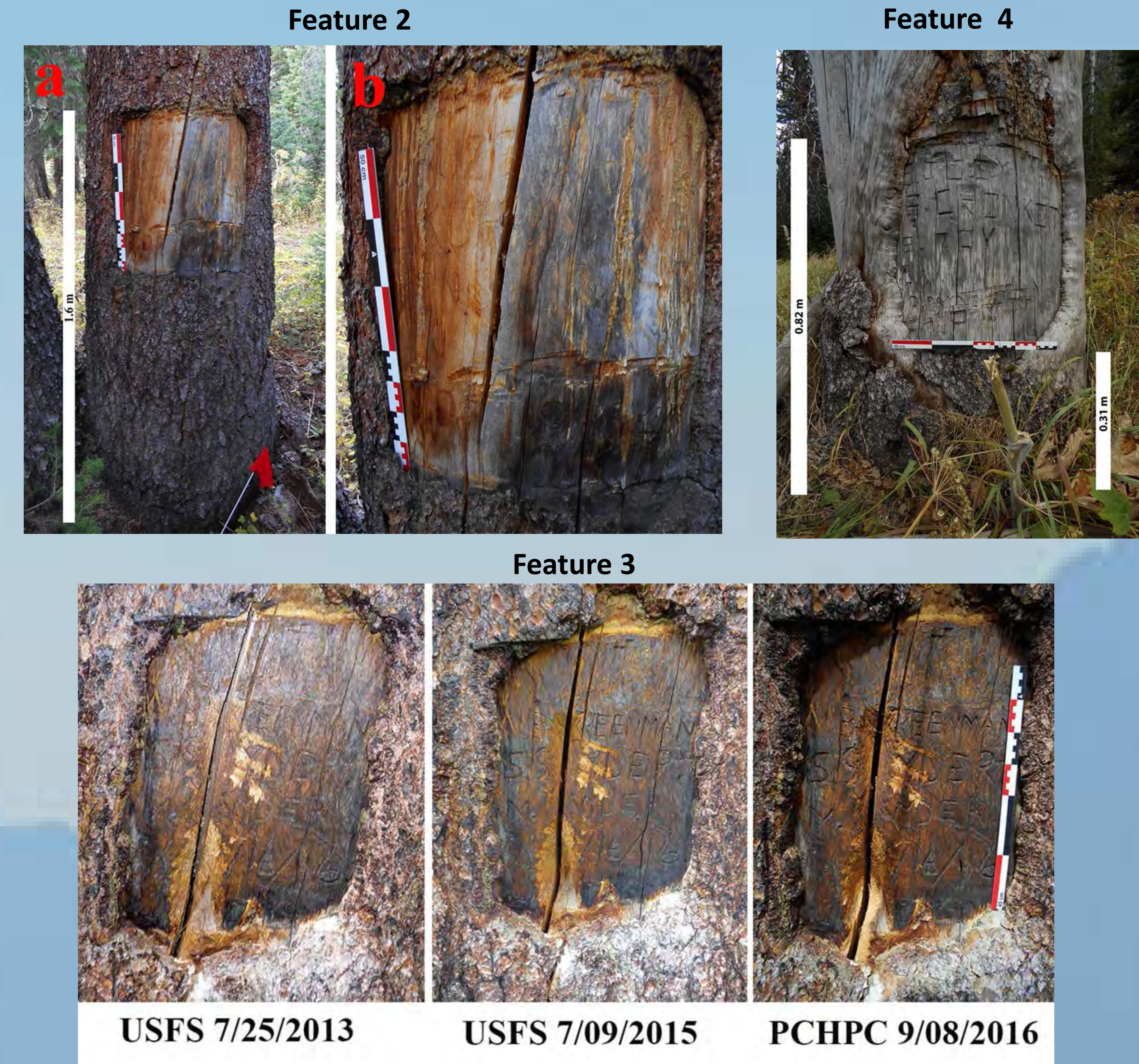
*Contract No. 263, dated October 17, 1891, was awarded by the U. S. surveyor-general for Montana to Phillip M. Gallaher, U. S. deputy surveyor, providing for the survey of the eastern and southern boundaries of the Yellowstone National Park, in Wyoming, and the lines of the public forest reservation east, south, and adjoining the park, as reserved by the President's proclamation of March 30, 1891. Said contract was formally approved June 3, 1893, in pursuance of directions from the Department.*

