

LIVING COWBOY ETHICS

The Journal of the PARAGON Foundation, Inc.



The Art of
Maynard Dixon

Homegrown Bucking
Horses: The Beard
Family Legacy

Jim Keen:
Ranching in America

The Living Words of
the Constitution
Part 4

FALL 2008



The Panamint Mountains east of the Sierra Nevada. Lacey Livestock. Photographed by Jim Keen

OUR MISSION

The PARAGON Foundation provides for education, research and the exchange of ideas in an effort to promote and support Constitutional principles, individual freedoms, private property rights and the continuation of rural customs and culture – all with the intent of celebrating and continuing our Founding Fathers vision for America.

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LIVING COWBOY ETHICS

FALL 2008 VOLUME 4 No. 3

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Alex Drummond. Drummond Ranch, Oklahoma



Straight Up In The Bridle.



Two Rein Stage.

New works by artist Shannon Lawlor. www.shannonlawlor.com

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Cover: Wayne Hage, Jr., Pine Creek Ranch, Nevada. On a rotating basis, one year out of seven, Wayne rests the land letting the native grass thrive. Photography by Jim Keen



photos by Jim Keen

Chew Ranch. Utah

GB OLIVER

His Father's Son

On the cover of this issue of *Living Cowboy Ethics* is a picture of a cowboy – a cowboy by any standard one might chose to measure. Wayne Hage, Jr. lives on, and runs, the 752,000 acre Pine Creek Ranch, which lies in the Monitor and Ralston Valleys of Nye County, Nevada. He is the son of Wayne and Jean Hage, and it is here where Wayne, Jr. grew up with his four sisters, and it is here where he intends to stay.

There are few in the West that aren't aware of the epic battle that has been fought on this ranch over the last 27 years, a war that Wayne, Jr. grew up in, and a war, that in its finality, affects us all. For the last 17 years, the front lines of this battle have been fought in the Federal Court of Claims, with that court having handed down four separate decisions – all in favor of the Hages.

Wayne's father purchased the ranch in 1978, and within a couple of months of that purchase, two agents with the National Park Service appeared and informed the Hages that they were going to purchase the ranch, purchase it for half of what Hage had just paid for it. Hage rejected the offer, and so began 27 years of continual harassment.

The Bureau of Land Management and the U.S. Forest Service filed on, and fenced off, the water on the ranch. It took Hage 10 years to get an adjunction ruling from the State Water Engineer. Having lost this battle, the Feds stepped up their harassment, interfering with every aspect of the ranching operation. In one period of 105 days, the Hage family received 40 certified letters and over 70 personal visits, each citing Hage of new regulation violations. Then there were 45 counts of trespass, saying that Pine Creek cattle were grazing in unauthorized country. Yet in court, eyewitnesses testified that they had witnessed Forest Service employees moving the suspect cattle into trespass territory.

In 1991, after being unable to obtain a favorable ruling from courts to remove the Hage family, the United States Forest Service, armed with semi-automatic weapons and wearing bulletproof vests, confiscated the Hage's cattle, saying that Hage was a man "who can only be dealt with in very extreme measures." But through it all, Hage never lost his composure, instead filing the landmark case, *Hage v. United States*.

Jean Hage passed away in 1996, and still the family fought on. Several years later, Wayne met Helen Chenoweth, Congresswoman from the State of Idaho. They were married and Helen became a driving force in the fight to save the Pine Creek Ranch. On June 5, 2006, Wayne Hage, Sr. passed away. This year, the court issued a

fourth finding in *Hage v. U.S.*, and in all likelihood, it probably won't be the last.

The battle now falls into the capable hands of Wayne Hage, Jr., whose conviction runs as deep as his father's. He grew up horseback, knows the cattle business inside out and knows more about the law than any attorney that has ever been involved in the case. Wayne is easy going, laughs often, but is not timid in his beliefs. He was born with a strong moral code and a definite philosophy, a philosophy that comes from his upbringing and his closeness with nature and nature's God.

Wayne has a beautiful wife, Yelena. They have a two year old son, Bryan. Even at two, it is obvious that this young man is cut from the same cloth as his father and his grandfather.

At the age of 33, it would seem to an outsider that Wayne carries the weight of the world. But if he is worried, tired or hurt, it's his own secret. The cowboy in him has no place for complaining. He represents the remnants of a philosophy that built a great nation and he needs no law or county ordinance to tell him to love his neighbor, honor his family or respect his fellow man.

He is a throwback to the men who built this country and those who settled the West. Sincerity, loyalty, generosity and simplicity are the cornerstones of his philosophy. A stark contrast to the arrogant bureaucracies, who believe they can hand down edicts like summary orders from a distant God.

Nameless, faceless, unelected bureaucrats taking cover under the skirts of some alphabet agency, while they attempt to destroy the very principles that serve as the foundation of this Nation.

Standing in their way is the man you see, sitting on the bay horse. When the dust settles, my money is on him.





photos by Jim Keen

Chain Ranch, Oklahoma

WILLIAM C. REYNOLDS

Seed Corn

From the economy and energy to the war in Iraq and the candidates' capabilities, we must decide on some long reaching "permission-giving" for our elected officials, all the while remembering it is the next generation, our children and *their* future, we will really be voting about this November.

Given that, we must ask ourselves, what kind of a world will we be handing down to them? How many of them will be motivated – or even able – to stay in or enter ranching and agriculture? Some of the answers may lie in the hopeful signs seen during the summer months when one visits county or state fairs and livestock expositions around the country and witnesses the pride and hard work of America's youth involved in local chapters of 4H and Future Farmers of America. It's these kids



who will ultimately have to answer America's tough agricultural questions – not the least of which is how we keep prime agricultural lands in production and in the hands of those families who wish to stay, work and be a part of "legacy lands." We examine one approach to that question in a visit with Nita Vail, Executive Director of the California Rangeland Trust. Ms. Vail has her roots in ranching and, to get us to the beginning of her story, we excerpt a portion of Courtney White's new book, *Revolution on the Range*. In the chapter "Out of Cowboy Island," White takes us back to Nita Vail's family ranch on Santa Rosa Island and examines her family's dealings with the National Park Service. Following that, Ms. Vail brings us up to speed with the evolution of the California Rangeland Trust over the last ten years.

Writer Thea Marx takes us to another family outfit as we learn about the Beard family and the four generations who have kept their famous bucking horse stock going in the Pacific Northwest. We asked writer Mark Bedor to give us a look at two legendary western craftsmen – one a boot maker and one from the world of western movies. Paul Bond has been crafting great western boots forever and Luster Bayless has been the costume guru for some of the

film world's most beloved westerns. Marilyn Fisher brings us the second part of her informative piece on the California Coastal Commission, along with a look at the life and work of artist Maynard Dixon.

We received so many letters about our visit to the Reagan's Western White House that we thought an appropriate follow-up would be an interview with John Barletta. John was President Reagan's assigned secret service agent whenever he or Mrs. Reagan rode at their beloved Rancho Del Cielo, but it was a relationship that took John literally from the saddle to the rest of the world. Our Associate Editor, Nicole Krebs, continues her examination of the Constitution with Article IV in our series while Dan Martinez covers land ownership details in "Your Rights."

We are very pleased to have Jim Keen as our featured photographer this issue. Jim has photographed many of America's legacy ranches and his gorgeous photography lights up our pages. So many of you have written asking us to include some cowboy poetry, so we will have some in each issue from now on. We start with a special poem by Missouri poet Dan Hess. A photo a friend had sent him, taken at a recent Veterans' Day celebration in Dallas, inspired "The Picture."

Our wonderful sponsors help support each issue of *Living Cowboy Ethics* and this month we welcome some new ones. We also tip our hat to our ongoing sponsors for their continued support. In this issue we welcome Heartline, Schaefer Outfitter and Lebedas, Inc. Please support all of our sponsors and their fine products.

This fall, please remember when you are voting to think again about those significant youngsters working so diligently in 4H and FFA, they are our future, our nation's seed corn. It is the work of PARAGON to help them, and every other American, to be better, more informed citizens.

NOTE

(More) Made here.

We have had such a positive response to last issue's story about "things made here" in America that we decided to keep going. What follows are more little stories about things made here in the U.S. – from start to finish. Some of these things are made by companies – which use many minds and hands in the process, taking the product to completion - while some are the work of one individual maker. The bottom line, "we" still manufacture here, and we all should support that fact and be proud of the work.



8

Indian Motorcycles

One of the great brands in this country harkens back to simpler, earlier times. A few years ago, many thought that the era of a quality American-made motorcycle was past. Then along came Harley Davidson (a story of its own) and now, the rebirth of Indian Motorcycles.

For many, America's love for the motorcycle began in 1900 with bicycle racer George M. Hendee and engineering wizard Carl Oscar Hedstrom. In 1901, the partners unveiled their first creation, the 1901 Single. The trade name chosen for their innovative machine would signify "a wholly American product within a pioneering tradition." The name was

Indian and the company's history is so storied that we consulted the company's archives – now available as a timeline on the

Indian website – to give a quick history of a great American company's history and ultimate rebirth.

By 1911, Indian riders held every American speed and distance record. In 1914, over 3,000 employees work on a 7-mile long assembly line in Indian's 1-million square foot Springfield, Massachusetts plant. Racing activities are suspended in 1916 as the company supplies the war effort with 41,000 machines.

In 1923, the company is renamed Indian Motorcycle Company, dropping the "r" in "motorcycle." It's a decade of growth for the Indian model line, starting with the revolutionary

"YOU CAN'T WEAR OUT AN
INDIAN SCOUT, OR ITS
BROTHER THE INDIAN CHIEF.
THEY ARE BUILT LIKE ROCKS TO
TAKE HARD KNOCKS; IT'S THE
HARLEYS THAT CAUSE GRIEF."

1920 Scout and followed by the 95-mph Chief, the even more powerful Big Chief, the lightweight Prince and the awesome 4-cylinder Four. The 1928 101 Scout becomes the machine of choice for “wall of death” stunt riders.

The Art Deco era hits and various Indian models are adorned in a full range of Duco colors, two-tone designs, pin striping and decals. Two new lightweight models debut in 1932, the Motoplane and the Pony Scout. “Iron Man” Ed Kretz, aboard a Sport Scout, laps the entire field in his win at the 1937 inaugural Daytona 200. With the onset of World War II in 1939, the focus again shifts to providing the War Department with motorcycles. The government of France orders 5,000 Chiefs with sidecars.

The entire 1940 Indian line appears with the now-famous deeply valanced fenders. Production during the war years is mainly military and police vehicles. In 1945, the company is sold and consolidated into the Torque Engineering Company. Later, the company is divided, with manufacturing going to the Atlas Corporation and distribution to The Indian Sales Corporation. In 1948, Floyd Emde rides a 648 Scout to Indian’s final Daytona 200 win.

Following the Second World War, Indian struggled with re-entry into the public market. The Chief, dropped for a year, is re-introduced in 1951 as a mighty 80-cubic inch model, but sales continue to decline and Indian is forced to halt production in 1953. A complex web of trademark rights foil numerous attempts to revive the Indian name until 1998, when several formerly competing companies merge to become the Indian Motorcycle Company. Manufacturing begins in 1999, but the venture proves unsuccessful, and 2003 is the company’s final model year.

In 2004, Stephen Julius and Steve Heese, after resurrecting the struggling Chris-Craft Boat Company, turn their attention to Indian. They acquire trademark rights and intellectual properties and begin to gear up for a return to production by the second half of 2008. According to new Indian board

chairman, Stephen Julius, “What Indian needs is to be treated right ... its past needs to be respected, its future recognized. Our goal is to build high-quality, beautifully designed motorcycles that fulfill the promise of the brand. Remember,

brands such as Indian were not created overnight and they can’t be re-created overnight. Testimony to the power of the brand, and to the greatness of the founders who established it, is that after 50 years of being dormant, the brand name is still a household word among many motorcycle riders.” Indian president, Steve Heese agrees, “Our goal is to take the 20TH Century legend that is Indian and reanimate it as a dynamic, profitable enterprise respected as much for its business

stability as its motorcycles. We’re going to make Indian the *de facto* standard in premium cruiser motorcycles and extreme customer satisfaction service.” Obviously excited about the company’s prospects, the two continue, “First year production will be limited to four variations of the Chief targeting specific requirements of various segments of the heavyweight cruiser market. Future models now in the research and development phase will continue to balance classic design with 21ST Century engineering and manufacturing excellence. The 2009 Chief features a state-of-the-art, Indian engineered and developed, electronically fuel-injected 105-ci PowerPlus v-twin motor that fully upholds Indian’s legendary reputation for power and

durability. Powertrain components are constructed in-house by skilled engine-builders at our Kings Mountain facility.”

And why Kings Mountain? According to Steve Heese, “Why North Carolina? Simple really, and we looked everywhere. We build, we live and we work here because this historic community has more classic, quality-dedicated American craftsmen per square mile than anyplace else we saw. And it’s named for the Battle of Kings Mountain, often cited as ‘the turning point of the

American Revolution.’ Which makes it a perfect launching pad for our new ‘Indian Revolution.’” For more information, www.indianmotorcycle.com

“THE ONLY WAY WE WILL ESTABLISH CREDIBILITY IS BY DESIGNING AND MAKING HIGH-QUALITY MOTORCYCLES BACKED BY A CARING DEALER NETWORK. THE TRACKS WE LEAVE WILL BE NO MORE AND NO LESS THAN THE QUALITY OF WHAT WE BUILD.”

– CHAIRMAN STEPHEN JULIUS



The Chief, Vintage Model

From Craftsman to Museum Director

Montana saddle maker Chas Weldon has always loved the history of his part of the west – the world of the northern range.

Chas Weldon was born in Billings, Montana in the early 50s and never seemed to have a need to leave the state. “I have everything I could ever want and more, right here,” he told me from his saddle shop. “My family’s here and my work, but I guess I have always been drawn to the history of the area. So, after my son went off to college, I knew I could do more than just have my head down here in the saddle shop so I started

rest is history. Chas Weldon, along with a handful of saddle makers, have created a mini-revolution in saddle design with the Wade tree and, for the past thirty years, Chas has made a living in the custom saddle business – with all the joys and pitfalls that being a one-man band can bring.

Earlier this year, Chas had the opportunity to create a “partial” life change for himself when he was hired



volunteering at the Yellowstone County Museum, just to get out.”

It’s important to know that Chas Weldon is one of the most sought after saddlers in the country. His saddles are coveted by working cowboys and buckaroos – and collectors - all over the west. This is especially true of his Wade tree saddles. Wade? The name Wade comes from the tree shape in these saddles, a style made popular by clinician Ray Hunt and the late brothers, Tom and Bill Dorrance – along with a number of other horsemen - including Buck Brannaman of Sheridan, Wyoming. The tree was a sort of collaboration of Tom Dorrance and Cliff Wade in the early 1940s when they cowboied together. Dorrance adjusted the design of a saddle Wade had inherited from his father, and – long story short – the Wade was born and the

as the Executive Director/Curator for the Yellowstone County Museum after being a long-time and essential



Chas Weldon fully-carved, Wade saddle



Chas Weldon and Joe Beeler

volunteer. “Partial life change” as he still works in the saddle shop at nights and on days off to keep filling the endless orders he wants to honor. “I don’t have any helpers or apprentices in the saddle shop. I guess I should, but I just like it done my way,” he says. “I cowboied around here for so many years when I was young that I found out pretty quick what a saddle *shouldn’t* be. Above all, it needs to be comfortable for both the horse *and* rider so the two can get the job done. This riding deal is really a dance.” His saddles, while designed for the working person, in many cases, are true examples of craftsman art having exhibited in many national shows and exhibitions including the early “Trappings” shows in Arizona - one of the first western gear shows. Those early shows were in large part championed by the late CAA artist, Joe Beeler. “Joe was an inspiration in my life, really a mentor for me on how to be a good westerner and to appreciate what has come before. He helped me understand the impor-

tance of history and helped me look at what I could do to keep our western history alive and active in people's lives. I really owe much of my 'new career path' to him. He had so much to give; he simply left us too soon." (Beeler died of an apparent heart attack while at a friend's branding. He was horseback and roping at the time.) "He died doing what he loved," remembers Chas, "and he will always be with me. But, I will tell you, I really miss him."

Splitting his time between the Yellowstone County Museum and the saddle shop, Weldon is immersed in the worlds he loves. The museum – which



10 Northern Plains Indian Tribes, the country's western expansion, mining, the cattle/sheep herding industries, transportation industries, regional military (1870-1950s), various local medical fields and parts of everyday life - music, textiles, household goods and personal goods of those who came before."

Chas pauses and looks around the main entrance area of the museum, "We're not the biggest museum serving a regional west, but when you visit us, you'll know you've been somewhere where western history has left its mark. Maybe that's part of why I love Montana so much, because of our awareness of the land and the unique people who live here. History is always at work here, helping shape our lives, and it's exciting to see a way of life evolve."

For more information, www.yellowstonecountymuseum.org

is housed in a little log cabin adjacent to the airport in Billings - follows a very specific mission. It was started in 1953 by a group of local individuals including Judge Ben Harwood, Paul McCormick, Jr. and Peter Yegen, Jr. with the support of the Yellowstone Historical Society, the City of Billings and others. The collection of the Yellowstone County Museum contains over 23,000 artifacts displayed in just 5,000 square feet of exhibit space. "Our Mission," Weldon says, "is not unlike many museums, 'to collect, preserve, research, and interpret the natural history and the history of the diverse cultures of the Yellowstone Valley of Montana and the Northern Plains.' Given that, we share that legacy through a full range of exhibits and educational programs for the enrichment of the cultural and intellectual life of our community. Our focus is the sort of a timeline approach - the Prehistory of the Plains & Montana through the 1950s. Our exhibits and archives include materials specific to these topics:



Western Originals

Chuck Irwin, bit and spur maker, rawhide braider

Chuck Irwin might best be described as a renaissance man. Since 1952, he has been crafting sought after bits and spurs – along with braided rawhide. His influences are many who worked in the craft in both Texas and California. He learned early on some finer points of the craft from Forest Armstrong of Los Alamos, CA. Irwin has used bit patterns influenced by Albert Espinosa and Vicente Mardueno. He learned to make the type of decorative silver buttons for his work as designed originally by the legendary A.B. Hunt (1876 - 1967).



He has a unique way of adding silver to his bits, “I take the silver and cut out a hole to put it in or a slot, and we flow it in with a torch so it adheres right to the steel and there’s no way it’ll come out. The old bits used to rust underneath and pop the silver out, but when I flow it in, it stays there. You can get slight bubbles in the silver sometimes. But it’s

forever.” While people love his bits, it seems horses do too. We asked him how he does it. “Mostly the balance in the mouthpiece is the most important thing,” he says. “I think the mouthpiece is the most important part of a bit, and the balance of the cheek is another important part.” His customers now come from all over the west. “I’m sending an awful lot of spade bits to Arkansas, Missouri, Texas, people who would never use them before. I don’t know what’s going on, but they’re starting to buy them more and more.”



At left and at top, bits by Chuck Irwin.
Above, one of Chuck’s rawhide hondos.



