MONTANA

Its Story and Biography

A HISTORY OF ABORIGINAL AND TERRITORIAL MONTANA
AND THREE DECADES OF STATEHOOD

UNDER THE EDITORIAL SUPERVISION
OF
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ilar privileges on the north bank of the Marias River above its junction with the Missouri, also containing 320 acres, the town to be known as North Ophir, was secured at the same session. The law also provided that the river front extending into the river as far as necessary, included within the boundaries described was declared the property of said company for the purpose of erecting wharves, warehouses, etc., provided that said company was not in any manner to obstruct the navigation of said river. A charter for another company granted similar powers for a town to be known as East Ophir on the east bank of the Missouri and below the mouth of the Marias, apparently opposite North Ophir. Mr. Burris was among the grantees of this charter and similar privileges were granted to occupy the river front for wharves and warehouse purposes, with restrictions as to obstructing the navigation of the river.

"The three townsites described were to be a great metropolis, apparently, and the country in all directions developed. Messrs. Burris, Kiskadden and Lewis and associates were granted a charter for the Missouri River Portage and Railroad Company for twenty years, and given necessary corporate powers for the construction of a wagon road or railroad or both for the purpose of transporting passengers, freight and mails around the great Missouri Falls. The original capital of the company was to be $200,000 with authority to increase it to $500,000. Two years were given for the construction of the wagon road and five years for the construction of the railroad. Sidney Edgerton, who approved this act as governor of the territory, was one of the grantees and associates of Kiskadden and Lewis.

"The law is interesting in that it authorizes the company to borrow money necessary to complete and stock the road at a rate of interest not to exceed 60 per cent. per annum and secure the repayment by mortgage or pledge of the property and issue the notes or bonds of the company or both therefor. It was also authorized to establish offices in the territory and in the city of St. Louis and elsewhere as they deemed necessary. Mr. Burris and other associates were also granted a charter as the Upper Missouri River Steamboat Navigation Company to open and remove all obstructions and make navigable the upper Missouri River from the falls to the Three Forks at Gallatin City and to have the exclusive right to the navigation of said river between the points mentioned with steamboats and all kinds of water craft and to carry freight and passengers over the same for fifty years. Had the whole enterprise prospered and been carried through, this exclusive franchise would have expired a few months ago.

Roads and Ferries Projected

"George W. Stapleton, for many years a resident of Butte, was among the grantees of the last two charters. Gallatin town was adopted as the head of navigation and a charter secured by Messrs. Burris, Lewis and associates, with authority to make additions to said town. A 'hitching

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post' for steamboats stood here for many years. Opposite Gallatin and on the east side of the river a charter was secured by Mr. Burris and associates for the town of East Gallatin, with authority to make any desired additions to the same. Another charter was granted for the Gallatin Ferry Company to establish and maintain a ferry on the Missouri river at Gallatin City.

Roads

"Two ferry companies were organized at Ophir. One, the Marias Ferry Company, was given the exclusive privilege of establishing and maintaining a ferry across the Missouri River near the mouth of the Marias. The other, the Ophir Ferry Company, was given the exclusive privilege of establishing and maintaining a ferry across the Marias River at any point desired within three miles of its junction with the Missouri. Roads across the mountains were to be constructed. A charter to the Ophir and Flathead River Wagon Road Company provided for the construction of a road from Ophir and thence west via Lewis and Clark Pass and evidently to connect with the Mullan road. Another charter to Messrs. Burris and Lewis and associates to be known as the Fort Benton and Kootenai Wagon Road Company provided for the construction and maintenance of a wagon road from Fort Benton through the Marias Pass to connect with the Hell Gate and Kootenai wagon road.

"These twelve companies, all related, were organized for the rapid development of a vast region of country from the Three Forks of the Missouri to the Kootenai country, with the town of Ophir as the center, and this, it apparently seems to have been determined to build first and then develop the tributary country. Among the charter members of these twelve companions were many men who were with us when we organized this society. Their names are Matthew Carroll, John J. Healy and George Steell of Chouteau County; Caleb E. Irvine of Deer Lodge County, Horace Annis of Gallatin County, Joshua Armitage and Walter W. DeLacy of Lewis and Clark County and George W. Stapleton of Silver Bow County.