*The survey of the north, east, and south boundaries of the public forest reservation was executed by the contracting deputy during the months of July, August, September, October, and November, 1893, and a field examination of the work in the field was made during the fall of 1893 by an examiner detailed from this office who completed the examination of the west and north boundaries and of the east boundary to within 3 miles of the northeast corner, when inclement weather prevented further progress. The report of said examination is now pending in this office.*

*With the letter from the U. S. surveyor-general for Montana, dated July 17, 1894, were transmitted to this office the returns of the survey by Deputy Gallaher, as executed under his contract No. 263, and the same are now awaiting an office examination, in connection with the report of the detailed clerk as to the field work.*

*Pending legislation in Congress contemplates the reduction of the limits of the public forest reservation on the north and east sides, thereby relieving certain mining and homestead parties whose claims are now situate within the original limits as proclaimed and reserved (pp 64-65).*

As the survey party was assembled in July, 1893 four chainmen (Charles La Blanc, Jno (John) E. Shaw, Clarence T. Foraker, and Chas. L. Sawyer signed the oath to “swear that we will well and faithfully execute the duties of chain carriers; that we will level the chain over even and uneven ground, and plumb the tally-pins either by sticking or dropping the same; that we will report the true distances to all notable objects, and the true lengths of all lines that we assist in measuring, to the best of our skill and ability, and in accordance with instructions.” The two other signatories to the “oaths of assistants” were John Sheridan and Joseph Willey as axmen. Based on standard survey practice of the time, other survey team members could have included flagmen, and moundsmen, neither position being required to sign oaths.



The Gallaher party began by establishing a base point at Yellowstone Lake on 3 August, 1893. By late September, the survey had completed the eastern boundary and begun moving westward along the southern boundary of the Public Forest Reservation and were encountering very rugged terrain making survey difficult. By early October, they were working along the western slopes of the South Fork of the Shoshone River country that was “extremely rough and broken, and were further delayed by inclement weather that warranted a five day delay in fieldwork. Gallaher wrote in his field notes (p. 158) that “A heavy snow storm prevailed during the 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, and 7<sup>th</sup> of October without interruption day or night, rendering it impossible to take a sight or do any work, and making it necessary to gather boughs to feed the pack stock. During this time I camped on the head of a small stream about ½ mile south of the flag at Sta. K, at an altitude of 10,500 ft. The snow fall at this time was in the neighborhood of 5 ft. Arriving at the flag at Sta. K on the morning of October 8<sup>th</sup> 1893, I found it marked by an X cut in the rock by my flagman.”

### SITE 48PA3471

Accounts of a marked tree in the Washakie Wilderness, Shoshone National Forest prompted a visit to a high mountain meadow by fire personnel during the 2013 Hardluck fire. A subsequent monitoring visit by Ron Ostrom in 2015 provided clear photographic images of the marked trees, and provided a definite link between this location and the Gallaher survey. In September, Ostrom guided Shoshone Forest archaeologist Kyle Wright, and PCHPC chair Larry Todd to the site to provide basic documentation and complete a Wyoming Cultural Properties form.