Irwin agrees that the current interest in the California style of horsemanship has helped his business, as well as brought new blood into the game. We asked what he would say to a young person interested in bit and spur making. “I think probably the best thing they can do is to go and sit with somebody and watch how they do it and then take off on their own or try to learn or they can go to school at night. They have bit and spur schools today and that’s probably the quickest way. But, most important, keep working. The more you work and the more bits you make, the better they’ll get. Don’t give up after the first two or three, keep working.”

Phil Tognazzini, print maker and painter

Ask artist Phil Tognazzini about his favorite artists and he's quick to answer. "Charlie Russell and Ed Borein have always been my favorites. They just got the moments right. And they knew their subject, because they lived it." Tognazzini knows his subjects too. His family has ranched in the same area of Cayucos, California for as long as he can remember. But, his art has started to become more and more known as the interest in the vaquero and the old Californio style of horsemanship has grown. "Most of my ideas come from ranch life – brandings, gatherings and the local countryside." He has been working with etchings for most of the last ten years and recently has been working in watercolor, pen



and ink and some mono-prints.

Once he has an idea for a piece, he draws and refines the subject until the composition is right. "I just start sketching and refining. I don't work from photographs. I like the spontaneity of working from an idea or a memory of a moment I've seen." Tognazzini shows regionally, as well as, with a couple of galleries in Wyoming, but mostly he likes to do shows where he can meet and visit with his customers. "I really enjoy talking with people about my art. I think they connect better that way and hopefully will come back." That shouldn't be a problem as Tognazzini's art has been closely compared to the etching work of Edward Borein. He is helping continue the art of the horse and cow culture of the Pacific Slope. Contact Phil Tognazzini at cayutog@sbcglobal.net



These three photos show the progression Phil takes in refining an etching image, the top two drawings get him close - until the actual image is etched into a plate for printing. Bottom – the finished etching, *The Figure Eight*.

Pendleton, Oregon's Hamley Steakhouse and Saloon offers up a new kind of Pendleton – a special Pendleton Whisky Cocktail

Pendleton Whisky, a rising star in the spirits world, is now featured in a new cocktail created at one of the most notable western bars in the United States. Hamley Steakhouse and Saloon of Pendleton, Oregon has begun serving more than just Pendleton's new whisky. It has created the "Sagebrush" cocktail to kick off the 2008 Pendleton Round-Up held in September. John Cupp, Hamley's lead bartender, said the drink contains Pendleton Whisky from Oregon's own Hood River Distillers, muddled orange rind and sage, orange juice, triple sec and ginger ale served over ice. He describes it as "a really crisp cocktail" - perfect for those after-bronc-ride days of fall. John wanted us all to share in this treat, so he sent along the recipe.

The Sagebrush

*Pendleton Whisky Cocktail from
Hamley Steakhouse and Saloon, Pendleton, Oregon*

1½ ounces Pendleton Whisky
Fresh sage leaves (four to six stripped from stem)
Fresh orange slice
½ ounce triple sec
½ ounce fresh squeezed orange juice
½ ounce fresh squeezed lime juice
Ginger ale

In a 12-ounce glass, muddle sage leaves with orange slice by pressing end of wooden spoon firmly against the leaf and the orange slice. Add liquids and pour all into an old-fashioned glass half-filled with ice cubes. Top off with ginger ale and garnish with an orange slice and a sage leaf.



A portion of Pendleton Whisky's proceeds go toward supporting the Round Up each year.

For more information, visit www.hrdspirits.com.



Pendleton Whisky being delivered to a thirsty world.

Welcome Schaefer Outfitter

The PARAGON Foundation welcomes Rick and Lynn Grant and their company, Schaefer Outfitters, as Sponsors. For over 25 years, Schaefer Outfitters has been providing quality ranch apparel. Each Schaefer Outfitter garment is proudly American made in their family owned and operated factory. The company designs, engineers, cuts, sews and inspects each and every garment featured in their broad product line. According to owner Rick Grant, "Schaefer is one of



825 Stockman Vest, Navy



110 Original Duster, Suntan



2050 Classic Abilene, Suntan
worn by owner, Rick Grant



1810 Ranch Trousers, Khaki

group of sponsors and we ask all of our members and readers to support Schaefer – and all of our sponsors - especially with the upcoming Holiday season. From saddle coats to slickers to great vests and shirts, this is just some of the great clothing – for both men and women available at www.schaeferoutfitter.com or at one of their many retailers.

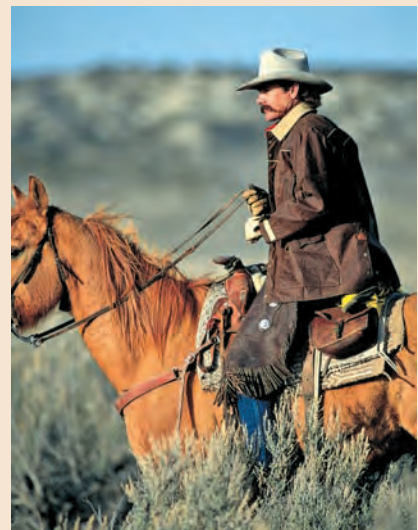
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the last full line apparel manufacturers left in this great nation of ours. We not only produce American made garments, we firmly stand behind purchasing American made raw materials right down to thread, snaps and labels. The result of your support is not only heart felt to our small company, but to the hundreds of folks from coast to coast in the textile industry who deliver the finest raw materials they can provide to us."

We at PARAGON are pleased to have such a fine company join our growing



875 Teton Pullover, Black/Red Plaid



230 Range Wax Drifter, Oak

Nice Tie

A new company addresses the need for quality dress neckwear when a cowboy goes to town.

Jimmy Griscom loves his ties. “I just realized I was tired of the securities business. I had always loved the west and wanted to be a part of it. I found that I had a flair for



Jimmy Griscom

putting together some nice shirts and ties and I thought, I can do this,” he says from his office in Nashville. “I am proud that every one of my ties is made right here in the USA. They’re fun and are of a superb quality.”

The signature neckwear features a collection of whimsical western motifs on vividly colored backgrounds. Made well to knot well, Jimmy says his ties are sure-fire conversation starters, “Our ties will liven up any boardroom and declare that your heart is where the concrete meets the prairie.” Cacties are made entirely by hand in the United States of America from 100% imported silk fabric. As with quality neckwear, Jimmy’s ties are cut into three pieces on the bias and bar tacked (hand-stitched) on the back. Cacties have a “slip-stitch” (a single thread which holds the tie together and knotted at the bottom). The bottom tail has a “keeper” sewn in the seam on the back to hold the narrow end of the tail. A wool interliner accentuates the drape of the tie and a designed larger throat allows anyone the ability to produce a knot, which compliments either a spread or button down collar.

Western motif ties seemed to disappear after the



Second World War yet have had growth of interest in the last several years. As the Cacties website describes, “Cacties is for that man whose heart is in the iconic American west, wherever his feet may be planted.” Jimmy Griscom, a former securities broker, and Mike ‘moose’ Mahaffey, a men’s clothier, conceived the idea one night over dinner in a steakhouse - the modern equivalent of a campfire. As two friends chewed the fat over steaks and a bottle of red, a spark of inspiration caught fire and the Cacties concept emerged. Beginning with a line of western themed neckwear, Cacties was created to design and manufacture straightforward American lifestyle products of very high quality for that person who identifies with the values and heritage of the American West.” To find out more about Cacties line of products – please visit www.mycacties.com

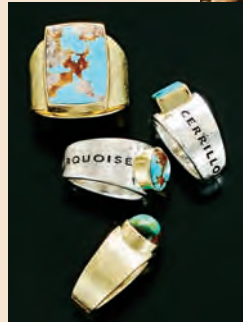


Cacties products come in superb packaging.



The Fine Jewelry of Magnus Studios

Santa Fe's Doug Magnus has been a fixture in the silver and fine jewelry business since 1972. It was in 1978, after a year and a half as production manager with a Gallup, NM Indian jewelry manufacturer, that he made the decision to steer away from purely Native American influences, and go towards American and Western design in a more contemporary style. Back then his vision was to create fashionable items for the leather trade. Belt buckles was an untapped field with virtually no competition. This was the beginning of what became Heartline (so named for the heart-shaped feature on the back of the four-piece buckle tips). Today, the competition in the fine buckle niche is fierce (though most of his competitors are also friends) and this keeps him (and his company) on his toes trying to keep up with the needs of the current market. The company has grown and become modern and sophisticated, but after all that time, amongst his best selling items are his very first buckle designs. Doug is also back working with turquoise and loving it! His early visits to the ancient turquoise mines (Turquoise Hill) near Santa Fe were instrumental for his learning the art of stone cutting. Today he owns those old mines, "Tiffany," "Castillian" and "Alicia Lode," and continues to cut stones from the hills for his fine jewelry line. To learn more, visit, www.douglasmagnus.com



Photography by Studio 7 Productions



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The “Scarf Lady’s” Hand Rolled Scarves

Dorothy Rogers has become a legend in the western apparel world, known for her “hand-rolled edge” scarves. “There’s a really good reason to hand-roll them, if they tear or snag, I can usually repair them. Machine done edges – forget it, that’s why people like my hand-rolled ones.” Rogers says from her shop in Templeton, CA, “And I do that for the life of the scarf. I had one customer bring a scarf in he bought from me over seventeen years ago and it looked like it had been worn everyday since he bought it. We fixed it and he still wears it to this day. Guess you could call that a return-on-investment.”

For over 20 years, Dorothy has been making sought after scarves for working westerners all over the world. She got her name, “The Scarf Lady,” from none other than the late Montie Montana. “He came to me because he was wearing red-white & blue costumes and he wanted a scarf that could show all those colors. It was a job!” She handpicks her fabrics from the finest silks and they differ based upon the thread

count or *momme* (pronounced moe-may). “Counts from five, six, to eight are lighter weight while counts of 18-20 work



Scarf slides that complete the look. From left, scarf slide by Arne Esp, center and right, from Old Cowdogs

well in colder climates,” she says. “Each scarf is a limited edition as I usually can make five or six scarves from the specific silk I find. So they are all unique.”

What’s best for you? “Well,” she says, “my friend, the late Tom Dorrance, would always answer that question with, ‘That depends.’ And what I mean is, I really need to know where you live and what work you’re doing in the scarf.

Colder climates require different size and fabric – maybe you need a two or three wrap scarf of a heavier fabric. In warmer climates, you might just want a light, California-style single wrap. It

really does depend on many factors.” Whatever you choose, remember each custom scarf is hand-made in Dorothy’s shop so you might have a little wait. If you’re in hurry - or a windstorm - she usually has 36 inch square solid colored China silk scarves with hand-rolled hems in stock most of the time. These are available in a variety of colors from white to pink to several shades of blue, red, purple, tan, brown, burgundy, black, etc.

Although Dorothy does NOT make these scarves, they are made locally and are nicely done. Give her time to address your custom scarf needs, whether extra large, special fabric or California single wrap. She also offers a varied collection of sterling, gold, bone and rawhide slides to finish your look. “And don’t forget,” she smiles, “scarves are a great gift idea.” See Dorothy’s scarves at www.calclassics.net



**Cody Old West
The 20TH Annual Cody Old
West Show & Auction is
Moving to Denver!**

For the past 19 years, Cody has been the location for Brian Lebel's Annual Cody Old West Show and Auction. Legendary western art and collectables



Will James Pen & Ink - Sold \$25,875

have passed through his show and auction and this year was no exception. Next year, marking the 20TH annual show and auction, Brian has decided to move the event to a larger city and venue. "I am very proud and thrilled that next year's event will mark the 20TH annual Cody Old West Show & Auction, and after much discussion and soul-searching, we have decided to move the event to Denver, Colorado for 2009." The two-day dealer show and 400-lot auction

has been held in Cody, Wyoming for the last 19 years, growing from a small start-up enterprise to an award-winning, internationally recognized Western Event. The dates remain the same – the fourth weekend in June – (June 26-28, 2009).

Both the show and auction will be held at the Denver Merchandise Mart, a convenient and popular venue in Denver specifically designed for these types of events, with on-site lodging, security, ample free parking. The Cody Old West Show & Auction will retain its Cody roots in its name and philosophy; and will continue to feature the finest dealers in antique and contemporary Cowboy art and antiquities. The 20TH anniversary show will also feature designers and craftsmen of Western furniture for the home or lodge, as well as fine Western art. The show will now be open on Saturday and Sunday with the auction presented on Saturday evening.

"I realize," Brian says, "this will be a surprise to many but as we move into our 20TH year, we want the event to be as



1870s Mexican Saddle - Sold \$103,500

accessible and enjoyable as possible – for everyone – from vendors to visitors alike." Shown here are a variety of items sold in this year's Cody Old West Auction. For Show or Auction information, contact Brian Lebel at brian@codyoldwest.com or visit www.codyoldwest.com.

photos by Beck / Dufurino Photography



Cheyenne River Sioux Beaded & Quilled Rifle Scabbard - Sold \$34,500



Studded Batwing Chaps - Sold \$14,950

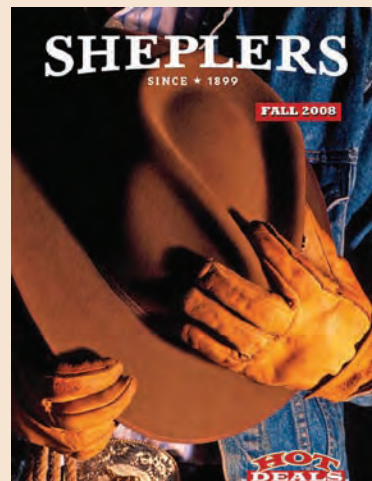
Braided Bliss

This very nice quilt was braided by Sharon Paulin. She and her husband manage the Corta Madera Ranch in eastern San Diego County. Sharon's been braiding for over 28 years and this quilt features some nice – and unusual – square knots as typical of fine braiding seen in Argentina. As of this writing, the quilt was still available. If you are interested, you can email her at cortamadera@aol.com.



An American Western Store

One of the last bastions of specialty retail in America is the freestanding western store. And one of the finest and most enduring is Sheplers. Western wear and Sheplers has been synonymous for over 100 years. Begun in a modest storefront in Wichita, Kansas, Sheplers has become the world's leading



provider of apparel and accessories for the country/western lifestyle including: traditional cowboy wear, fashionable western wear, country inspired casual wear and authentic work gear. Customers have the ability to shop Sheplers in three ways, wherever and whenever it is convenient for them: in one of their 19 stores across the US;

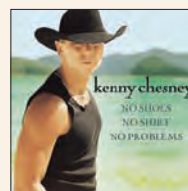


online 24/7; or via its extensive catalog offerings. Stop by and see the wide-ranging selection of Lucchese boots available at Sheplers or see them online at www.sheplers.com

western wear, country inspired casual wear and authentic work gear. Customers have the ability to shop Sheplers in three ways, wherever and whenever it is convenient for them: in one of their 19 stores across the US;

Next Issue: PARAGON Road Tunes

In the winter issue of *LCE* we will be adding a new part to the "Of Note" section. Everyone spends time in the pick-up listening to their own favorite music, and we want to know what you and other PARAGON members are currently listening to. Send us the song name and artist of your top five – we will create the ultimate "PARAGON Road Mix" and have it available on iTunes for you to download. We're sure it will be quite eclectic and a fun way to learn more about the music tastes of fellow members. You can email your list to nicole@paragonfoundation.org or mail them to PARAGON at 1209 Michigan Ave, Alamogordo, NM 88310 – (Here's an inside scoop – GB Oliver, our Executive Vice President, was heard listening to Kenny Chesney's "No Shoes, No Shirt, No Problems" and Dianna Krall's "The Girl In The Other Room." See? Eclectic.)



The Art of Paul Sollosy

A new painting from Paul Sollosy is a joy to see. This one features a couple of vaqueros he knew from the old Miller and Lux outfit in California. (In 1888 the land holdings of Miller and Lux were 750,000 acres in eleven California counties. On them were 100,000 cattle and 80,000 sheep.) At 96, Paul is still the best at showing great horses on great outfits. And, every one is from memory. Recently Paul shared a story with me of way-back-when he met Will James. He was working in the Santa Susanna area of Los Angeles (Chatsworth today), and was invited to be in the grand entry of a rodeo that was going to be held in Hollywood. "It was on the corner of Melrose and something," he told me from his house in Tucson. "It was in Hollywood, I know that, and they had put up a huge tent for all us. It was for some special occasion, as I remember. It was 1927 or 28, I think, and I was there with a bunch of guys I knew - Ken Maynard was there - a bunch of those guys from back then. I was getting ready and saddling a horse when I saw this guy

come walking up in a big fur coat. It was Will James, and with him was the actor Victor Jory. They would later (1933) make a picture together out of *Smoky*, James' first book. Anyway, I had met

you.' He looked over at Victor Jory and said, 'This kid is going to be a big western artist some day' and then walked on. I didn't know if he was kidding or not, but I never forgot that." The



Will James once before as my mother had arranged a meeting, as he was my idol. But he was so drunk when I met him, frankly I didn't think he would remember me," he said. "He walked right up to me and said, 'Hey kid, I remember

painting we are showing here is one he finished in early August 2008 and it clearly shows that Will James was right. To see more of Paul's work, visit www.brightonsaddlery.com

Help Us, Help One Of Us. Benefit Raffle for Longtime Packer, Trainer & Instructor René Duykaerts

René Duykaerts was injured in a serious horse accident in June. A group of friends and fellow westerners are creating a fundraiser to help with medical expenses. There are some wonderful prizes from paintings to fly-fishing trips to the grand prize – a flower-carved custom saddle from Lee Roeser. For more information and to see photos of the donated prizes – as items are constantly being added – visit www.renejack.blogspot.com.

Order tickets from:

Jennifer Roeser
850 Blackrock Springs Rd.
Independence, CA 93526

Checks payable to "René Duykaerts" and write "Benefit Raffle" in the memo line of your check. Include your name, address and phone number or name and email address so you can receive confirmation of your entry.



Richard Caldwell, Ernie Morris and René Duykaerts,
Cuyama, California, October, 2007.

Photo by Jay Duward, Copyright © 2007,
Essential Image Source Foundation, from the
documentary, The Legacy of the California Vaquero.

Dependable Things

These are things made here we just can't live without.



Craftsman tools

I was given this multi-head socket wrench by my father when I was a youngster. It is probably the best tool I have had and I always seem to need it. It's a Craftsman from Sears and they haven't made it for years. Sears has sold its top-of-the-line hand tools under the "Craftsman" name since 1927. Today, Craftsman is a line of tools and lawn and garden equipment, owned by KCD IP, LLC (Kenmore Craftsman DieHard Intellectual Property, Limited Liability Company) – big name for a fine line of tools.



Martin D-28 guitar

For well over a century and a half, The Martin Guitar Company has been continuously producing acoustic instruments that are acknowledged to be the finest in the world. Today, the factory location in Nazareth, Pennsylvania is still in operation. Among the great variety of instruments the Martin Company makes, it's safe to say that none has enjoyed more popularity than their line of Dreadnoughts or D-size guitars.
www.martinguitar.com



Rand's Cowboy Hats

For almost 30 years, custom hatter Ritch Rand has been building fine cowboy hats in his shop in Billings, Montana. There is a feel to a Rand's hat that gives the wearer a sense of something timeless and well made. Hat making is still a handcrafted process with over 13 hand operations in the making of a fine hat. Rand's line of hats even includes a nod to his home state of Montana with an exact replica of Montana artist Charles M. Russell's hat – approved by the Russell Museum in Great Falls. www.randhats.com



Star Boots

James Lebeda has been running Star Boots for quite a spell back east in New Jersey. Now granted Fairfield, New Jersey is not exactly on the front range of the Rockies but James knows his boots – and what his customers want.