Building of Ophir Commenced

"Mr. Burris, who seems to have been very busy in securing these company charters from the legislature at Bannack in February, 1865, also seems to have been the active manager in the field of development and in the spring went to the mouth of the Marias River and commenced to build the City of Ophir. A large force of men was employed in the enterprise and the steamer Cutter, which had plied the Missouri River for two years, was chartered and made its trips up and down both rivers as demands required and was moored at one of the wharves of the future metropolis. Here Mr. Burris occupied a cabin, probably with some of the men interested in the enterprise.

"A sawmill was set up. There were forests along the Marias River and timber camps were established and the future city was the center

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of considerable activity. The Indians in small bands annoyed the workmen, but did not attack them in any great numbers, although everyone was always on the alert.

"Matters progressed satisfactorily until the latter part of May. On the 25th of that month Mr. Burris and Mr. Angevine, one of the incorporators of the town of North Ophir, had occasion to visit a timber camp a few miles up the Marias. Captain Moore had let a contract for 300 house logs, which had been cut, and the contractors had gathered some oxen to haul them to the river. The captain was one of the parties interested in the enterprise, but just at this juncture was down the Missouri River on some errand.

Logging Party Massacred

"The party was attacked by a band of 180 Blood Indians who employed the usual tactics of circling around them as they endeavored to reach the river and friends. They fought valiantly, using the bodies of the oxen killed for breastworks as opportunity and necessity prompted, but it was a losing fight and the party was exterminated. Their names were: N. W. Burris, Frank H. Angevine, Franklin Friend, George Friend, George Allen, Abraham Lott, Henry Martin, E. J. Martin, John Andrews and James Perie, colored.

"Mr. Angevine was shot with bullets and arrows, and was scalped. It was said that he killed one of the Indian chiefs. Mr. Andrews's body was found behind a fallen tree. It was covered with wounds, his throat was cut from ear to ear, and his head had been mashed, and everything indicated that he had made a desperate fight for his life. All of the bodies were stripped except that of Lott, in a pocket of whose shirt was found forty ($40) dollars in greenbacks and gold nuggets which were sent to his wife in Illinois by a friend. It was said that the Indians took five hundred ($500) dollars from his person. Mr. Burns was a man of powerful frame and evidently was the last to die as he made a running fight nearly to Ophir. He was finally shot in the leg and a bullet penetrated his left lung, and there were several gashes made by a knife on his left side, and there were arrow wounds on his body. His horse was shot and his saddle taken.

"The direct cause of the massacre occurred during the previous winter when Charlie Carson, a cousin of Kit Carson, was trapping with two partners on the Missouri river. Three Blood Indians stole their horses. Carson and party followed, caught them in camp, killed them and recovered their stock. The Bloods determined to retaliate, and the tragedy at Ophir was the result. After the murder the band fled precipitately, abandoned their camp and went north. They left about two thousand pounds of dried meat, a rifle, a brass camp kettle, many pairs of moccasins and dresses heavily beaded for their squaws.

"Several of the party murdered were from Iowa. Mr. Burris had founded a town in that state which was named for him. Mr. Angevine was a member of the firm of Bohm, Angevine & Merry, at Virginia City,

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one of the leading firms of Alder Gulch in its palmy days. He was said to be engaged to a young lady in the East who had a presentiment that her lover would never return from the mountains. Andrews was from Oregon and had spent the previous winter in a camp of Gros Ventres Indians. Lott was from Gilson, Knox county, Illinois, where he left his wife for the West in the previous January.

"The Friend brothers were also from Iowa, and a year or so ago some of their relatives visited Judge Pemberton at the rooms of the State Historical Society. The Martins were probably brothers, although Henry was from Iowa and E. J. had an honorable discharge from the 18th regiment of the Missouri Volunteers. Perie had been in the employ of Philbrook and Carleton, freighters, and the Indians said afterwards that he fought hard in his last battle. He was a colored man. The skin of the black race has from the days of Lewis and Clark aroused much curiosity in the red man. It is remembered that they frightened York, stripping him and endeavoring to see how deep the color of his cuticle was. The incident is the subject of a valuable painting in the possession of the State Historical Society.

Town Killed by the Tragedy

"The next day a party from the Cutter went over the ground and recovered the ten bodies and they were buried together near the site of Ophir, and there they still rest unless the river has invaded their sepulcher. The enterprise was never renewed. The steamer was released and the workmen scattered, the wharves and warehouses never came. About four hundred lots were laid out by Frank Foster, a surveyor, and a few houses built. A few steamboat arrivals were noted but the town did not long survive the tragedy of its birth. Fort Benton maintained its position as the head of navigation for nearly twenty-five years and became our most prominent, if not our only river port. This designation she perhaps can still claim."

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