

Prairie fire burned big path, started near Wheeler

By Evelyn Ward
Sherman County Historical Society
September 25, 1904: Prairie Fire Burns Big Area — Starts Near Wheeler — Extends into Sherman — A prairie fire, which got away from section men who were burning fire guards along the B&M railroad at Wheeler in Cheyenne County did great damage to range Monday, burning over a strip of land about six miles east and west by 20 miles north and south.

A strong wind from the north spread the fire over the rolling prairie at a rapid rate, and the force of men out to fight it was entirely insufficient to cope with it. From 11 o'clock in the forenoon until midnight, the fire kept rushing south, crossing the county line and burning over 2/3 of township 7 in range 39. In Cheyenne County, all of township five and 1/2 of township four, range 39 was burned over. A stable on the Ives place, now owned by Deweys, was destroyed, and the Archer brothers in Cheyenne county lost considerable hay in stack.

J.J. Knight, register of deeds, whose ranch in the northeast part of the county was threatened by the fire, worked all day Monday with a team. He was provided with a good breaking plow and had horses used to fighting fire.

He turned over wide strips of sod, driving his horses within a foot of the fire. Some farmers came out with simply a stirring plow, which

today in history

was next to useless on this occasion.

So long as the wind continued a little west of north, the fire headed in the direction of Knight's, Kuhrt's and others, but in the afternoon the wind veered to the northeast and sent the fire toward Ryckman's ranch, but it was killed out before it got that far.

Protection against fire by plowing effective fire guards and great care to see that fires are not set out are the saving graces at this time of the year when the grass takes fire easily and constitutes such a heavy carpet.

Every prairie fire hurts the whole country and therefore hurts every man in it. It is vital to our common success that they be kept down, and had they been of no moment, the legislature would not have imposed fine and imprisonment upon conviction in case of the accused set the fire out of carelessness or by design.

September 26, 1904: Steer in Justice Court — Three Days Legal Battle to Determine its Rightful Owner — Not many two-year-old steers have had forced upon them such sudden notoriety which came to the one brought to town from the Dyatt ranch in Smoky township, the ownership of which was fiercely contested in Justice Floyd's court for three days.

The controversy seemed to center around the question as to

whether or not the steer had a brand "D" on the left shoulder. Some thought they could see it, and others declared it was not there because they could not see it.

Seeing is believing of course in a case of this kind, and to get as near to the fact as possible, the jury was ordered to go to Kellogg's livery barn and to inspect the animal for themselves, and more than that, a barber was commanded to go along with them and clip that portion of the animal's anatomy where the iron was supposed to have made its indelible mark.

Henry Miller and J.B. Dyatt both claimed the animal, and from the result of trial Miller walked off with the prize. The steer has been taken home, and no doubt his notoriety

will disappear as suddenly as it arose — up like a rocker and down like a stick.

This gentle, innocent-looking two-year-old steer has of course but one father, but since its youth up it has been claimed by two masters. As the story goes, when it was a calf it trespassed with a large bunch of other cattle on the planted crops of J.B. Dyatt, among which was Miller's stock. Dyatt took them up, and when Miller settled and was cutting out his own, this steer calf was taken, but Dyatt's men said they would determine its ownership later.

In course of time, this calf sinned again against Mr. Dyatt's crops. He was taken up with the others, and this time, it seems, Dyatt held the steer as his own.

Of course Miller had enjoyed the calf's acquaintance for a year, and to give it up so unceremoniously

was out of the question. He demanded the return of the animal, but to no avail. Then he did the next thing, he replevined it. And hereby hangs the trial.

The case was brought in Justice Floyd's court. A jury of six men were chosen to hear the cause. Attorney G.L. Calvert represented Miller, and E.F. Murphy represented Dyatt. The tug of war was soon on. The case was elaborately stated and the jury charged with their grave responsibility.

Miller brought nine witnesses to prove the steer was his, and Dyatt went only two less. Expert testimony as to the brand was heard from both sides. Miller had his brand "M" on the right hip of the steer, and no one could deny that for it was "hard put."

But Dyatt claimed an older brand on the right shoulder, burned in when

"Billy" was a calf. Time had dimmed the mark, and to find possible traces of the iron, not one but both shoulders were closely clipped.

The jury, the attorneys and many others branded and unbranded the steer in their minds. But when the verdict of the jury, which had been out all night Tuesday and part of the next day, was handed in, the steer was declared to be Miller's, which meant that the shoulder brand was of the stuff that dreams are made of.

That Mr. Dyatt thought the steer was his in good faith there is no doubt, but in a controversy only one can win. The costs will amount to several times the value of the steer.

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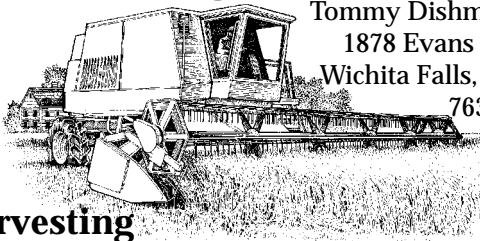
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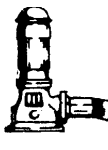


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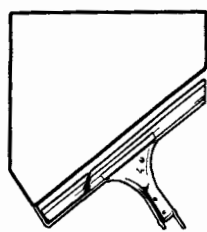
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