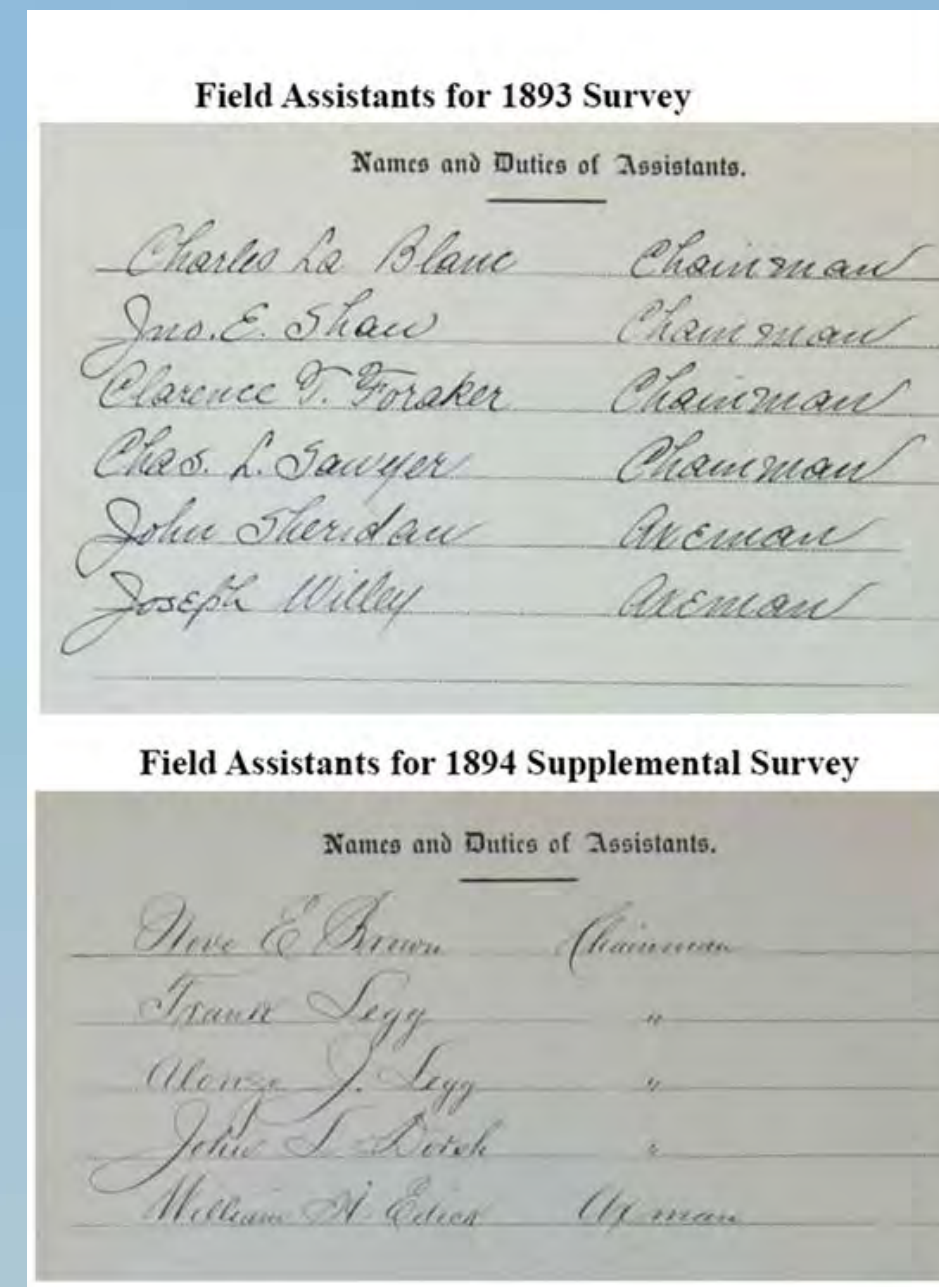
In addition to the Gallaher Party tree, which was dated to October 3, 1893 (and thus to the period of snow storm interruption described above), there are 3 other scribed or incised trees. One of these (Feature 2) is possibly from the Gallaher 1894 supplemental survey (August 26-September 22) along the same line, and two others are likely later, and perhaps into the early 1900s.

This site provides tangible evidence of the Gallaher party’s boundary survey and is significant bit of physical evidence of the development and changes to management of public lands in the United States.