These men's boots are hand-tooled with hand-braided side seams, collar and pulls, a bit of a pointy square toe and a 1 1/8 inch undercut heel with a 13-inch shaft.

For ladies night out, here's a boot in three colors featuring rocco leather with fancy stitching, a pointy toe, 3/8 inch undercut heel with a 10-inch shaft.

For more information visit, www.starboots.com

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They make great gifts too! Call us to order 575.434.8998

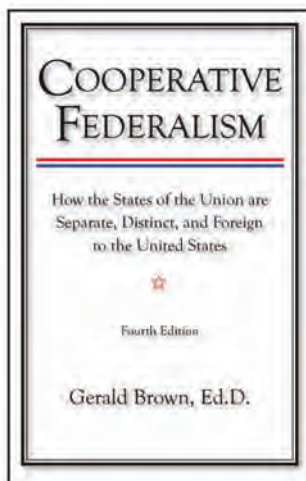


Here is a glorious look at a true American hero, John Wayne. In this gorgeous oversize book, we celebrate the face of the American West through the movie posters of John Wayne. A must for every fan of the "Duke."

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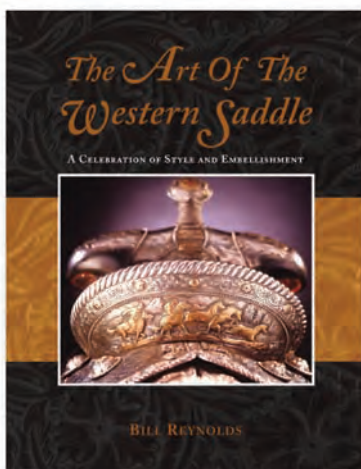
The Fourth Edition of Gerald Brown's discussion of the ways of our state and federal government relationships.

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The *Living Cowboy Ethics* diner mug. Classic one-finger, china diner mug - made in the U.S.A. Bring back memories when the corner diner was the place to go for news and opinion. A great gift.

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The Art of the Western Saddle - the American Horse Publications' winner of the 2004 Equine Book of the Year - is a lushly illustrated volume celebrating the classic western art of saddle making.

\$50.00



Read the words and thoughts of John Wayne in this wonderful little volume. It will become an inspiration for the entire family.

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Why PARAGON?

The PARAGON Foundation is a 501-C(3) non-profit organization that was created in 1996. PARAGON exists to help educate and empower American citizens about their rights under the U.S. Constitution, encouraging each and every American to “take charge” of their own responsibilities as citizens. This was the vision of PARAGON’s founding father, Tom Linebery, an early leader in the property rights movement and a staunch advocate of ranchers and landowners. A proud American, Tom believed that it was the responsibility of government to protect the rights of fellow Americans, as written in the Constitution. Furthermore, he also believed that it was the responsibility of every American to make sure the government remained true to its purpose. PARAGON supporters are people just like you, individuals who love this country and what the Founding Fathers crafted in the Constitution. PARAGON does not have an agenda or a partisan ax to grind. We simply believe that the Constitution belongs to every American and every American deserves to know what rights are theirs. That’s why PARAGON encourages an open exchange of ideas to promote and support Constitutional principles, non-partisan individual freedoms, private property rights and the continuation of rural customs and culture.

How can you help? It’s quite simple. Your tax-deductible donation of \$50.00 or more helps enable the work of the PARAGON Foundation to continue on behalf of every American. With your membership you will receive *Living Cowboy Ethics*, our quarterly journal and our monthly newsletter to keep you up to speed on PARAGON and its work.

So ask yourself, how can I become a more effective and knowledgeable citizen? It’s easy. Get in the game by joining PARAGON. Call 575.434.8998 and help us, help you – and every other American – be more effective citizens.

We wish to thank our Corporate and Association Sponsors for their kindness and contribution to the efforts of The PARAGON Foundation.

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From Ranchers Born

The California Rangeland Trust is changing attitudes about how ranch land can be protected – and stay productive

BY DUSTI SCOVEL

Every coin has a flip side and when it comes to conservation easements, Nita Vail and the California Rangeland Trust (CRT) have the shiny side of the coin. Nita is the Executive Director of CRT and what this nonprofit is doing for California's rangeland through conservation easements is exactly the way these instruments were intended to work. When Nita told the story that ranchers started the organization in 1998, it made perfect sense.

I know. I've not had a lot of good things to say about these instruments and I still urge caution when dealing with what appears to be "the Calvary" riding in to save the day.

That, in fact, is one of the most significant differences between CRT and the Nature Conservancy, the world's richest conservation group. TNC targets properties they, or one of their government partners, want and they literally pursue the land. As I've mentioned in earlier articles, TNC has a Board of Directors that reads like a who's who from major investment firms. CRT, on the other hand, has a waiting list of sixty ranchers who *want* to put their land into conservation easements with the nonprofit and their Board of Directors is made up of ranchers and ranching people.

Each conservation easement is written differently because every ranching operation is different. Some conservation easements are written to allow for additional buildings and/or homes to accommodate future generations of families that will live and work on the land.

Many include provisions specific only to that property and its operation. CRT is diligent about working with ranchers to insure they understand all the provisions of their conservation easement and have done due diligence in terms of anticipating future generation's needs.

CRT's focus is to provide qualified alternatives directly to landowners. By collaborating with other conservation organizations, the CRT works to raise public awareness and is ever aware of the need to generate funding for rangeland protection. They currently have over 400,000 acres of privately owned ranches at risk waiting for funding to be placed into conservation easements.

Nita Vail is passionate about CRT and its mission. And she has good reason. Her family's ranch

on Santa Rosa Island fell prey to a government take over in 1979 when Congress decided her grandfather's island should be part of the Channel Islands National Park. It's a tragic story but with a happy ending...as Courtney White says in his new book, *Revolution on the Range*. White had a chance to sit down with Nita Vail at a conference in Tucson where she shared her story with him. White subsequently included that story in his book, along with an excellent explanation about conservation easements. It's an important story and a good read. I know you'll enjoy it as much as I did. Then, our editor, Bill Reynolds, sat down with Nita Vail to further discuss the work - and dreams and wishes - of the CRT today and what's on the horizon.



photos courtesy California Rangeland Trust



The future starts when we begin honoring the dreams of our enemies while staying true to our own.

—William Kittredge

Revolution on the Range: The Rise of a New Ranch in the American West

BY COURTNEY WHITE

Excerpt from Chapter 4 “Out of Cowboy Island” The Former Vail & Vickers Ranch, Santa Rosa Island, California

Nita Vail’s story, like any good western, is part fairy tale, part tragedy, with a moral and a happy ending to boot. I heard the details when I crossed paths with Nita at a conference at a former ranch turned resort on the outskirts of Tucson, Arizona, where we joined two dozen other citizens from around the region to talk about the “ranching crisis” in the West. That’s what we called it anyway; in reality it was a “sprawl crisis,” because our concern focused on the rapid rate at which former ranch lands were being converted to housing developments.

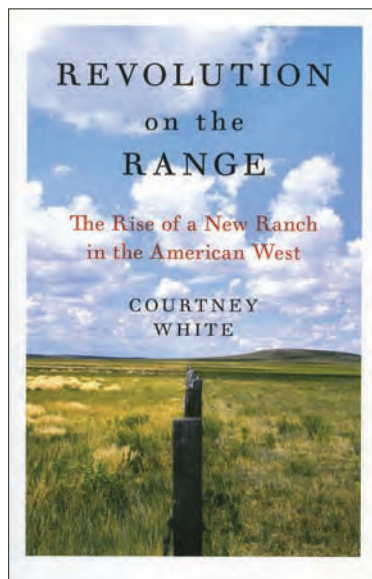
For some in attendance, this crisis meant the loss of ecologically significant open space to suburban and exurban growth. For some, it meant the loss of critical food production capacity, as farms and ranches disappeared under the bulldozer’s blade. For others, it meant the loss of a culturally important lifestyle, as cows were relentlessly replaced by condos. For all, it meant the loss of much of what we loved about the rural West—its land and people.

It isn’t just a western crisis either. According to the nonprofit American Farmland Trust, every minute of every day the nation loses two acres of agricultural land to development. And the rate of loss is speeding up: the

thousand acres of fertile farm and ranch lands were paved over in the 1990s. Nationwide, over the past twenty years the amount of acres per person consumed for new housing has doubled; and since 1994, housing lots of ten acres or more have accounted for 55 percent of all land developed. The deleterious consequences of all this growth extend beyond food production. Farms and ranches provide wildlife habitat, they help protect watersheds, maintain air quality, and provide scenic and recreational opportunities—all lost when we begin pouring concrete and laying asphalt. It is a crisis, in other words, that is felt by all Americans.

My role in the conference was to talk about The Quivira Coalition’s efforts to build bridges between ranchers and conservationists around models of progressive stewardship—models that often provided an economic boost to the landowners. I argued that if a conservation organization wanted to protect the biological integrity of a farm or ranch, it was far cheaper and more effective to help the rancher stay in business than to buy his or her ranch when it was put up for sale.

Nita was there to talk about a different strategy to keep ranchers on



nation lost farm and ranch land 50 percent faster in the 1990s than in the 1980s, with much of the loss taking place on prime agricultural land. For example, in the central valley of California, which annually produces more than \$10 billion worth of food products, almost one hundred



From Ranchers Born

the land. And because this is the happy ending to her saga, I'll start there.

As the executive director of the California Rangeland Trust (CRT), it is Nita's job to protect as many private ranches as possible using an important tool called a conservation easement, which is a legal mechanism by which a landowner can strip his or her land of its development (subdivision) potential while maintaining control of the property. Often easements are donated or sold to a land trust, which holds them in perpetuity. In the United States, the land trust movement took off in the mid-1970s and today protects more than 5 million acres nationwide from development.

Fair-skinned, blue-eyed, and as composed in appearance as she is in manner, Nita looked more like a successful businesswoman than the daughter of a multigenerational ranching family. I was sure she was equally at ease working her Blackberry wireless as working cattle from horseback. Her career included an MBA in agribusiness from the University of Santa Clara and an appointment by Governor Pete Wilson to serve as the assistant secretary of agriculture and environmental policy in California's Department of Food and Agriculture.

In 2001, she became executive director of the CRT. Of approximately two hundred land trusts in California, the CRT, headquartered in Sacramento, is the only one focused exclusively on ranches and rangeland conservation. Under her energetic and determined direction, ably assisted by a board of directors composed of ranchers, the organization has become one of the largest

land trusts in the state. At the time of our conference it had 173,000 acres under conservation easements statewide, and more than 500,000 acres pending in application—a remarkable achievement for a land trust that had been in existence only since 1998.



Nita Vail

“We were lucky,” she said. “We got our first easement right out of the chute. That gave us credibility and created trust, which was important given the general attitude towards conservation easements at the time.”

That's because until the mid-1990s, easements were almost exclusively a tool employed either by large conservation organizations such as the Nature Conservancy, small, urban-based land trusts, or governmental entities. Ranchers were suspicious of all three for a variety of reasons. Moreover, many ranchers were staunch defenders of their private property rights and distrustful of any organization or agency that

proposed to strip out any part of those rights, even if doing so helped keep the family ranch in business.

The atmosphere changed dramatically in 1993 when the Colorado Cattlemen's Association decided, over some noisy dissent among its members, to form its own land trust. Their idea was simple: create a land trust for ranchers controlled by ranchers. Membership was strictly voluntary. No one was required to sell an easement to the land trust, but if he or she did then they were assured that it would be protected in perpetuity as a working ranch. The idea caught fire. Before long, the success of the Colorado Cattlemen's Agricultural Land Trust inspired their friends in California to give it a try.

“Times were tough,” recalled Nita. “Cattle markets were poor and pressures to develop were building on all sides. Also, generational succession is one of the great challenges facing California's ranchers. We saw what was happening in Colorado and decided it was time to take charge of our own destiny.”

According to Nita, there are multiple financial benefits to easements. The landowner may be entitled to a charitable tax deduction; an easement can lower the taxable value of the land for estate tax purposes; a person inheriting the property may be eligible for estate tax benefits; and a conservation easement may lower property taxes.

All easements do is restrict development rights in perpetuity to agricultural and open space uses (such as recreation), nothing else, she continued. Contrary to what many ranchers believe, easement agreements should not interfere with the



From Ranchers Born

day-to-day work of the ranch. The property owner still holds title to the land, can limit access, even if the easement was purchased with taxpayer money, and may sell, donate, or transfer the property as he or she sees fit.

Legalities aside, said Nita, the principal value of conservation easements is simple: it keeps families on the land. “Open rangeland is best protected by the ranchers who make their living from it,” she said. “An easement allows the landowner to receive compensation for the open space values his or her property provides but still maintains it as a working landscape.” Easements cost less than

purchasing the land outright on the open market at subdivision rates. They’re cheaper to maintain too because the landowner takes care of the property, and the property remains on the county tax rolls. Of all the reasons to do a conservation easement, however, it is the desire to keep the land whole and in agriculture that motivates most ranchers, she said.

“Easements aren’t for everyone,” she cautioned. “Some of the language in the agreements is draconian, so you’ve got to be careful. And some of the criticism of easements is legitimate, but people forget that doing an easement is a property right too.”

Nita pointed out that ranch families own or manage 22 million acres of land in the Golden State. By 2040, it is estimated that the state’s population will swell from its current 32 million to more than 50 million people. That means more pressure to build subdivisions, strip malls, and

freeways on or through private land. It also means more temptation for ranchers and farmers to sell out. And once land becomes fragmented, all the king’s horses and all the king’s men won’t be able to put Humpty Dumpty back together again.



Nita cited two more reasons why protecting California’s ranch lands has ecological benefits: virtually all water consumed in California flows over rangelands at some point; and 95 percent of all threatened and endangered species in California are found to one degree or another on private ranch lands.

Despite these benefits, however, rancher-owned easements remain a contentious issue with some environmental organizations, who liken it to the fox guarding the henhouse. “Our organization is put under a microscope probably more so than organizations that have strictly an environmental purpose,” she said, “when in fact we all want to do the same thing—protect the landscape. We are just trying to do it in a way that also makes economic sense.”

It made sense to me. Still, I knew from bits and pieces of hearsay that there was more to Nita’s story than the success of the California Rangeland Trust. I understood that

she and her family had endured a serious heartbreak with their ranch on Santa Rosa Island, located northwest of Santa Barbara, in southern California. In fact, I suspected that her drive to save ranching in the Golden State was motivated by events on the island during her youth—events, I learned, that lent a melancholy tone to Nita’s fairy tale.

At the conclusion of the day’s proceedings, Nita and I retired to the cool shade of a table awning, sipping drinks as the heat of an early summer day mellowed into a lovely stillness. Once upon a time, the Vail family owned Santa Rosa Island, part of the Channel Islands group.

Nita’s great grandfather, part of a ranching family with roots reaching to southern Arizona, purchased the fifty-four-thousand-acre island in 1901. The rhythms of ranch life remained unchanged until 1979, when Congress created legislation expanding Channel Islands National Park to include Santa Rosa Island. The bill had the support of the Carter administration and was pushed by many environmental groups who said they were concerned about proper protection for rare plants and animals on the island.

The Vail family responded by trying to get their island exempted from the legislation, arguing that their progressive management worked in harmony with nature, and that the “no trespassing” restriction of private property provided solid protection to the whole island. They also insisted that commercial or residential development on the island was not part of their long-range plans. These



From Ranchers Born

messages fell on deaf ears. The family could not find political allies outside of the ranching community.

“The question that we asked but nobody answered was: protection from what?” Nita told me. “It felt like, from us.”

Nita said a painful irony was at work: although the Vail family’s good stewardship of the island’s natural resources was one of the acknowledged reasons why Congress and environmentalists wanted the island “protected” permanently in the first place, the presence of their cattle was deemed “unnatural” by the same advocates, thereby requiring eventual removal.

“It hurt,” she said, “because it was unfair. We were holistic managers before it had a name.”

Nita noted that her family had few choices. Conservation easements, for instance, were not a practical option at the time. They were also swimming upstream against an environmental movement on a roll since Earth Day. For many activists, there was little or no gray area between preserving a place as a park and “losing it” to agricultural use. For a biologically rich landscape such as Santa Rosa Island, the choice was clear to them. The Vail family struggled against park proponents until 1986, when they gave in to the inevitable and sold the ranch to the federal government, brokering a deal that allowed them to stay on the island, and in business, until 2011.

The story wasn’t over, however.

A few years later, the deal was jeopardized when National Park Service biologists inventoried the ranch and discovered that several

species of plants and animals were in danger of extinction, including the island fox, which eventually wound up on the federal list of endangered species. Park advocates, including biologists with other agencies, began to insist that livestock production



had to be curtailed or ended, pronto. A series of complicated and disheartening—to Nita and her family—maneuvers followed involving various state and federal wildlife agencies as well as (behind the scenes, according to Nita) some key environmental organizations. Pressure began to build to break the deal with the Vails.

When the family continued to insist that a deal was a deal, an environmental organization sued the government to get the cows off, and won. The last cattle drive, memorialized in Gretel Ehrlich’s book *Cowboy Island*, took place in 1998.

Years later, the outcome still rankled Nita.

“The 1916 Organic Act of the National Park Service contains an inherent contradiction which was played out on our island,” she said. “Going back to pre-European landscapes and increasing public access seem incompatible.”

She was referring to the National Park Service’s mission, coded in its

1916 enabling act, to “conserve the scenery and the natural and historic objects and the wild life therein...by such means as will leave them unimpaired for the enjoyment of future generations.”

“Not enough credit is given today for good stewardship,” she continued. “The Park Service is not holistic. The ecological condition of the island is awful now, but no one talks about the grasses; all they can do is focus on the fox, which is being eaten by eagles.”

In an effort to return the island to a desired “pre-settlement” condition, the Park Service removed all the feral pigs. With its prey base suddenly gone, the island’s golden eagle population turned its predatory attention to the island fox (apparently the birds hadn’t read the park’s management plan), causing a crisis.

Nita isn’t the only player in this tale that feels her family was treated unfairly. In October 2006, former Channel Islands National Park superintendent Tim Setnicka authored a three-part opinion piece in the *Santa Barbara News-Press* in which he wrote, “To this day, no one has shown that the ranching operation has permanently, significantly or irreparably destroyed park resources.”

He went on to criticize in detail the behavior of federal and state agencies, as well as environmental groups, in their quest to push the Vail family off the island early. “In this process,” he concluded, “the National Park Service has lost much of its credibility in the public eye about how and what it does to carry out its mission. In turn, the environmental community argues that it had to ‘save’



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Santa Rosa Island resources, but the facts are that each year the island's resources were in better and better shape. They didn't need saving from the Vails' activities."

I suspect Nita took little cheer from the former superintendent's words. Still, the whole experience proved to be a motivating lesson for Nita, as she admitted to me. And with the California Rangeland Trust, she found her happy ending.