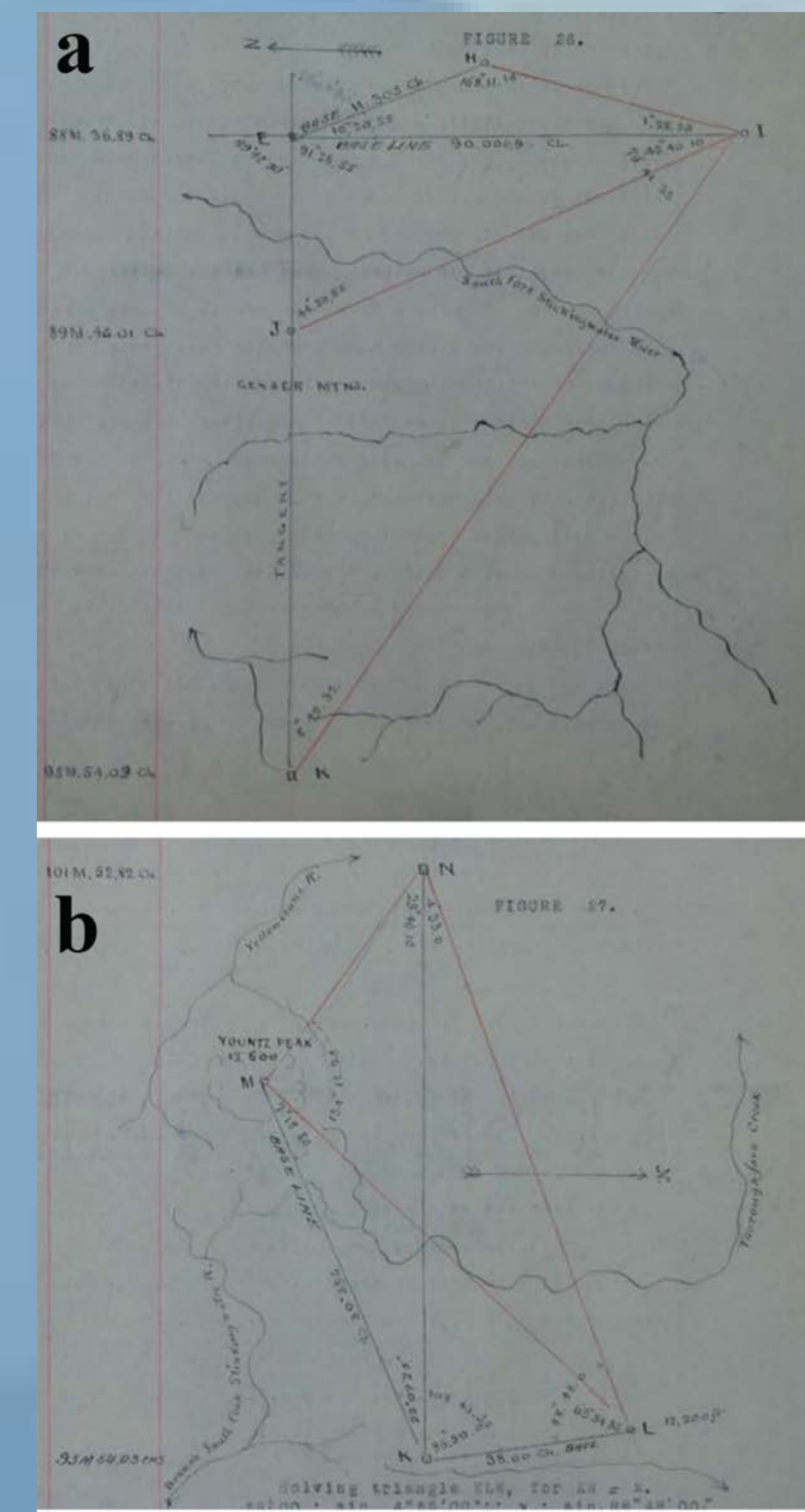
### REFERENCES

Ise, J. (1920). *The United States Forest Policy*. New Haven, Yale University Press.  
Gallaher Survey notes: [http://www.wy.blm.gov/cadastral/countyplats/park/fieldnotes/ynp\\_0013fn.pdf](http://www.wy.blm.gov/cadastral/countyplats/park/fieldnotes/ynp_0013fn.pdf)