So, what is the moral to this tale?

For Nita, it was this: "We need to remember where we have come from and go forward in a positive way," she said. "We can't stay stuck in the past."

Our conversation came to an end when Nita excused herself to take a call on her cell phone. I ordered another drink. It was truly a lovely evening, reminding me of how much I missed the Sonoran desert of my youth. I grew up in Scottsdale, a tony suburb of Phoenix, and thinking about the day's events I recalled the proliferation of real estate signs along what was then the desert edge of my hometown. Many of the signs, including one titled "Cowboy Land & Cattle Company," had been defaced by anonymous vandals with a plaintive, spray-painted cry: "SAVE OUR DESERT." I remember asking my father what the message meant, even though I had a good idea.

Of course, the desert wasn't saved. In 1994, while passing through Scottsdale on my way home, I took a

detour and searched for a small, ramshackle horse stable my father had rented called Powderhorn. In my memory, it sat far out in the desert, like a mirage, its only neighbor a funky palm tree nursery. Together,



they formed an odd oasis in a sea of warm sand and creosote bushes. Searching, eventually I found what I was looking for—a generic sign on a generic wall in a generic sea of houses announcing "Powderhorn Estates." Gone to subdivision, every acre.

No one saved my desert. It's not likely that the desert around Tucson can be saved either. Nita may not be able to save ranching in California. The National Park Service may not be able to save the island fox. No one knows what my fellow environmentalists were trying to save when they pushed the Vails off Santa Rosa Island early. I

wondered: can anything be truly "saved" in a world of relentless change? Can any species be fully "protected" in an age that looks to be dominated by global climate change, rising population pressures, and persistent pollution? Should we even try? Or should we try a different approach?

I took another sip of my drink.

The moral of Nita's story was different for me. It warned against the arrogance of certainty in a world characterized by increasing uncertainty. The Vails were punished for what looks like an erroneous belief that their activities were endangering the island's natural bounty. Ignorance and arrogance, in other words, were employed to "save" something that perhaps didn't need "saving."

Is Santa Rosa Island better off today without cattle? I can't say. Would the Vail family have done a better job of managing the island fox than the National Park Service? We'll never know. Does the island's status as a park guarantee that its biological resources will be "unimpaired" for future generations? No one knows. But did it have to be either/or? Park vs. ranch? Saved vs. unsaved? Or could a cooperative arrangement have been created that allowed the Vail family to continue ranching sustainably while government specialists worked to ensure the island's natural bounty? Not at the time. But perhaps things could be different in the future.

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A Conversation with Nita Vail, Executive Director of the California Rangeland Trust

LCE: What were your beginnings at the California Rangeland Trust?

NV: When the California Rangeland Trust (CRT) was started, I was actually working for (CA) Governor Wilson. I had never been politically active, although I'd been in some leadership roles in the industry. But I was actually in a position – I was Assistant Secretary for Environmental Policy, and I was representing the Department of Food and Agriculture in every area where state or federal regulations impacted agriculture. And at one point I remember sitting on over 55 either committees or task forces or advisory committees and just surrounded by conflicts without solutions. And when the leadership in the California Cattleman's Association that started to form CRT came to me and said would you be interested in serving on our founding board, I realized that this was probably the first opportunity I'd seen in a long time where I could work on something and have some successes.

My interest is really to find solutions, find ways that work, and when you're out there, your work is making a difference. I think one of the biggest things that's changed in the last ten years since the CRT first started, is that it was very controversial inside the Cattlemen's Association. Even today, there are still some cattlemen that are uncomfortable with conservation easements on their property. But I've always believed that the way you create change is you get one or two good examples, and people will get it and follow. So in the very beginning I think the thought was maybe we'd help one or two landowners that preferred a cattlemen's or Ag board versus maybe a more traditional environmental organization like TNC or something like. And what's happened? The floodgates opened on us. And we've actually never gone out to find people to help. They have come to us. That's what makes us very different, and actually creates a little bit of challenge in terms of being very strategic. We never call someone and say – hey, we can help or hey, maybe you should do an easement.

LCE: So how do you define your Mission?

NV: Our goal is to keep landowners on the land and we do this by staying true to our mission which is to conserve the open space, habitat and stewardship

provided by California ranches. All our board, including myself, all come from ranching; we all know that this isn't easy. We also know people need to go through a very difficult thought process with generational succession, with their economic situation, with estate planning, so that by the time they come to us, they've made a decision they want to do it. We do not want to influence that decision in any way nor the management of their property. We're basically an organization that's available to hold the easements if, big IF, that is the tool that works for them.

LCE: Given that, if the landowner asks, can you provide them with the questions or topics they need to ask them selves?

NV: Yes.

LCE: So, if someone has just started thinking about trying to retain a ranch holding in their family and they don't know where to start, can they come to you for suggestions?

NV: Oh, absolutely. What we can do is talk to them about options that we see have worked in similar situations. But we need to know what they want.

LCE: So was that the scenario for Jack Varian and the V6 ranch?

NV: Yes, what was interesting is the Trust for Public Land really transacted the easement. They're a national group, they raise money well, and they tend to actually purchase lands and then resell them to state or federal entities. But they started to realize that maybe there are some other approaches. I believe they might have approached Jack, as his motivation is he doesn't ever want to see that ranch broken up, and so his goal is that the kids have to sell the whole ranch. They can't break it up and parcel it off. But what happened is that we were just emerging on the horizon and Jack said, you know, "I want to do this, but I'm just not ready for an environmental group to hold my easement. I want the Rangeland Trust to hold my easement."

LCE: So that arrangement can be made?

NV: Absolutely.

LCE: At that time was that an unusual arrangement?

NV: It actually happens often, and I will tell you that I think it frustrates some of the environmental interests, but we let the landowner tell us whom they want to hold their easement.





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LCE: Is this in perpetuity?

NV: Yes. And the reason it's in perpetuity is because that's the only tax advantage for estate planning that the IRS recognizes. If the IRS was willing to recognize, say, a 30-year easement or something like that, which has its own set of challenges and values, we would look at that, absolutely. But right now there's no estate tax benefit or tax credit benefit unless it's perpetuity.

LCE: This is expensive and time consuming and right now, you have a backlog, don't you

NV: A long backlog.

LCE: The responsibility of the funding, does that fall to you or does that also fall to the landowner?

NV: The more a landowner advocates for funding beyond what we can do, the higher the chance he has of getting it funded because in California there's over 150 land trusts and they're all competing for the same dollars. In California it's bond money, environmental bonds. So it's very competitive and we work really hard to develop relationships at the agencies, and let me tell you, we're always walking a fine line because we're not going to compromise the principles.

LCE: Now, because of your track record, are you finding yourself getting along better with the cattlemen's associations?

NV: We've always gotten along well and we have been closely aligned since the beginning when we were created by the CCA leadership. You're still going to find some very rural counties where people are – “Well, what are these easements about?” “What does this really mean?” We really try to help everyone understand his or her position.

LCE: Do you find yourself having to make it easier for people to understand? It's all such a huge decision and it is complicated.

NV: Absolutely. We are working really hard on the message right now to figure out how to make it even simpler because we want to broaden our outreach to the public. Because the more we can be inclusive with the urban population, we're going to raise more money to help more landowners.

LCE: Is the fact that you're under the radar - because the CRT runs within the agricultural community, probably significantly in the Sacramento area - are you looking to an outreach program that could be a broader loop that you'd swing to get more people to understand the benefits of it?

NV: Absolutely. And we actually just got a grant very recently from the Packard Foundation. It's a combination - a fund development plan and training with a communications plan. And we just had our initial meeting yesterday to start that. This kind of grant can be very helpful to the CRT. There's a lot of philanthropy in the world today, particularly California. I've heard that 50 percent of the political dollars in this year's national race has come out of California. That's

how much money's here. So by outreaching – nobody really knows who we are except in some smaller agricultural circles, various urbanites gets the fact that if open space is kept in this rangeland, we're going to be able to eat higher quality grass-fed beef and you'll have more habitat as a bonus. That's going to give us more ability to raise money for the long term.

LCE: Has the Governor's office been open to you?

NV: Oh, yes, but we're not as active politically. We work really with local, state and federal agencies. We have to know what's going on – example - there's a tax credit that just was reauthorized. This tax incentive will be a significant benefit to some of our landowners and we want to help them reap these benefits. Whatever value of an easement you donate versus getting funded, you get the credit, if you're in agricultural, it's 100 percent write off to the end of year 15. If you're not an agricultural producer, 50 percent. So it's a pretty big deal.

LCE: Being apolitical - given today's climate of concern about the quality of our food and certainly with the amount of food that the state of California produces and the fact that the CRT is so solution-driven - are you finding anybody that are not agreeing that this is a good thing? This is a no-brainer...

NV: We've had really good response so far. Yes. What really makes us happy is when U.S. Fish and Wildlife Service sends people to us because they trust our credibility. The irony of all this is because we've been under a microscope - originally the agencies and the environmentalists saw us as the fox guarding the henhouse. We've always had to meet higher standards in everything we did from our monitoring to our stewardship - always had to have a much higher level.

LCE: There must be pressure on you to go to other states, too, with this model.

NV: There are models like ours in other states too. There's seven other Cattlemen's Land Trusts right now. There's a Web site you can go to, so among the seven of us, we formed a 501(c) 3 called the Partnership of Range Land Trusts (www.maintaintherange.com). Colorado was the first, California followed, then Wyoming, Oregon, Kansas, and Nevada. Montana Land Reliance has also been involved and other states are interested. Each of them are affiliates of their state cattlemen's association. That's a requirement.

LCE: Is there a size limitation?

NV: No, but it must be a sustainable operation. The question is how do you define a sustainable operation?

LCE: So it has to be a for-profit venture, yes?

NV: Yes, we have an example right now. We have a 500-acre ranch that the owners want to also allow the right to split at some point in the next generation. So is 200, 250 acres sustainable? In this case, yes - potentially for two reasons. One, it has irrigated pasture for haying and, two,



From Ranchers Born

it's a headquarter ranch that connects to other public land. So there's not an easy answer to that question.

LCE: So you've got to scrutinize each individual situation?

NV: Yes, we're trying to stay with our core competency, which is rangeland conservation, helping ranchers stay on the ranches.

LCE: What is the outreach approach? How do you get the message across to people who haven't been off a pavement for a long time to have sensitivity to this? A lot of kids today feel that food starts in plastic.

NV: That's what we're working on right now. How do we really develop our core message because not everyone knows what rangeland is? Even our name is under scrutiny. What is a Trust? We're working on the core messaging right now.

LCE: Are you seeing yourself attracting a broader demographic of supporters?

NV: Yes.

LCE: And you could attribute that to the fact that more people are simply becoming aware of you?

NV: A lot of it's relationship building and our events are pretty eclectic. People want to be part of the West.

LCE: Are you going to plan on using typical promotion techniques, or is this something you've got to bootstrap and figure out a different way to get the word out?

NV: We have to be creative. Obviously, we've put together what we hope is a good Web site, but where can we get more media interest? How do we build those stories? Where do we send board members to speak? But on the other side, even without press, the demand has been overwhelming, so we've had to try and catch up and build some capacity with staff and funding.

LCE: How many people are on staff now?

NV: We have five full time and three consultants, working on an as needed basis and we actually have a ninth person starting soon for the land transaction side.

LCE: And the Board?

NV: We have a hands-on Board, that are all members of the California Cattlemen's Association, who help with the land transactions and monitoring. They're willing to go speak. They're willing to become involved in events. I mean, honestly, we started thinking we'd be kind of a mom and pop nonprofit to help a few people. We didn't know we'd become almost the largest in the state in just ten years, holding over 183,000 acres of easements.

LCE: So with the political climate - and the economy - of today, is there going to be more pressure to sell these lands or do you think that there is equal pressure to try to keep them as a family holdings?

NV: All of the above. But we're going to see some hard hits in the livestock industry. The big elephant in the closet is

generational succession and we've heard that 70 percent of the ranches in this country will change ownership in the next ten years.

LCE: Is there a general mood? Does the CRT see the next generations having an interest to continue?

NV: I don't know the answer to that. I really pay attention to that personally, as I'm interested in it. I think that the next generation is all getting a better education and getting more skill sets so if they need to, they can keep a job in town and keep agriculture in their life. It depends on what part of the state or country you're in, as well.

LCE: When one looks at the civilian news, we see more and more issues of food quality - like the recent tomato and pepper incidents, for example. The public feels a growing pressure to maintain the quality of the nation's food source. So it would seem your message is about helping in maintaining the ability for us as a nation to control the quality of our food by helping individual families keep their ranches and farms in production.

NV: Absolutely. I hope that it's not too late by the time the nation realizes the importance of agriculture. But there're two very - at least in our view - two very different tracks right now in terms of the growth of agriculture. One is either the large mergers like JBS who may soon become the largest meat packer in the world, a Brazilian company, or a lot of the locally grown, grass-fed, organic, natural products where people are selling one head at a time and selling in farmer's markets or selling off of their ranches, and that's a big gap between the two. But both sides are growing. So you're either local or you're international.

LCE: There seems to be a growing populist view that there's going to be more and more regional or local availability of food, that that's the desire of the purchasing public, that they want to know where their food comes from.

NV: Yes. I really see it in the Bay Area. I see it in central California - San Luis Obispo, Santa Barbara. I don't know how much is directly related to disposable income, but, I see it even in Sierra Valley - folks that sell out of a truck. We see more and more local farmer's markets being more successful every year. But what's interesting about agriculture here in California, is that it has gotten to be so diverse, especially with the wine industry. There is a blend now that adds an element of sophistication along with a growing interest in this locally grown food thing. The public is becoming "foodies" - people very aware of what they eat and where it comes from. That's good. The Ag world is a very interesting community and we want to be there to help it continue to thrive and the best way to do that is to help keep families on their land and keep productive land producing.

To find out more about the California Rangeland Trust, visit www.rangelandtrust.org





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JOHN BARLETTA,
U.S. SECRET SERVICE (RET)



*On Protecting the
President, Horses
and the Civility of the
Reagan White House*

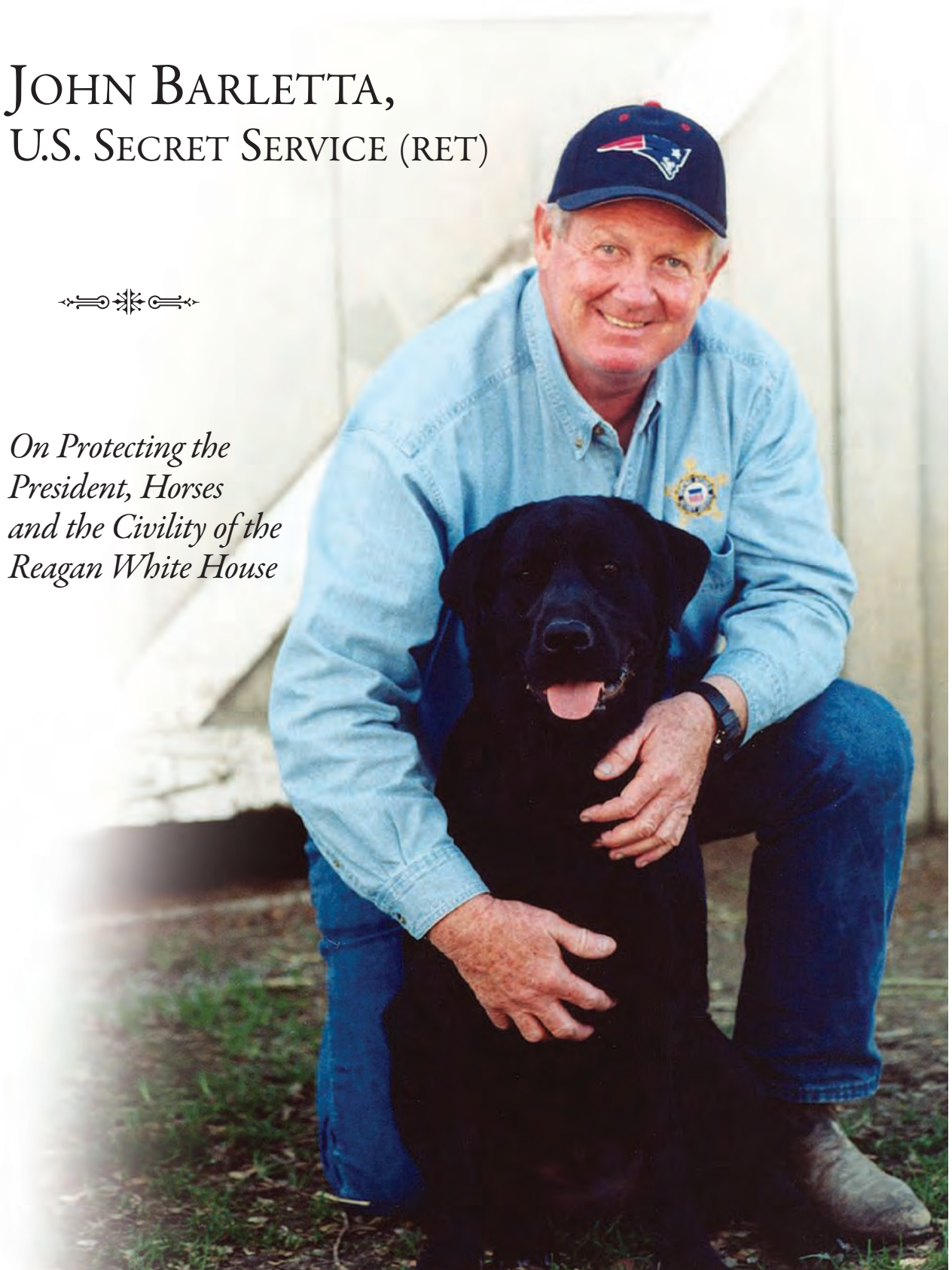
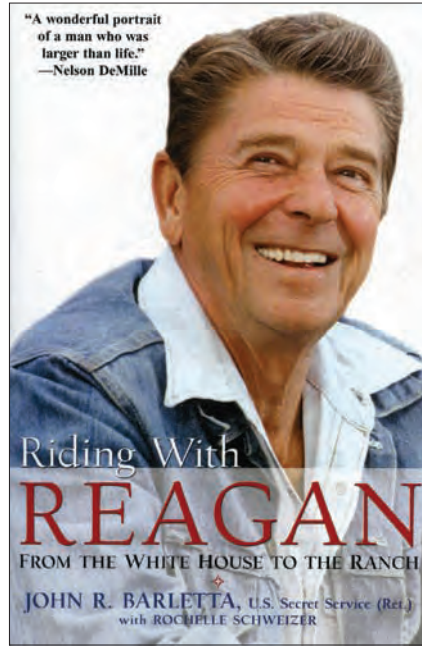


photo courtesy John Barletta

John R. Barletta was an Army veteran and Secret Service agent, the son of a policeman, one of five children and the agent who was picked from the ranks of some two thousand other agents to join a detail on then President-elect Reagan's ranch. During a shift break in the White House, one of his shift leaders asked, "Do any of you know how to ride a horse?" John sheepishly raised his hand and the shift leader said, "Barletta, you're going to join the detail out at the ranch next time." And the rest, as they say, is history. In John Barletta's recent book about his experience horseback – and otherwise with President Reagan – he tells of a bond that formed between the two men and a trust that the President, and the First Lady, bestowed on their protector. What started as a mutual love of being horseback became a friendship that lasted until the death of the fortieth President of the United States. We sat down with John Barletta recently to talk about his life then with the President and his life today, training Seeing Eye dogs for the visually impaired. His is a story of duty and of giving, and of the friendship and respect, he received from the man he would have given his life for.



LCE: John – it must be something for you to hear the name of President Reagan's being spoken of so often during this campaign season.

JB: Yes. You know, a lot of people are evoking his name and saying we need to be more "Reagan-istic" now, that we need another Reagan; we need someone who has character – again. But there was never anyone like him.

LCE: When you started out in the President's detail, did you have any idea of what an experience that was going to be like?

JB: Oh, no. No, it's something that never happened before, probably shouldn't have happened, and it will damn sure never happen again.

LCE: Visiting the Reagan ranch recently, it really did cross my mind what an incredibly, almost impossible task it must have been to try to protect a guy out in the middle of nowhere like that.

JB: Well, you know, what Presidents do for recreation is a big concern of the Secret Service. The other stuff, they all do. We go here, we go there, the threat of what's going on, the world situation, which is very bad today, but what they

do for recreation is a challenge, and he did one of the most dangerous things you could do, ride a 1,200-pound horse. And it was a huge challenge. And he was so good at it, which was even more difficult.

LCE: In seeing some of the photographs, it looked as though – while you guys were obviously dressed alike and rode similar-colored horses as a decoy – it appeared that some of the other Secret Service fellows that rode along behind were not really "born to the saddle," as they say.

JB: I had about four good riders. I had about two excellent riders, and those two were both females. They were excellent riders. They were show-type, big thoroughbred, fox hunting, jumping type riders. And I started a school with the United States Park Police to do what they call AOPs, Attack on the Principles. And that helped a lot. That horse needed to be a means for you to protect them, not to sit there taking all your time up just trying to hold on to your own horse.

And when they realized that, and they got better at it, it made my job easier, but most of them did not know how to ride. You know, the American image of a cowboy is amazing and when we asked for volunteers, "Oh, yeah, I know how to ride." Well, they didn't know how to ride. They didn't know how to do shit on a horse, and it used to infuriate me and I was not a supervisor then. I was just a lowly agent. But, I knew horses, and I said, "This horse is going to kill you. How can you come out here and tell me you know how to ride, and I can tell just the way you mount, you don't know how to ride." And it caused concerns. It caused big concerns.



photos courtesy Young American Foundation



LCE: Obviously, there was a bond between you and the President, when you travelled with him he appeared to have great trust in you.

JB: Exactly. And that's the reason I was there that long, which I shouldn't have been.

LCE: Why do you say that?

JB: In our game, you should not become that close to a protectee. It clouds your judgment, and I was extremely close to Ronald Reagan, and I was mature enough to know that and it caused some jealousies, it caused some problems. I did not put that in my book. I decided not to and I'm glad I didn't. There were supervisors who thought, they're the ones that the President should talk to, and he would go, "No, I want to talk to John." But the actual doing of the job on the ranch, finally, we got the time and the money to do it right. In fact, we actually brought out the United States Parks Police to the ranch at great expense and a lot of guys got hurt. They realized, hey this isn't a pony ride. This is not a merry-go-round. These horses will hurt you, and Ronald Reagan knew the difference, too. That's where I stepped in because the people riding with him physically could not keep up with him to the point where they were falling off and getting hurt.

LCE: Do you think something like this could be done today or do they think they would just put their foot down and say, "This is too difficult?"

JB: No, the Secret Service would not want to cry uncle. At one point, my boss said, "Well, should we put out alerts through the whole Secret Service of people who know how to ride and you give them a test before we accept them?" I said, no, the agents that are picked to go on PPD, President

Protective Detail, they shouldn't be there because of one thing, that they know how to ride and don't know how to do all the rest. That's unfair to a lot of agents, the security of the President and this most dangerous thing he does can be handled. But, you shouldn't have someone whose only quality is he knows how to ride. And, as you said, I did a whole number of other things. The riding was the thing that stuck out and most certainly was the highlight of my life, but that was one of many, many things I did with Ronald Reagan.

LCE: Do you think it is more difficult today, John? Do you think the tasks that the Service faces today are amplified because of the access people are trying to have to the President?

JB: Well, it's not because the access they have; it's because of the access they can get. With electronics, with space technology, with the computer, with gullible people, with terrorism, people can do things undercover



through electronics that they don't even have to show their face. But we have the same thing. We have divisions that all they do is electronics. In my day, way back then in the Stone Age; you know, you've seen that ranch. The Secret Service building (on the ranch) had the most up-to-date electronics ever, but it's like Neanderthal Man now. And that's how it should be. But today, agents are prepared to do whatever they have to do under very, very trying, trying times with the terror situation.

LCE: John, at the ranch they had a little closet that was in the master bedroom. That was designated as the "safe room," as I recall. Is that right?

JB: Right

LCE: And apparently there was some sort of curtain, like a steel curtain or something that would go over that little window; is that correct?

JB: Well, the whole room was reinforced. If it ever hit the fan, this place was the absolute last resort, we'd put him in there and the missus if she was close by with an agent with a machine gun and that would be it. And every agent would know that's where the President was and that's what they would defend. But that would be a really, really bad situation.

LCE: I understand at one point some hiker was able to kind of wander up into the ranch.

JB: (He laughs) Yeah, that place could be the most beautiful place or the worst place in the world to be. When it gets foggy, you cannot see your hand in front of you. So we bring the agents in closer, we rely on electronics with an agent backing them up, and this guy, this hiker, was just on the cusp. I mean, if he took one more step, he would have broken an alarm. And the dog teams that go wandering anywhere they want to go, all missed him. So the next morning the sun comes up and here he was in a tent. He had no idea where he was. To this day I don't think he knew where he was. The agents just surrounded him and said, "Who are you? This is private property, and you need to leave." He left. And that's how they handled it.

LCE: John, obviously you had access like no other, when you guys were riding together, what were the kind of things that you talked about when you rode?

JB: He'd talk about nature. We didn't talk politics much, though several things happened during that period. We were out riding when he got the call from Bill Clark, who

was the National Security Advisor, that the Russians had shot down the 707, Flight 007 civilian airliner and killed everybody onboard, and I think there were three Americans onboard. So, that naturally was the topic for the rest of the day. But, we talked religion. He was a very spiritual person, very much so. He read the Bible. He could quote from the Bible.



John (third from the left) riding with Los Rancheros Visitadores

LCE: The President's time horseback, and certainly with you, was a rejuvenation for him; is that fair?

JB: Yes, I saw other Presidents get old in that presidency overnight. He didn't. I think he got younger. So it wasn't like he was desperate to go out there and relax because he didn't. The presidency goes with the President and he would do what he called his homework, which the military aides would bring him up every day, twice a day actually, and he would do his chores, which he loved to do, and his beloved riding. But it wasn't like he wanted to keep everybody or the work away. He just thrived at that stuff. But he never got elated and he never got downtrodden. He stayed very even about things. You know, he would give that Irish smile when you knew he was pleased, but he wouldn't go bonkers about it, and he wouldn't gloat when things didn't go his way. He would say, "Okay, let's try another angle to get this done. It didn't work this time."

LCE: Did you feel he could let his hair down, a couple of guys chatting horseback?

JB: Yeah. Yeah. That was important to him. And I know my people would ask, "What are you two talking about?"

And I'd go, "Just things." You know, I kind of felt like I shouldn't repeat them, but there were no secrets; none whatever. When I got comfortable with him, I'd ask him questions, but I would not start until he would open the door, again I couldn't chance being too familiar with the protectee, to the President of the United States. I could have asked him anything. I could have said, "Mr. President, I need to be promoted," and I would have been promoted. That's not how I do business. Another person probably would have done that, to tell you the truth. And that's one of the things they'd worry about. And the Director was a good friend of the President's, and he's the one who wanted me to stay there. I was begging for a transfer and –

LCE: Oh, really?

JB: Oh, yeah.

LCE: Where'd you want to go?

JB: Arizona. I wanted to be the agent in charge of the field office in Arizona and get on with my life, which I had none.

LCE: I bet that's right.

JB: Back in Washington I'd be working five days a week, then he'd go to Camp David and ride. So I'd be riding Saturday and Sunday instead of being off, whatever my days were off. So then they were going to change my days off to the middle of the week. I said, fine, and then it – well, no, we can't do that.



LCE: Because he wants you?

JB: Yeah. Yeah.

LCE: You wrote in your book about the Reagan Funeral and the personal nature of your description was really very touching. I can only imagine how difficult it was for you not to have gone, but I certainly understand the emotion that must have flooded into you at that point.

JB: Well, I went to the one out here at the Reagan Library. Mrs. Reagan gave me all-access on a list that gave the top staff the ability to go anywhere. I just couldn't go back to Washington, DC. I just physically and emotionally couldn't handle it. But I did go to the one here because we had talked about it before. We'd go up there and he'd say, "See, that's where I'm going to be buried." Mrs. Reagan didn't like to hear that talk, but he said, "Well, look at the view I'm going to have," in fact they had a book about two inches thick about exactly how that funeral was going to go.

LCE: Really?

JB: Yes, you'll never see another precision funeral like that and the outpouring of love around the world.

LCE: You're right. It seemed the world stopped.

JB: Yep. Mrs. Reagan said to me, "Can you believe all these people?" And I said, "Yes, Mrs. Reagan, I can." And I said, "You need to see what's going on overseas. It's double this. He freed hundreds of millions of people from tyranny." At the library, I positioned myself as people would say their last respects to the coffin and to Mrs. Reagan, and then file out. Over the years, I got to be friends with his friends. They were all great people. The staff, his personal friends from 70 years ago, they were all nice people. And they treated me just wonderfully. And again, I always knew my place. For example, his friend, Bill Clark would see me in the Oval Office and I'd be doing my deal, and he'd say, "Morning, John," and I'd say, "Good morning, Mr. Secretary." And he'd look at me. He'd say, "John, it's Bill." I said, "Not in the White House, it isn't." And I knew he respected that and that's how it should be. Mr. Bill Wilson was another one, Jim Baker, but they would always be Mr. Secretary or whoever they were. And it was always Mr. President.

LCE: Has the White House decorum changed since President Reagan? Seems almost too casual. Do you feel that?

JB: I don't know. I haven't been there. But it comes from the top. It comes from the top. I was on Jimmy Carter's detail, and the White House was full people in jeans and t-shirts - in the White House! Then, the press corps were always dressed in shorts and tie-dyed shirts and it looked like hell.

When President Reagan got into office, one night we were coming out of Blair House, which is right across the



photo courtesy John Bartlett

John and "Astro," one of his seeing-eye dogs in training, his fifth, at the President's grave site.

street from the White House, and we were going to a black tie function. And here's all the press out there.

John pauses for a minute, with a smile. He leans forward to make a point.

JB: As I talk I'm thinking before, I remember when I first reported in on the Carter detail and he was wearing a pair of bib overalls with no shoes, walking down the East Wing of the White House to go watch a movie. And you know, he's got his hands tucked in the tops of his overalls. My boss looked me and he said, "I bet you never thought you'd be protecting someone like that." And I started laughing and the President turned around and I got embarrassed, cause he is the big boss. The point is that no matter what, he was the President and I would have given my life for President Carter - just as soon as I would have for President Reagan.



It was like that at his funeral at the Library. I had positioned myself so I could see people walking by, and the sun was starting to set and I remembered what he told me, he said, "That's what I want – the last word at sunset." And I'm listening to the priest, whoever it was, and I hear these unmistakable sounds of hoof beats and I'm looking up at the sky and I get out of my seat and I look over the hill. The houses are all around the library now. Back then, it was an open hillside. And here comes this sheriff's mounted posse patrolling the outside, and I just looked up. I said, "You did it, didn't you? You did it this way, didn't you?"

JB: So, back to the night we were going to the black tie function. President Reagan is walking and Sam Donaldson of ABC starts screaming questions at him, I mean screaming at him. And the President just walks by because the reporters were told - no questions. RR steps one foot into the limo and gets out and walks up to Sam and says, "Don't you ever yell at me again." You could have heard a pin drop. And all the aides, we go, "Yes, we have a President." He gets in the limo and turns to his Chief of Staff and says, "We're going to a black tie function, correct?" "Yes, Mr. President." "Now, anybody going in there should be in a black tie, correct?" "Yes, Mr. President." And he went, "That means anybody." What he was saying without saying it was, I don't want the press in there unless they're in black ties. So they all went scrambling to the rental places trying to get into tuxes because it was only 40 minutes before the function, and that set the tone, that set the precedent. It's just like that story of how he never took his suit coat off in the oval office. It was about respect. And he respected where he was.

And I believe in that stuff.

And as people filed by, for once, they looked old to me. Old and drawn because he had gone. People that I had known for years. Arnold Schwarzenegger was there. I said hello to him. I said hello to the First Lady and to every one of them, just about all of them I knew. It was very, very touching.



LCE: Was it difficult for you to leave, John, after he was out of office? Was it difficult to hang 'em up?

JB: It was time for me to go. He was becoming bedridden. And I couldn't stand looking at him that way. It wasn't the same guy.

LCE: How did you tell Mrs. Reagan?

JB: I went in to her and I said, "I cannot do anything for him anymore, and it's time for me to go." She'd be, "Oh, John." You know, they hated to lose anybody. Later when I did become a boss, I'd explained to her, these agents need to be rotated to different assignments so they can gain more knowledge and go ahead in their careers. And that's why we transfer them. It's a good thing that we transfer them. They've done a good job here and they have to continue on. And I said, "It's time for me to go. There's nothing I can do for him anymore, Mrs. Reagan." And I said, "It's eating me up alive." But I stayed close. I still am.

LCE: Do you chat with her very often?

JB: Yeah. Yeah. I don't go down as much as I used to, hardly ever. She used to call me up. You know, I work with Seeing Eye dogs, and she would ask, "Have you got a new dog?" "Yeah." "Well, would you bring it down for Ronnie to swim with in the pool?" That's her speaking. I would never call him Ronnie. And I would, and we'd have a hell of a time. Putting puzzles together.

LCE: So she just wanted a life. At that point wanted peace and obviously peace for him, and to surround herself with people that she knew she could trust.

JB: Yes. But you know, even his closest friends stopped seeing him. She didn't want them to see him. When he was bedridden, nobody saw him. But she'd always bring in the barber every two weeks.

LCE: Really?

JB: That full head of hair. I remember when he had the brain surgery and I'd visit him, and his hair would start growing out. And he looked 20 years younger. Then he would wear his glasses. I said, "You look great in glasses." He would rub his head. He said, "What do you think?" I said, "I think it looks great. I think you should keep it short like that. Cause, yours is going to grow back," (and you know, I'm bald.) I'd rub my head and I'd go, "But mine isn't." He would laugh.

LCE: So when did you start your work with the Seeing Eye dog program?

JB: Astro's my fifth. It takes about two years and then timing in between.



LCE: So ten or twelve years?

JB: It hasn't been that long. My first dog graduated July 8, 2001, and I had him for 20 months. Two - two and half years before that.

LCE: It seems like it's a very fulfilling thing for you.

JB: It is. You know, I never had a family, which is fine. The job was completely all consuming, which is fine. Nobody has done or will ever do what I've done, and I am very much at peace with it. I'm glad I didn't get transferred, I'm glad I stayed with them. I'm glad the Director was such a close friend of the President and the President talked to him about me and said, "You ain't going nowhere. You're staying with him. You're more valuable than whatever you could do," and if I'd complain, he'd promote me. I said, "I should complain more often." He said, "Yes, you should."

LCE: So how many years were you in the Secret Service?

JB: Twenty-three, when I retired. And I can't complain. I have had the pleasure and the honor to have protected a fine man and his wife. I have had - and am having - a wonderful and amazing life.

To learn more about John Barletta and his time with President Ronald Reagan, read his book, *Riding With Reagan - From the White House to the Ranch*.



MAYNARD DIXON

KING OF THE DESERT COUNTRY



Images courtesy of Brigham Young University Museum of Art.

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Round Dance, 1931, oil on canvasboard, 15½ x 19¾ inches.

BY MARILYN FISHER

*“O, I am Maynard Dixon,
And I live out here, alone
With pencil and pen and paint-brush
And a camp stool for my throne.”*

— From *Quantum Sufficit* by Maynard Dixon, 1921

His overall appearance could have pegged him for a typical lanky cowhand from the old West, but, as an artist, his style was anything but ordinary. To the art world, he was a celebrated early pioneer of modernism in America, a passionate soul endlessly in search of the true West. Like a wandering pilgrim with scarcely more than a pencil, brush and crayon in his pack, Maynard Dixon roamed every out of the way mesa and arid plain of the

American Southwest from Arizona to New Mexico, Nevada and Utah in search of remote scenarios to sketch. These pilgrimages were a sort of renewal for him, like a sudden, welcome rain in the desert, a source of freedom and an escape from the oppressing urban lifestyle of the industrial era.

A native Californian, Dixon was born in Fresno in 1875 and raised in the fertile and flat San Joaquin Valley. Frail as a child, he spent hours alone sketching, reading and listening to old timers spin their stories of what the old West used to be. As a teenager, he sent his sketchbook to his idol, the famed illustrator Frederic Remington. The artist's reply encouraged the young artist and in 1891, he enrolled in the California School of Design in San Francisco. However, he withdrew soon after, finding the structured study approach much too formal. Saddling up his horse, he tried his hand as a cowpuncher, roaming Arizona, New

Mexico and parts of southern California. Two years later, armed with a new set of sketches from his travels, he found work as a magazine illustrator for the *Overland Monthly* and then for the *San Francisco Morning Call* and the *San Francisco Examiner*. His years away were worth it career wise as his sketches were bought for books by Jack London, John Muir, and other authors including Clarence Mulford (*Hopalong Cassidy*).

In the saddle, by buckboard or on foot, Dixon sought out the sanctuary of the desert silence and serenity, and the stillness that falls in those open, barren spaces where sound and distance are curiously distorted. The need for fresh inspiration would suddenly take hold of him and, leaving family behind, he'd travel for months at a time in his solitary search for the American West. His adventures included living for a while on the Hopi Indian Reservation sketching their dance



Maynard Dixon (1875-1946)

Courtesy the William Reynolds Collection



Flathead Indian and Pony, 1909, oil on chipboard, 6 $\frac{1}{8}$ x 10 $\frac{3}{16}$ inches.

Horses and Cattle



Beef Herd, Sandhill Camp
1921, oil on canvasboard, 15½ x 20 inches.