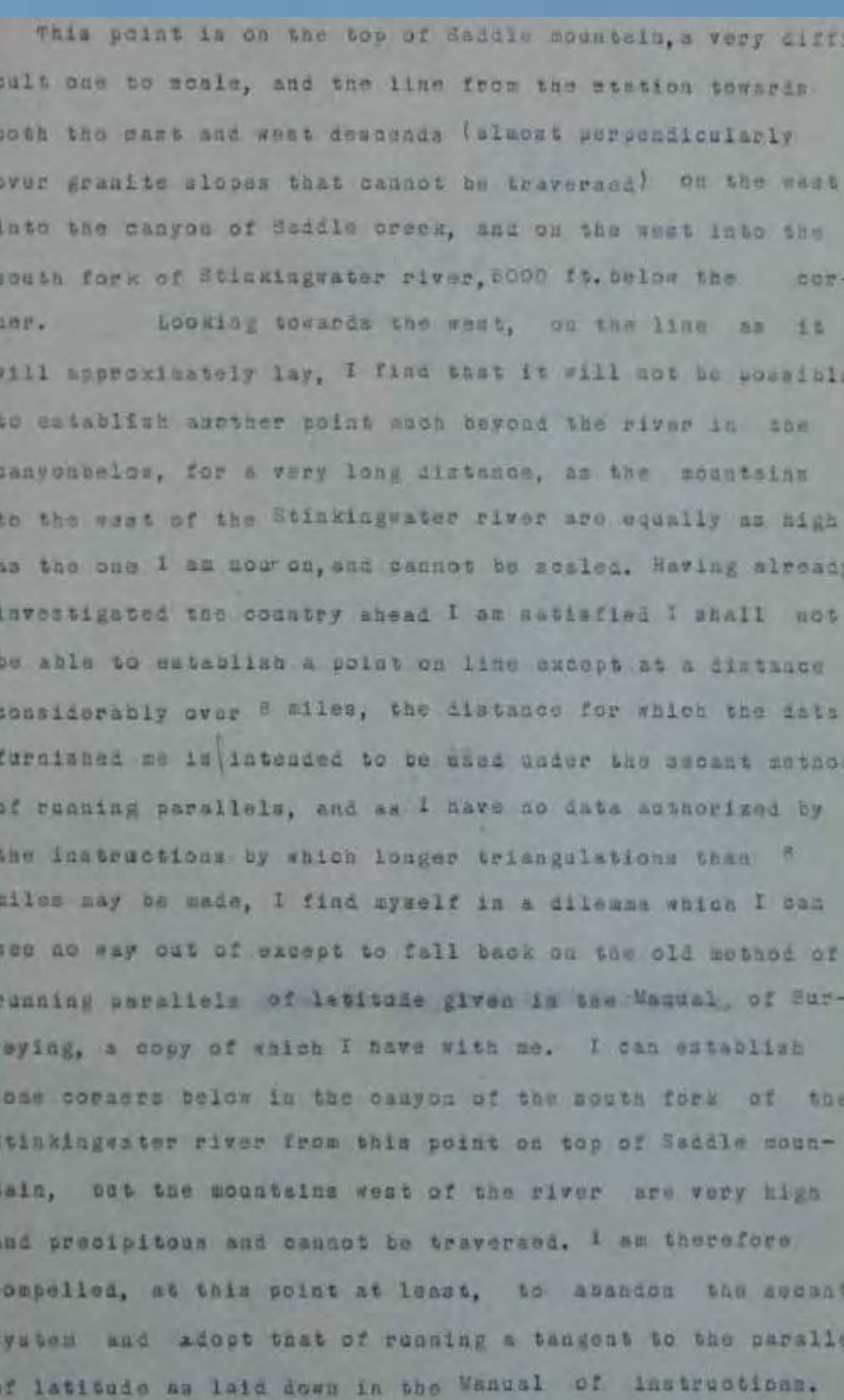
ACKNOWLEDGEMENTS: Park County Commissioner Lee Livingston provided initial information on this site and has been instrumental in its documentation. Kim Crawford (BLM) was very helpful in acquiring the Gallaher Survey field notes.



Signatures of assistants oaths for 1893 survey and 1894 supplemental survey.



Plots of 1893 survey points and lines near 48PA3471.



Gallaher’s field descriptions of difficulties in surveying in the 48PA3471 area.

Copies of this poster available at:  
[www.grsl.org/Conferences/Todd\\_Wright\\_Ostrom\\_2016.pdf](http://www.grsl.org/Conferences/Todd_Wright_Ostrom_2016.pdf)  
Or use this QR code



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