Dixon was a contemporary of renowned western artists like Charlie Russell, Ed Borein, Joseph Henry Sharp, Will James, Bill Gollings and many others who painted around the turn of the century. The natural association between man and animal was essential to the work of those artists, and so it was with Dixon. Horses and cattle were favorite key subjects along with the American cowboy and early settlers. Unlike the rowdy, narrative action of a Charley Russell painting with its cow camp antics, bucking broncs and outwardly expressive cowpunchers, Maynard Dixon's characters were subtle, mysterious and descriptive with their bold colors and muted expressions. The Western artist Joe DeYong once described Dixon's commitment to his craft, "... he's sure a go getter at some angels of the paint game." Viewing himself as sophisticated in his approach to modernism, Dixon was critical of artists like Charley Russell for being more old time and less modern in their styles. He did however state that overall he appreciated Russell and admired the man's integrity. In one of Russell's illustrated letters of 1917 he wrote the following words of encouragement to Dixon, "I received the magazine and think your pictures were fine – they looked mighty real to me – your Indians poneys and lodges were all mighty skookum – I am glad of your success and hope you keep pulling of good things till your light goes out and hope it burnes long and bright with out a flicker."

ceremonies and observing their cultural mysteries. His journeys through the land of the Navajo and Hopi provided the underpinnings for many of his most characteristic works documenting the West. He lived to interpret the daily lives of the tribes, in his words, "amid the grandeur, sternness and loneliness of their country." Following these extensive sojourns, he returned to his other life clearly more creative and spiritually renewed.

At a crucial turning point in his life, in 1898, he met up with the journalist, southwestern historian and city editor of the *Los Angeles Times*, Charles Fletcher Lummis, who published Dixon's drawings in his magazine, *Land of Sunshine* (later *Out West*). Dixon trusted the journalist as a mentor, so when Lummis advised him to "leave California and travel East to see the real West," he needed no further encouragement and set out for Arizona. Around the turn of the century, prior to statehood, "the Grand Canyon State" was mostly unsettled territory and Dixon thrived on the images of the tribal lifestyle, mostly sketching them in group activities. Dixon wrote, "Many people...might see only that these Indians are poor and dirty...But when you see one of their ceremonies...there is savage beauty in them. There is something magic in it, and legends endow it with strange meanings." He visited Lorenzo Hubbell's Ganado trading post, a crossroads of tribal craftsmen trading their hand woven rugs and pottery in the "Four Corners" area. Hubbell recognized Dixon's talent and commissioned him to paint his personal testimony of the territory, those color-filled images of the Navajo at Canyon de Chelly. The artist vowed to portray with quiet dignity the Native American culture often maligned by the U.S. Government assimilation programs that slowly diluted their cultural ways.

Disillusioned by the hurried pace of the industrial age, Dixon longed for the simpler pleasures of an America not yet changed by progress. Seeking new material and new truths, he preferred to depict his figures in everyday activities, rather than fabricate western scenes from his imagination as some contemporary artists were doing. Drawn to the panoramas of the sparse western land – his



Walls and Chile, Isleta New Mexico
1902, oil on canvasboard, 4¾ x 7¼ inches.



Lonesome Journey
1946, oil on canvas, 26 $\frac{1}{2}$ x 35 $\frac{3}{4}$ inches

“promised land” - he dubbed himself a “king of the desert country.” He once said, “My object has always been to get as close to the Real Thing as possible – people, animals and country... the more lasting qualities are in the quiet and more broadly human aspects of Western life.”

In 1901, Dixon joined the beloved California artist and cowpuncher, Ed Borein, on a horseback journey across the Sierra, Great Basin and Rocky Mountains. The goal of the trip was to fill their sketchbooks with western sights along the way. As predicted, it afforded a lot of new material and upon his return Dixon sold his sketches outright to *Harper's* magazine. Perfecting his art, he strived to deliver what he called, “honest art of the west” – the sort that can best be cultivated in its native settings. The Golden Age of Illustration was underway and magazines were clamoring for artists who could depict the nostalgic West. He saw himself as a western truth seeker of sorts. And, much like Borein, he dressed the Western part in a black Stetson with rawhide hatband, boots, bolo tie and silver Navajo belt even while visiting his studio on the sidewalks of San Francisco. Like other Western artists of the period, Borein and Charlie Russell come to mind, his

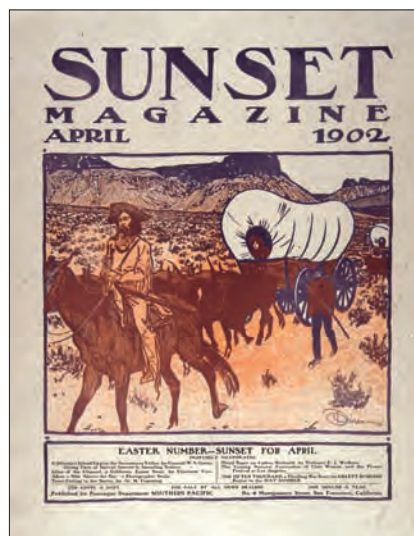
studio was adorned with cowboy paraphernalia, Indian artifacts and even a buffalo skull positioned to greet visitors at the door.

A devastating earthquake hit San Francisco in 1906, leveling the city and destroying the studios of Dixon, Borein and other artists. In those few seconds, all of Dixon's accumulated work was lost. As a result, he decided to move to New York City to work as an illustrator for *Scribner's*, *Century* and *McClure's* magazines as many artists had done before him, including Frederic Remington. Three short years later, he was again travelling freely, this time in the un-crowded Northwest sketching Native Americans. The outdoor photographer Ansel Adams once said of Dixon that it was clear that, “For Maynard Dixon the West was

un-crowded, un-littered, unorganized and free.”

Straddling the new century, Dixon's style progressed from illustration to post-impressionism and finally, cubist-realism. Around 1915 his style changed through influences of the colorful New Art style introduced at the Panama Pacific International Exposition, San Francisco. His new style, a general shift to a more modern form of Post-Impressionism, stripped it down to the most essential features and simple aspects of the subject, eliminating all

non-essential elements and leaving sharp angles, deep shadows and abstract palette—all signs of his expanding modernism. By 1920, Dixon was considered the most successful American modern painter of Southwestern scenes. Paul Bingham of the Thunderbird Foundation for the Arts said of Dixon's style, “It is his uniquely modern style, one that gave the West a new language of expression that makes Maynard Dixon's work so exciting.” In that same year another change proved to be extremely influential toward his style as he married his second wife, Dorothea Lange, a famed modernist portrait photographer from the East noted for her works depicting the despair of the Great Depression.



Sunset Magazine Cover of 1902
1902, woodcut

C l o u d s



The Plains
1931, oil on canvas, 26 x 30 inches.

Dixon is remembered for his treatment of clouds, one of Mother Nature's most elusive forms. Focusing on the constant marching cloud formations of the desert, he frequently included them as a key element in his work – a sort of signature feature. His powerful command of white-hot desert light and the contrasting shadow cast by the clouds on the desert floor mimics the way the arid climate distorts light and obscures distance. The majestic, light-filled, towering thunderheads rise high above the low, infinite horizon over the sage-strewn desert floor while craggy mountains and mesas change color under the drifting shadows. In one painting, the low dark clouds of the pending rainfall hanging heavy over a lone adobe are just ready to burst and in yet another, the high, thin opaque clouds of a spring day float wistfully between patches of intermittent blue sky. By depicting these cloud forms Dixon showed his personal vision of nature and what art should be.

During the early 1930s, Dixon, his wife and their children spent time in New Mexico as a guest at the estate and art colony belonging to Mabel Dodge Luhan, an heiress who had run a prominent art salon in Florence, Italy and New York. Content and enormously productive during that time, he completed 40 canvases focusing again on the local lifestyle and architecture. At that time, in an area north of Santa Fe, a thriving art community known as the Taos Society of Artists was formed by six well known Western artists: Blumenschein, Phillips, Sharp, Couse, Dunton and Berninghaus. Though Dixon did not chose to join that elite and uniquely American group of painters (he found their bylaws too restricting), he thrived independently. His works during this period were some of his finest.

At the encouragement of Lange, Dixon moved to social realism focusing on the plight of the victims of the Great Depression and its affect on out-of-work Americans. Some of the images were those of the migrant workers similar to those in John Steinbeck's novel *Grapes of Wrath* displaced by turmoil of economic desolation and Midwestern Dust Bowl conditions and roaming the west in search of work, relief and the hope of a new beginning. In his *Forgotten Man Series*, he laid on canvas the desperation of the times and the emotions of those Americans who had nowhere to turn. Dixon encountered these souls in his travels and created a grouping of paintings during this period for the Works Progress Administration. His use of subtle, moody colors such as gray and blue along with deep shadows enhance the downcast expressions of the forgotten masses. He believed that as an artist he had a part in the testimony of the human suffering of those times. Vern Swanson, Director of the Springville Museum of Art in Utah, remarked, "You could say Dixon was a pivotal painter of the Depression much as Woody



Forgotton Man
1934, oil on canvas 40 x 50 inches.

Guthrie was a pivotal singer of that same era with his anthem *This Land is Your Land*.”

Dixon and Lange divorced in 1935 and two years later, he married muralist Edith Hamlin. It was on the peaceful plateau of Mt. Carmel, Utah in 1939 that they made their summer home among the cottonwood groves. Dixon wrote to his friend Joe, “Big news is we are going to quit California and build us a log house in Utah, far from any large town...” They later chose to spend their winter months in the low desert terrain of their studio and home in Tucson. Dixon created murals for the Southwest Museum founded by his early mentor Charles Lummis. At the same time, he was commissioned by the Department of Indian Affairs in Washington, DC to sketch a large mural for the city ticket office of the Santa Fe Railroad in Los Angeles. His bold, dramatic forms and simplicity of line were ideal for murals. The subject was the Grand Canyon, a topic he knew well. Though ill at the time, he was well enough to supervise the completion of the mural from his Tucson studio. He died there in 1946.

For more on Maynard Dixon:

DVDs:

Maynard Dixon: Art and Spirit, documentary produced by Jane McKay, Edenhurst Gallery

Maynard Dixon: To the Desert Again, produced by KUED

Books/Exhibit Catalogs:

Desert Dreams: The Art and Life of Maynard Dixon by Donald Hagerty

Escape to Reality by Linda Jones Gibbs

American Character: The Curious History of Charles Fletcher Lummis by Mark Thompson

Galleries:

Mark Sublette Medicine Man Gallery, Santa Fe, NM
Medicinemangallery.com

Museums:

Brigham Young University Museum of Art, Provo, UT

Maynard Dixon Museum, Tucson, Arizona

Other:

Thunderbird Foundation for the Arts, Mount Carmel, UT



Remembrance of Tusayan, No. 2,
1924, oil on canvas, 20 x 30 inches.

ALLODIAL FREEHOLD LAND PATENT

Is your land really yours? What are your property rights really? The answers may surprise you.

BY DANIEL MARTINEZ

“The moment the idea is admitted into society that property is not as sacred as the laws of God, and there is not a force of law and public justice to protect it, anarchy and tyranny commence.”

—John Adams

Rights to property are one of those unalienable rights mentioned in the Declaration of Independence of July 4, 1776 by the people of the 13 confederate united States of America. Keep in mind the Constitution of the United States was not adopted until September 17, 1787 and not ratified until March 4, 1789. So it took quite a few years before these words were part of the fabric of our country, *“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. — That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.”*

So what is property? Black’s Law Dictionary, 6th Edition, page 1216, defines property as: *“That which is peculiar or proper to any person; that which belongs exclusively to one. In the strict legal sense, an aggregate of rights which are guaranteed and protected by the government. The term is said to extend to every species of valuable right and interest. More specifically, ownership; the unrestricted and exclusive right to a thing; the right to dispose of a thing in every legal way, to possess it, to use it, and to exclude every one else from interfering with it.”* Property, to be owned, need not be physical in nature. It can be goodwill, rights to the proceeds in an insurance policy, it can be personal, real, incorporeal hereditaments – something that is passed on generationally, easements, franchises – the list goes on and on and it includes every species of valuable rights and interests.

For the sake of this article, we are going to focus on the Land Patent that is an exclusive grant from the government and is the highest title to land in the 50 united States of America. Unlike any other country in the world, it is the

people that are the sovereigns and not the governments. As it says in the Declaration of Independence, the governments derive their just powers from the consent of the governed. As Kings without subjects, the Land Patent is our Kingdom, which is the complete and full title to land (Allodial Title) that is defined as:

Allodial as defined by Webster’s Dictionary 1828 *Allodial ALLO’DIAL, adjective – Pertaining to allodium; freehold; free of rent or service; held independent of a lord paramount; opposed to feudal.* Blackstone.

A “freehold estate” is a right of title to land for a duration of time, which usually is inheritable and assignable for perpetuity, and a land patent is the highest title to land you can acquire. The Common-Law in England, the King (unlike in America), was the only person (sovereign) to hold complete and full title to a land (Allodial Title). The people of England that held estates of land held title by fee simple absolute and provided the means by which the owner could devise, alienate, (alienation of fee simple estates means conveyance usually be deed) or pass by inheritance the estates of land to family members or whomever the owner determined and specified. As the owner of the fee simple absolute in feudal England, he had to pay homage to the King or a higher baron each year to discharge the obligation of his fief. (A fief is an estate in lands held of a superior on condition of rendering him services.)

The American-based system of land ownership today consists of three key requirements. These are: 1) the warranty deed or some other type of deed purporting to convey ownership of land, 2) title abstracts to

YOUR RIGHTS

chronologically follow the development of these different types of deeds to a piece of property, 3) and title insurance to protect the ownership of that land. These three must work together to ensure a systematic or orderly conveyance of property. At least two of the three are usually needed to satisfy the legal requirements of the conveyance to transfer title to the new owner, yet does the absolute title, and therefore the ownership of the land, really pass from the seller to the owner? None of the three by itself passes absolute or allodial title to the land, the system of land ownership America originally operated under. Even the combination of all three requirements does not convey the absolute title. The abstract only traces the title; the insurance policy only insures the title and the deeds only transfer the fee from the seller to the buyer.

The deeds include the following: warranty deed, quit claim deed, sheriff's deed, trustee's deed, judicial deed, tax deed or any other instrument that purportedly conveys the title. All of these instruments are actually color of title. A color of title is that which in appearance is title, but which in reality is not title.

Wright v. Mattison, 18 How. (U.S.) 50 (1855)

also see G. Thomson, **Title to Real Property, Preparation and examination of Abstracts**, Ch. 3, Section 73, p. 93 (1919). Color of Title is prima facie evidence of ownership of and rights to possession of land until such time as that presumption of ownership is disproved by a better title or the actual title itself. Courts have held that the good faith of the holder to a color of title (color of title refers to a claim to title which appears valid, but may be legally defective) is presumed in the absence of evidence to the contrary.

Land Patents were created to ensure exclusive and unencumbered ownership and were confined to execution by sovereigns. So, a natural question to be asked would be,

“Where did the land within the United States of America come from?” It came from England, France, Spain, Mexico, Russia, Hawaii and from the Native American Indians by purchase, such as the famous purchase of Manhattan Island, the Louisiana Purchase and the purchase of Alaska. Other acquisition came by war power such as Hawaii and much of the Native American Indian lands. Still others by treaty like the Northwest Territories Treaty, the Guadalupe

– Hidalgo Treaty and by treaty as the end result of war like the original war for independence from England. Some of the case law regarding these acquisitions includes:

“*Issuance of a government patent granting title to land is the most accredited type of conveyance known to our law.*” **United States v. Creek Nation**, 295 U.S. 103, 111 (1935); see also **United States v. Cherokee Nation**, 474 F. 2d 628, 634 (1973).

“*The patent is prima facie conclusive evidence of the title.*” **Marsh v. Brooks**, 49 U.S. 223, 233 (1850)

“*A patent, once issued, is the highest evidence of title, and is a final determination of the existence of all facts.*”

Walton v. United States, 415 F. 2d 121, 123 (10TH Cir. 1969); see also **United States v. Beaman**,

242 F. 876 (1917); **File v. Alaska**, 593 P. 268, 270 (1979)

In **Hooper et al. v. Scheimer**, 64 U.S. (23 How.) 235 (1859), the United States Supreme Court stated: “*I affirm that a patent is unimpeachable at law, except perhaps, when it appears on its own face to be void; and the authorities on this point are so uniform and unbroken in the courts, Federal and State, that little else will be necessary beyond a reference to them.*” Id. at 240 (1859) “*A patent, being a superior title, must of courts, prevail over colors of title; nor is it proper for any state legislation to give such titles, which are on equitable in nature with a recognized legal status in equity courts, precedence over the legal title in a court of law.*”



YOUR RIGHTS

It is important to remember that a United States patent is protected from third party attacks and are not open to collateral attack. Fee simple estates may be deemed either legal or equitable up to the largest estate in the land that the law will recognize.

As for purchases, a mortgage conveys no actual estate ownership; it merely creates a lien. A mortgage is merely a security in the form of a conditional conveyance – meaning it must be paid for the lien to be removed. Assignments or conveyances of mortgages do not convey the fee simple; rather they hold only security interests. Colors of title are ineffective against mortgages and promote the instability and complexity of the records of land titles by requiring abstracts and title insurance simply to guarantee a marketable title. This practice is against the intent of the constitution and the Acts of Congress. **Bagnell v. Broderick**, 38 U.S. 438 (1839): “*Patents are issued (and theoretically passed) between sovereigns...and deeds are executed by persons and private corporations without these sovereign powers.*” **Leading Fighter v. County of Gregory**, 230 N.W. 2d 114, 116 (1975). As was stated earlier, the people, in creating the Constitution and the government formed under it, made such a document and government as sovereigns, retaining that status even after the creation of the government. **Chisholm v. Georgia**, 2 Dall. (U.S.) 419

(1793). A patent has a double operation. In the first place, it is documentary evidence having the dignity of a record of the evidence of the title. In the second place, it is a deed of the United States, or a title deed. As a deed, its operation is that of a quitclaim, or rather of a conveyance of such interest, as the United States possesses in the land, such interest in the land passing to the people or sovereign freeholders. **3 Am. Jur. 2d Section 97. p. 566.**

As a country, the united States of America is quite young and as we evolve, we, the citizenry, must be ever watchful and push our elected officials to continue the good work of the founders under the Constitution. As Thomas Jefferson stated, “*Yes, we did produce a near perfect Republic. But will they keep it, or will they, in the enjoyment of plenty, lose the memory of freedom? Material abundance without character is the surest way to destruction.*”

“Is my property capable of being ‘absolute property,’ owned by me?” Contact us at Paragon for a treatise on how to locate your land patent and bring it forward in your name. Government or third parties cannot encumbrance your property unless it says it can on the patent or title deed. And, remember, the Fifth Amendment to the United States Constitution requires just compensation for eminent domain compelled sale.

ALLODIUM IS “LAND WHICH IS ABSOLUTE PROPERTY OF THE OWNER, REAL ESTATE HELD IN ABSOLUTE INDEPENDENCE, WITHOUT BEING SUBJECT TO ANY RENT, SERVICE OR ACKNOWLEDGEMENT TO A SUPERIOR. ALLODIAL LANDS ARE THE ABSOLUTE PROPERTY OF THEIR OWNER AND NOT SUBJECT TO ANY SERVICE OR ACKNOWLEDGMENT TO A SUPERIOR. AN ALLODIAL TITLE IS THE OPPOSITE OF A FEUDAL TENURE SUCH AS FEE SIMPLE. FEE SIMPLE IS AN ESTATE IN LAND IN COMMON LAW. IT IS THE MOST COMMON WAY REAL ESTATE IS OWNED IN COMMON LAW COUNTRIES, AND IS ORDINARILY THE MOST COMPLETE OWNERSHIP INTEREST THAT CAN BE HAD IN REAL PROPERTY SHORT OF ALLODIAL TITLE, OFTEN RESERVED FOR GOVERNMENTS.”



Contributors 



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Nicole Krebs (*The Living Words of The Constitution, Part 4*) is the Associate Editor of *Living Cowboy Ethics* – as well as being the friendly voice whenever anyone calls the PARAGON office. She is married to Anthony Krebs, a sergeant in the United States Air Force, and they have a beautiful daughter, Brittany. Nicole has a rich history working with non-profits, and her list of awards is without peer. Somehow

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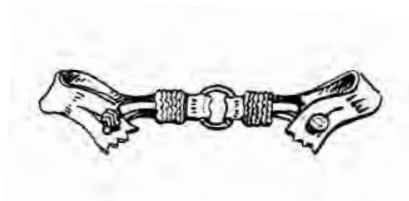
Thea Marx (*Handshake of Gold*) is fifth generation born and ranch raised from Kinnear, WY. Much of her career, including her book and website, *Contemporary Western Design*, has been dedicated to Western Style. Her writing and styling have appeared in *Living Cowboy Ethics*, *Western Art & Architecture*, *Western Horseman*, *American Cowboy* and *Western Lifestyle Retailer*.

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Courtney White (*Excerpt from his book, Revolution on the Range*) is the cofounder and executive director of The Quivira Foundation, a non-profit conservation organization dedicated to building bridges between ranchers, environmentalists, scientists, and public land managers. He is the

author of numerous essays on the West. He lives in Santa Fe, New Mexico with his family and a yard full of chickens.



JIM KEEN – RANCHING IN AMERICA



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Bobbie Parral. Chain Land and Cattle Company. Oklahoma.



Running Horses. Bledsoe Ranch. Colorado



Missy Bonds' boots. Bonds Ranch. Texas



Chain Land and Cattle Company, Oklahoma



White Ranch, Texas



Froelich Ranch, North Dakota



Van Norman Ranch, Nevada







Monahan Ranch, Nebraska



Pasamonte Ranch, New Mexico



The Bell Ranch, Arizona

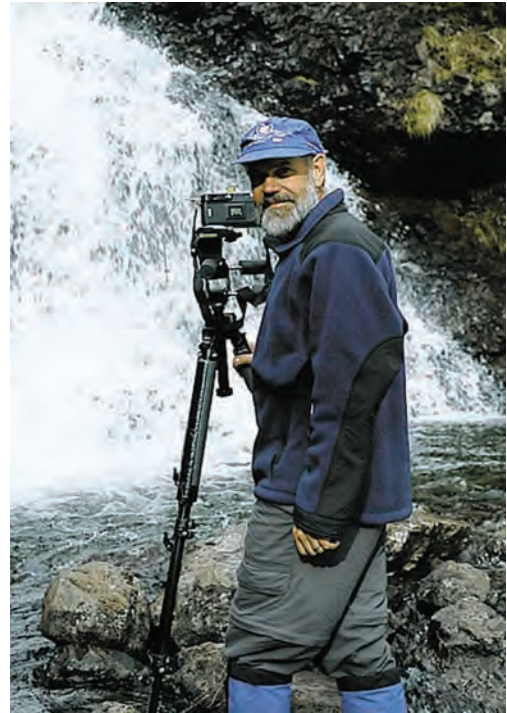
PHOTOGRAPHER JIM KEEN

Colorado Springs is home to **Jim Keen**, an award-winning photographer and film maker. He has won over 100 regional and national awards for his photographic art and his work is in private and corporate collections across the U.S. and in fifteen other countries. Professional recognition for his video work includes five Telly awards and three Communicator awards, and his film, *Silent Climb*, was featured at the Breckenridge Film Festival. Jim graduated from Brooks Institute of Photography and for more than twenty years owned The Air Castle, a photographic gallery in California. Jim is a mountaineer whose experience stretches from the glaciers of Canada and the Pacific Northwest to the high peaks of Colorado. He has climbed all 54 of Colorado's highest mountains and one of his passions is to share with others the awesome wonder of what God has made.

"The Great Ranches of The West" project has been a labor of love for Jim. He says of his subjects in the book, "Many of the cowboys and cowgirls featured in the book have lived on the same land for five, six or seven generations. They know ranching. In addition, they have to be environmentalists, tractor repairmen, accountants, plumbers, veterinarians, carpenters, lawyers, soil and wetland managers, weathermen and mother and father among other things."



To find out more about Jim Keen and his 2008 IPPY Award winning book, *Great Ranches of The West* visit, www.keenmedia.com. As Jim says, "Enjoy the photographic images and hug the ranchers that feed us all."



But the challenges facing the American rancher are more than that. In 1993 there were nearly 900,000 cattle producing ranches in our country. In 2004 that number had dropped to about 775,000. This decline is a complex problem with no single solution. One key though is education of the next generation. Jim is huge supporter of FFA (Future Farmers of America). FFA is a national youth organization of 476,732 student members preparing for leadership and careers in the science, business and technology of agriculture. There are 7,223 local chapters in all 50 states, Puerto Rico and the Virgin Islands. FFA strives to make a positive difference in the lives of these students by developing their potential for premier leadership, personal growth and career success through agricultural education. Help them continue to succeed at www.ffa.org.



THE LIVING WORDS of the CONSTITUTION

PART 4

NICOLE KREBS

ARTICLE IV

The Founding Fathers of our great Constitution wanted the states to cooperate with each other, which brings us to Article IV. Article IV addresses the states and their relationship with the federal government, as well as their relationships with the other states in the union. It mandates that all states will honor the laws of all other states. Section 2 guarantees that citizens of one state be treated equally and fairly like all citizens of another. It also says that if a person accused of a crime in one state flees to another, they will be returned to the state they fled from. Section 3 concerns the admittance of new states and the control of federal lands. Section 4 ensures a republican form of government and guarantees that the federal government will protect the states against invasion and insurrection. (www.usconstitution.net)

The Fathers wanted to give full faith and credit to their official acts, hence, the Full Faith and Credit Clause in Article IV, Section 1. The Clause reads: “Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State; And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.”

Simply speaking, a judgment in a lawsuit or a criminal conviction obtained in one state shall be recognized and honored in every other state, as long as the original judgment was reached by “due process of law.” This clause prevents those that have a judgment against them in one state from moving to another state to avoid enforcement. The Supreme Court reiterated the Framers’ intent when it held that the Full Faith and Credit Clause prohibited any further litigation of a question previously decided by an Illinois court in *Milwaukee County v. M. E. White Co.*, 296 U.S. 268, 56 S. Ct. 229, 80 L. Ed. 220 (1935). The Court held that by including the clause in the Constitution, the Framers intended to make the states “integral parts of a single nation throughout which a remedy upon a just

obligation might be demanded as of right, irrespective of the state of its origin.” James Madison listed the clause as one of several that “provide for the harmony and proper intercourse among the States” in *The Federalist* No. 42.

In the 1980s and 90s, the Full Faith and Credit Clause was applied to two other matters which helped numerous Americans. Child custody issues were historically dealt with by state courts, and often other states did not accept those judgments. A divorced parent who was unhappy with one state’s custody decision could at times acquire a more favorable ruling from another state. The clause ensured that a custody issue in one state would hold in all states.

Victims of domestic violence were another group that was aided by the Full Faith and Credit Clause of the Constitution. In 1994, full faith and credit was given to the enforcement of protective orders. This allowed protection even if the victim moved to another state.

The Supreme Court has recognized narrow policy-based exceptions. “States are not permitted directly to affect land titles in other states by, for example, issuing a deed to land located in another state.” Another exception is that “states can apply their own evidentiary rules. For example, the enforcing state may accept testimony that would have been illegal under the rendering state’s law.” (*The Heritage Guide to the Constitution*, Meese)

Article IV, Section 2 begins, “The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.” Each citizen has the same “privileges” in all the other states that he has in his own state. This clause created a “common citizenship” and kept states from discriminating against non-residents. The Framers felt that discriminating could lead to the detriment of the nation as a whole.

Many feel that charging residents and nonresidents different rates for various activities goes against the Privileges and Immunities Clause. “The courts have held that it is not prejudicial to require nonresidents to pay a fee for attending state schools or to pay a higher hunting and



fishing license fee, since these resources are maintained at considerable expense by the taxpayers of the host state and thus nonresidents are not put in a prejudicial position by being required to pay their fair share.” (*The Making of America*, Skousen)

In *Corfield v. Corye* (1823), Justice Bushrod Washington discussed the rights that citizens of all states hold. “Protection by the government; the enjoyment of life, and liberty, with the right to acquire and possess property of every kind, and to pursue and obtain happiness and safety; ... the right of a citizen of one state to pass through, or to reside in any other state, for purposes of trade, agriculture, professional pursuits, or otherwise; to claim the benefit of the writ of *habeas corpus*, to institute and maintain actions of any kind in the courts of the states; to take, hold and dispose of property, either real or personal; and an exemption from higher taxes or impositions than are paid by other citizens of the state.” Although this decision discusses the right of travel, the Supreme Court “has had difficulty in finding a secure constitutional locus for the right. Most recently in *Saenz v. Roe* (1999), the Court asserted that the right to travel emanates from the Privileges and Immunities Clause of the Fourteenth Amendment.” (Skousen)

Clause 2 of Article IV, Section 2 states, “A Person Charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.” Extradition occurs when a fugitive is returned to the state where the crime was committed. A warrant of extradition must be based on a sworn statement by a person that has first hand knowledge of the crime or a trial record from the conviction.

“New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.” Article IV, Section 3, Clause 1. When Congress admitted Vermont and Kentucky, it declared that the new states entered “on an equal footing with the original States in all respects

whatever.” Historically, Congress passes an enabling act stipulating the process that the people of a territory must use in drafting and adopting a state constitution. A hopeful state submits a proposed constitution to Congress and it is either accepted or must make changes. When the state constitution is approved, the “Congress may direct the President to issue a proclamation certifying the entry of the new state into the United States.” (Meese)

Although the Constitution says, “no new state shall be formed or erected within the Jurisdiction of any other State,” Texas is the exception. It was an independent republic and, under the Resolution of Annexation, it has the option to create “up to four additional states out of its territory.”



(Before reading on, it is important to remember that Article 1, Section 8 specifically says that Congress has the power to “exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square)..., and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards and other needful Buildings.” This is also known as the Enclave Clause.)

Section 3, Clause 2 is often referred to as the Property Clause. It reads, “The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States...” This clause gives Congress the authority to implement a form of “martial law” in territories. When a territory became part of the union, “Congress could exercise full police powers over federal land located in a state only in accordance with the Enclave Clause, that is, only when the land acquired with the consent of the state in question.”

In *Fort Leavenworth Railroad Co. v. Lowe* (1885), Justice Stephen Field stated that “until the formation of the State of Kansas and her admission into the Union, the United States possessed the rights of a proprietor and had political dominion and sovereignty over it (the territory).” He felt that jurisdiction over territories is “necessarily paramount.” Field goes on to say that when Kansas was admitted into the Union in 1861, it “was admitted into the Union upon an equal footing with the original states — that is, with the same rights of political dominion and

sovereignty, subject like them only to the Constitution of the United States.” In other words, “the state government assumes general sovereignty over federal lands, and the federal government has the rights only of an ‘individual proprietor.’” The only way that the federal government can “exercise rights of general sovereignty over property” is “if there has been a formal cession of sovereignty by the state under the Enclave Clause.” (Meese)

The Guarantee Clause, or Section 4 of Article IV, gives the federal government the authority to get involved in the “affairs of any state whenever the right to freely elected representative government has ceased to exist or is in jeopardy of being destroyed.” (Skousen) This Clause, which reads, “The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence,” was added because the Founders believed that for there to be a republican form of government, the bulk of voting citizens must make political decisions. According to Robert Natelson in *The Heritage Guide to the Constitution*, “a republic was very much *res publica* – the people’s affair.” If a citizen of the state believes that the state is no longer a republic, it should appeal to Congress for assistance rather than the courts. (See *Luther v. Borden* [1849])

This clause entitles the states to the protection of the federal government against an invasion from other states or foreign powers. It also gives the individual states the right to ask the federal government to protect it from a threat of invasion. In addition, if the state militia is unable to maintain order in the state, they may request assistance from the federal government.

Article IV was the Founder’s way of ensuring that the states worked together, “giving full faith and credit to their official acts and allowing new states to be formulated on an equal footing with the original thirteen.” (Skousen) They also wanted to certify that any territory acquired by the federal government was under their management and control until it became a state. Another purpose of Article IV was to guarantee that sovereign states did not feel “intimidated or abandoned” in case of attack and that the federal government would perform its primary function of protecting the citizenry of the states.



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every day,
for every American.*

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The California Coastal Commission and the Coastal Act

Part 2

Our Constitutional Rights and the Endangered and Threatened Species Acts in Coastal California

BY MARILYN FISHER

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The article “California Coastal Commission Part 1” tracked the Coastal Act (1972) and some of the outstanding property rights court cases from the birth of the agency known as the California Coastal Commission to the present. It defined permit certifications required by the Commission, OTDs, conservation easements in relation to our constitutional rights under the 5TH Amendment, and the “takings clause,” and named various environmental groups and their plans to grab as many coastal private landholdings as possible in their continuous effort to “save” them all for public use.

In this second part I’ll take you through what the California Coastal Commission has done to deny citizens their constitutional rights in support of one species or another protected by the Endangered and Threatened Species Acts giving a few examples of what you might expect if these species are found on coastal properties

under the Commission’s omniscient scrutiny. We’ll take a look at what else the Commission has been up to in its effort to stir up environmental issues regarding birds, frogs, whales, butterflies, plants and other species along the golden coastline. This time around I’ll reveal how the Commission impacts not only private property developers, but community groups, the Farm Bureau, and even the Department of Defense, restricting U.S. Navy ocean exercises and training in defense of our country—all in the name of protecting environmental habitats for particular species.

The Endangered Species Act of 1973 (ESA) is another of the many “well-intentioned” products of our federal government. Originally crafted to restore species thought to be on the brink of extinction, to date it has been effective in only a small percentage – so far about 10 out of the 1300 listed species have been preserved - less than one

percent. Yet it's still heralded as a guidepost for progressive environmental issue defense in this country. And, it's being questioned whether all species listed should actually be listed in the first place. Over time, many have been reclassified as having been threatened or delisted completely for lack of solid data. All species classifications with ESA are based on the best available scientific data – a relatively vague standard. This loose method of data gathering has led to heated lawsuits and endless battles over private property usage, and years of litigation that results in the ultimate goal that is a thinly veiled land grab. With the addition of the less volatile, downgraded classification system of the Threatened and Endangered Species Recovery Act of 2005 (TESRA) the phrase “best available” data was wisely included in the wording. This listing greatly reduced the number of endangered species giving a more accurate picture of what is really going on in the world of natural selection.

Due to the resulting whirlwind of paperwork, restrictions and loss of property rights that accompany the discovery of one of these species on privately owned land, many landowners naturally despise the ESA. Along with fears of losing their land, or the use of their land, over the discovery of a rare frog, bird, salamander or other “endangered” creature, they realize that it represents a loss of their constitutional rights and freedoms. Government “takings” of property are not unusual (or the takings of the use value) and can drive landowners to destroy habitats and any evidence of habitation in a desperate effort to protect their property rights and livelihood. While trying to defend their rights and faced with weighty land restrictions, property owners will often render their land useless before they'll give it over to a species that might at any time move on and take up housekeeping elsewhere. Once a property is branded as a habitat for an endangered or threatened species, it's useless to hope that the ban will be lifted without a legal fight since the Commission and environmental groups like Surfrider Foundation, the Sierra Club and others are usually there waiting eagerly to acquire the property and designate it for public use. It is their hope that property owners will give in, sign away, or sell off permanently their development rights to their land, often dashing hopes of future generations to carry on generations of family legacies in the farming or ranching business.

During a farm and ranch related case in 2002, Kathleen Burr, Executive Director of the

Los Angeles County Farm Bureau stood before the U.S. Commission on Ocean Policy and spoke on agriculture in California's coastal zones. She spoke in defense of the role of the farmer as both a conservationist and environmentalist stating that as agriculturists they have discovered ways to grow more produce with less water and pesticides, carefully keeping in mind the stewardship of the land and wildlife. Burr went on to say that farmers and ranchers provide through their livelihood natural habitat and feeding grounds for several migratory bird species. Expressing her concern for the position the Coastal Commission typically takes, that is, one of anti-agriculture and anti-animal agriculture as shown by the general LCP blueprint for most California coastal cities, she indicated that the problem is that it combines the regulations for both agriculture and new development. Defending the agricultural community, she said, “To include agriculture in with new development would put additional restrictions on it and reduce its future financial viability.” Her request



photos courtesy Department of Special Collections, Davidson Library, University of California, Santa Barbara

was that agriculture not be burdened with permits, EIRs and other requirements that would impact agricultural profitability and went on to say that the Commission typically has not used sound science in determining environmentally sensitive habitat areas. She cited for instance that the County of Los Angeles senior biologist differs in his opinion as to what the Commission designates as ESHAs. Such crucial judgments should be based on sound science, facts and results. "To limit a farmer or rancher from his given right to farm his land is unthinkable. Yet, he is required to pay taxes on land he is completely restricted from using (under ESHA restrictions). We are alarmed at the total lack of land use changes... a landowner should be allowed to take his land and use it for grazing, growing grapes, avocados, fruit trees, breeding horses and any agricultural use... It will be an extremely sad day when the farmer-rancher-equestrian becomes the 'endangered species' and we are at the mercy of government agencies in the name of protecting our environment..." Burr's lament in defense of farmers and ranchers is one heard often in court rooms throughout the coastal regions.

An essential element of the core principles of the Founding Fathers was the belief that private property ownership was a constituent of happiness and that it secured individual liberty and economic progress. Those principles also state that government should restrict its

land holdings to only those specified by the Constitution and those most critical to the necessary functions of government. If the government must take property through law or regulation, it must then pay just compensation per the "takings clause" of the Fifth Amendment. This should only be carried out in most extreme cases and should not become a common rule.

Here's a classic example of how the Commission deals with property rights issues using the ESA as a vehicle to achieve their goal. In the 1990s a major California developer proposed to build a golf course, clubhouse and other facilities on their property along a mile of the extensive Gaviota coast north of Santa Barbara on a property previously owned by ARCO Oil. Prior to the sale of the property to Makar Properties, ARCO was required to clean up the property, spending \$11M to prep the land for future use as a golf course by the new owners. The golf course project had been approved in 1993 by the Santa Barbara County Board of Supervisors. The site was zoned by the County for agricultural use, which includes golf courses. It survived the rigorous courts as well as an appeal by the Surfrider Foundation that tried to force Makar to sell the land to another conservation organization, the Trust for Public Land, to convert more land along the Gaviota Coast to public use. After endless appeals and attempts in court, the project stalled again in 1999, upon the discovery that the area was a habitat for the red-legged frog, a "threatened



species” federally protected under TESRA. In addition, biologists found tidewater gobies and patches of a rare southern tar plant. Then it was determined that an increased number of monarch butterflies and two pair of federally protected endangered birds, known as white-tailed kites, were reported nesting on the property. So, the Commission outright rejected the developer’s project. In a desperate effort to salvage their plans the developer also tried to comply with conservation requests by including, at their own expense, conservation measures for the red-legged frogs along Eagle Creek Canyon.

Through these measures the actual project area was diminishing in scope. When the project offered to compensate by agreeing to further scale back its plans, it was still denied. Whitt Hollis, project manager for the developers, said that if all recommended revisions required by the Coastal Commission were made to the project, “there wouldn’t be enough land left to build anything.” The Commission rebuked the ARCO Dos Pueblos Golf Links project and waited out the legal process that took 10 years to complete. Meanwhile, other previously unknown endangered and sensitive species were located on the property. The applicant was ultimately denied the permit by the Commission and by February of 2002, the project was dropped.

The Commission staff defended their position that there was no illegal “taking” in the Dos Pueblos golf course case because the developers could still build at least three homes on the property, regardless of the fact that that was not what they purchased the property for in the first place. A spokesman for the Sierra Club in San Francisco stated, “[the developers] have completely missed the boat on the pivotal issue here which is protecting the white-tailed kites... they’ve got no case... [they] should start negotiating with a conservationist land trust to sell their land.” The developers lost the 10 year battle to build Dos Pueblos Golf Links and ended up bringing a lawsuit against the Coastal Commission for illegally depriving them of the use of their land.

It’s another example of how the landowner is deprived of his constitutional rights as stated in the Fifth Amendment that affords life, liberty and the pursuit of happiness- all of which can not be taken without due process of law and just compensation. The text of the Fourteenth Amendment adds, “No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; Nor deny to any person within its jurisdiction the equal protection of the laws.”

According to The Coastal Act, when planning for development of coastal properties all coastal zone local governments are required to submit a Local Coastal Program or LCP to the Commission for certification. An LCP is made up of a land use plan (LUP) and a local coastal zone use plan. The job of the Commission is to

certify the LUP if it determines that the plan conforms to the specific policies of the Act. In 1986 the Commission had granted Sand City, on the west side of Highway 1 between the highway and Monterey Bay, a final certificate for their LUP to rehabilitate a formerly environmentally degraded site on an oceanfront lot into a resort and recreational development. The City’s plan clearly noted that there were no “Environmentally Sensitive Habitat Areas” west of Highway 1. However, years later in 2008 the Sand City property was finally ready to begin the development. In the case known as *Security National Guaranty, Inc vs. California Coastal Commission* the Commission had on appeal denied a CDP (conditional development permit) for a mixed use development on the oceanfront lot, citing that the developer and local government had failed to meet requirements for water supply and that the project site was an ESHA. Through the Coastal Act the court reviewed the powers granted to the Commission and the LCP that the Commission had originally certified. It was determined by the court that the Commission did not have the authority to designate property an ESHA where a certified LCP had already been in place.

Basically, the decision meant that the LCP stands as a shield for local governments and developers against future ESHA determinations brought up after the fact by the Commission during an appeals process. The court confirmed that the LCP represents a standard for review in Coastal Commission appeals, and that ultimately the developer would be allowed to develop the property by the standards of the LCP in place at the time of the application. Since there were no ESHA designations for the property area, the Commission could not later amend the LCP saying that there were. That is a power reserved for local governments only and the Commission was clearly off course. The appellate court stated, “The Commission has no authority to amend an LCP during the CDP process. It is not authorized to diminish the authority of the local government to adopt by ordinance the content of its land use plan. The Commission, like all administrative agencies, has no inherent powers; it possesses only those powers that have been granted to it by the Constitution or by statute. As a consequence, if the Commission takes action that is inconsistent with, or simply not authorized by the Coastal Act, then its action is void.”

The court struck down the Commission’s attempt to designate the property as an ESHA without LCP authority because such action infringes upon powers that the Legislature expressly allocates to local government. The environmental group, the Sierra Club and two members of the Commission appealed the issuance of the CDP, however, they were denied by the court and the development moved forward as clear victory for both the developer and local government.

In the next scenario, it's not only private property rights that are at stake when the state appointed Coastal Commission leaps into action. National Defense can also be restricted as was the case when the U.S. Navy wanted to train their crews in new active sonar techniques, a method designed to protect American shorelines by early detection of enemy submarine presence off our coasts.

This case is different from other environmental habitat cases as it deals with the military, our National Defense and the means by which our nation is protected from threat of enemy infastion. This protection is a basic right of all Americans under Article IV, Section 4 of the Constitution. A great deal is at stake when it affects the population at large. We as citizens can expect to be protected from foreign intrusion on U.S. soil and in surrounding coastal waters. In order to strengthen this ability to protect us, the military must use various methods developed for that express purpose. This right of protection has recently come "under fire" by the Coastal Commission and the Natural Resources Defense Council (NRDC) who in 2007 filed lawsuits on behalf of an environmental group against the U. S. Navy over training exercises planned for the waters off the coast of Southern California. The Navy planned on using high intensity active sonar to detect the presence of other super quiet enemy submarines off our coast to protect our shores from foreign intrusion. However, the environmental group filed suit declaring that such exercises will disturb marine mammals including whales, and that certain measures must be taken before the exercises can be performed. The chair of the Commission, Patrick Kruer declared, "By rejecting simple measures, the Navy is challenging the jurisdiction of the entire Commission and undermining the Coastal Act and federal coastal protection laws that apply to all coastal states." The Commission contended through its lawsuit that the Navy violated the national Environmental Policy Act, the Endangered Species Act and the federal Coastal Zone Management Act (CZMA). The Commission claims that the CZMA gives it the authority to review military activities that impact California's coastal resources and habitats. The barriers thrust upon naval operations by the Commission would seriously hinder the response time for our military to act in the event of an impending attack. Observing special measures such as seasonal restrictions that avoid Grey Whale migratory routes; monitoring for marine mammals 30 minutes before training begins; and, avoiding areas with high numbers of whales and sea turtles is not realistic. An attorney in the lawsuit representing NRDC added, "Safeguards like these can make a big difference in the risks to whales and other marine life. It is indefensible for the Navy to ignore their potential to minimize or avoid harm to these magnificent animals during dangerous sonar training exercises." To which the reply ought to be – it's the defense of our country. Clearly damage from enemy missiles fired from submarines will "harm the environment" and a multitude of

species, including humans, far more than the sonar used to detect their presence. This is the fifth time the NRDC has sued the Navy over sonar usage, but the first time such a lawsuit had been brought by the Commission.

To date the status of this battle is that in 2007 the Ninth Circuit Court of Appeals imposed limits on Navy sonar usage that were recently upheld by Federal Court Justice Florence Marie-Cooper who ordered severe restrictions on the U. S. Navy's anti-submarine training and testing exercises along the California coast. Her order restricts our military's ability to defend our country by banning the use of active sonar within 12 nautical miles of the California coast. It also requires that the Navy spends an hour before any sonar testing looking for marine mammals in the area. And if a marine mammal strays within 2,200 yards of a ship using sonar the ship must immediately cease its training. The Navy has determined, and rightly so, that without sonar training a sailor's ability to detect enemy vessels in actual combat could be severely hindered.

In order to make any case, it's important to have facts and solid data in hand. And, ironically, a recent report from the federal advisory committee on the effects of active sonar on marine mammals states, "no scientific studies have conclusively demonstrated a link between exposure to sound and adverse effects on a marine mammal population." The Coastal Commission weighed in on the report saying they were disappointed that the advisory committee could not reach a consensus on the topic. There is a lack of consistent data due to the fact that the impact of active sonar on marine mammals is difficult to detect, particularly where there is insufficient information about the population size and structure that is being tracked. If reason prevails, this should be taken as evidence that the Commission's defense is deeply flawed.

Finally, I'd like to include a case that took place in a coastal town in Mendocino County. The Fourth of July 2007 was a turning point for Gualala Point residents and visitors who decided to celebrate the tradition of Independence Day with fireworks. According to environmental groups, the Gualala Independence Day fireworks of 2006 had caused a disturbance of local seabird roosts and rookeries. A small special interest group known as Friends of the Gualala River formed and voiced its concern about the unregulated nature of the annual event and its impact on the birds. The Coastal Commission sent a letter to Gualala Festivals Committee notifying them that a permit would be required before the 2007 fireworks display could proceed. And, they were informed that the permit must be sanctioned by the Commission taking into consideration the adverse impacts to the environmentally sensitive habitat and rare or endangered species. Regardless, the Gualala Festivals Committee proceeded to launch their 2007 fireworks over the mouth of the Gualala River in defiance of the Commission.



Later that year, the Bureau of Land Management released a preliminary report on seabird and marine mammal monitoring at Gualala Point Island. At the heart of the controversy was the welfare of the population of Brandt's cormorants that nest in the area and the effect of the Gualala Festival fireworks display on that species. The report determined that the cormorant – which by the way is designated as species of “least concern” – is affected by the public fireworks, and several were seen abandoning their nests during the display. That information was reported to the California Department of Fish and Game and the Commission by the Friends of Gualala River group.

The Gualala Festival Committee then sought legal defense from the Pacific Legal Foundation. In defense of the Fourth of July celebration in June of 2008, PLF attorneys Owen and Breemer penned the following op-ed that appeared in the Santa Rosa Press Democrat. They stated that, “Prompted by a small group of local bird-watchers who claim the town’s fireworks show causes [common] birds located on a federally protected island 100 yards off shore and 1 mile from the launch site to fly away, the Commission has stepped in and demanded that the annual display cease.... Never mind that the Gualala show is nothing but a commendable display of love for this nation observed or that thousands of people are hoping to gather together along our beautiful coast in observance of Independence Day. Local Independence Day fireworks shows should be encouraged, not chilled by the heavy-handed tactics of a Coastal Commission obsessed with common birds. The Coastal Commission has already done enough damage to one American tradition: private property. It should keep its hands off the Fourth of July.”

As expected, shortly afterward the Commission voted unanimously to order the Gualala Festivals Committee to cease and desist from their plans to put on the 2008 fireworks display. And so the Fourth of July fireworks were silenced over the Gualala River estuary this year. The Festivals Committee, allied with PLF, prepared to appeal their case against the Commission in court, hoping to win their right to a fireworks display in 2009. However, the 1ST District Court of Appeals rejected their appeal and ordered that without a permit from the Commission no fireworks can take place. It is unfortunate that the community can no longer enjoy this national pastime. The annual tradition has been traded for concern over the welfare of a non-endangered coastal species. The question now is how long will it be before the Commission restricts other coastal displays of patriotism in favor of environmental habitat and wildlife issues?

In summary, it is essential that all citizens must seek to educate themselves to their constitutional rights locally and nationally. Though the cases cited here are detrimental to our constitutional rights, they serve as a reminder that we need to continue to defend our liberties and the document that states them. Agencies of government are beholden to laws and must be held accountable in cases of injustices where constitutional rights are compromised. In California, and in fact all coastal states of the union, it is imperative that coastal landowners be prepared to defend their rights in the area of development fully expecting that it could become a battle of wills with conservation groups who seek to take private land for the “public good”. Be educated, be aware and prepare to defend your constitutional rights as the Founding Fathers would have you do. It’s about what’s right and defending our personal rights for future generations.



HANDSHAKE OF GOLD



Washington State's First Family of Rodeo's word is as good today as it has been for five generations.

BY THEA MARX

"Pride," says Shannon Beard Stewart quietly. The word comes with a voice full of emotion. It's a word she uses to describe her family, the Beard family - a rodeo family that has been in America for at least five generations. It's a family lineage whose beginnings were very humble, yet a family whose hard work, love of togetherness, horses and rodeo, made them one of America's premier rodeo stock contractors.

Horses have been an integral part of the Beard family lifestyle - on his, and later, his wife Charlot's side. Frank, the patriarch, was born into a family of well-known horse traders in 1928. They moved with opportunity to find and sell horses until his sister started school, then the family settled in Toppenish, Washington, a ranch community on the edge of the Yakima Indian Reservation with mountains surrounding them and a valley floor rich in farmland.

The Beard Family – L to R: (*back row*) Tim, Shannon, Kelly, (*front row*) Pat, Frank, Charlot and Casey



John Van Belle, Charlot's father (cowboy with white arm braces) at his ranch Outlook, WA inspecting bucking horses.



John Van Belle, trying out a prospect.



Charlot Beard at 17, Toppenish Rodeo Princess, 1945

Frank's father was tough, but his word was always good and every horse that he traded was the way it was presented or he found a replacement.

Frank's granddad, John Calvin Beard, started the Beard legacy in the Pacific Northwest. In the late 1800s, he helped drive a herd of cattle from Texas to Bakers City, Oregon and decided to stay. He first homesteaded in Oregon in the Wallowa Valley then made his way to the Yakima Valley in Washington where he ran a livery stable. In 1919, Frank's dad and grandfather trailed 100 head of horses from Boise, Idaho to Fort Smith, Arkansas. This was a familiar 1650 mile trip for the pair who had commonly taken horses to Ft. Smith for the Army. Usually the horses sold for a lot of money, this time, the economy was on a downturn and no one had any extra to spend. The pair was forced to run the horses through the sale barn. Home was a long way away so they used their horse money to buy a brand new Model T. The two horsemen could handle any green colt or rank stud, but the new fangled contraption presented a problem. Neither could drive. So they hired a driver to take them back to Ontario, Oregon where they spent the winter. Frank's life was no less nomadic. As a boy he remembers traveling from town to town looking for horses and work in a team and wagon.



Bill Beard, Frank's dad

With horses in his blood, Frank started riding rough stock and training Thoroughbred race horses when he was 16. Soon, a new offer came his way with John Van Belle, a local stock contractor. He spent his days working saddle horses and trying out broncs. One day, Charlot, John's daughter came home from college. The new hand was in

love with a girl whose horsemanship skills nearly matched his own. Wedding bells rang for Mr. and Mrs. Frank Beard in September 1947. Their honeymoon was spent at the Moses Lake rodeo. Frank placed third in the saddle bronc riding with his new bride cheering him on. Ellen, Charlot's younger sister, recalls the evening with a giggle some 60 years later. Apparently, the couple's honeymoon suite that night was the bed of Frank's International pick-up - with stock racks. Ellen, whose Dad was the evening's stock contractor, and friends came across a proverbial goldmine: pop bottles. Everywhere. "Remember the days, when a bottle was worth five cents? Well, there were lots of bottles and us kids had movie tickets on our minds." With no place to store their treasure they filled the back of the International, a sure way to get their bounty back to town. Needless to say, Charlot and Frank were not as pleased with the collection as the kids were when they peered into their "suite."



Four generations Beards in 1949
L to R: Bill Beard, 43 (*Grandfather*); John Calhoun Beard, 85 (*Great Grandfather*); Frank Beard, 21; Casey, 3 mos

Moses Lake was a pre-cursor to a successful saddle bronc riding career in the Northwest for Frank. Extra time was spent as a pick up man for his father-in-law, which meant the family spent many evenings on the rodeo trail. Going to the rodeos was exciting for the Beard children, as each rodeo had its own special appeal. Casey, the oldest of

career in earnest that lasted 25 years. He continued to rodeo into the 1950s, and then he stopped “eating dirt” and started showing quarter horses. The Beards had purchased a small ranch near Outlook, Washington where he and Charlot raised five children - four boys and one girl. They became very involved in the local 4-H horse



The Beard family in 1955, Frank and Charlot were 27

program. Shannon remembers her formative years as a time when she never had to go to bed. “There was always someone at the house, visiting.” When Pat was in high school, he decided he was going to ride broncs. His dad bought some practice stock and once again, the Beard family was back in the rodeo business. Shannon went reluctantly, more formal showing was her favorite, but nonetheless, she joined in and ran barrels even through college. Soon though, changes were on the wind. A new highway was being built and it was going to go

the five, remembers Bickleton Pioneer Picnic as his favorite. It was where the family camped out, and the boys could play behind the chutes, getting as close as they could to their icons, hoping some of that power would rub off on them. Casey also fondly remembers the steep switchbacks of the old gravel road leading to Glenwood. Flying didn’t seem such a far away fantasy when feet were tucked securely in the stock rack spaces, the mountain falling away beneath the narrow road. Another fond memory was the steep hill that ended at the buckin’ chutes in Arlington; the one that could be swiftly and dangerously navigated, eyes clamped shut, a piece of found cardboard the ride. Crossing the Columbia on a ferry was a treat too, stock truck full of horses, “dog house” on top, the cab full of kids, mom and dad in front – all in typical Beard fashion: together. “When you invited the Beards, you got all of us,” Shannon remembers. “We never stayed with a sitter.”

right through the middle of the Beard property. The decision was made. They packed up and moved to Ellensburg – “the Timothy hay capital of the World.” Charlot couldn’t have been happier. “It was one of the best days of my life,” she says.

Ellensburg offered the Beards a 160 acre spread and they moved from producing amateur rodeos to getting their PRCA card. Pat, as he says himself, was a boy who

Making ends meet riding saddle broncs and leading pack trips in the Cascades and on Mount Rainer’s Wonderland trail wasn’t easy. Frank decided to take a job with a trucking company and shoe horses on the side. “My family wanted to eat for some reason,” he quips. When the trucking company went on strike, he began a shoeing



John Beard at the Multnomah County Fair, 1966, in the winner circle with his horse Planned.

dreamed of being a cowboy and had that “wild look in his eye.” It was a look that ultimately served him well as he rode his way to the Washington State title for Saddle Bronc riding. He credits his grandfather, Johnny (Van Belle), for having such an impact on his young cowboy’s ways. One of Pat’s most poignant memories took place in his grandfather’s corrals, where a horse he was trying to catch was testing his patience. Pat’s frustration got the best of him. He threw the rope and hollered at the horse. Unexpectedly, his grandfather appeared at his side slipping the halter from under his arm. He stood there coiling the halter and without looking at his grandson, quietly said, “Son, catching horses is kind of like catching girls,” he said, “you go slow and talk sweet.” Pat, who now manages Hamley’s saddle shop in Pendleton, has never forgotten those words or the gentle way his grandfather caught that horse.

Pat fondly remembers the Sunday afternoons at the Ellensburg ranch, “Everyone would park around the arena and anything that looked like it might buck got tried.” Then, the Beard Rodeo Company rodeos were true family affairs. Pat and his brother-in-law, Don Stewart, were the pick up men. Shannon helped and worked behind the scenes, as did grandsons Kyler and Daniel. Charlot’s sister



Frank Beard and his favorite saddle horse, Sandy



Rider Clint Corey at Pendleton Round-Up on “Homegrown” – Beard Rodeos bucking stock herd sire.

Homegrown was selected 5 times for the National Finals Rodeo and was inducted in the Ellensburg Rodeo Hall of Fame

Ellen was the timer, Charlot the secretary, and Casey, who was a career military officer, and his wife, Anne, joined the family behind the chutes, whenever they could get away. Before and after each rodeo, it was family time. And that family closeness was extended to anyone around who had dreams of being rough stock riders. As

Pat says, “It was a halfway house for homeless cowboys, sometimes there were five for dinner, sometimes 50. But mom always rose to the occasion.” Those dinners were some of Charlot’s favorite moments, too. “Even at the rodeos in the days when we camped in a tent and cooked over a campfire, I cooked for the crew and fed any stray cowboys who wandered by. We always made time for a prayer before meals. We were all family. It was wonderful. We were a rodeo family.”

“Rodeo family” seems like an understatement. The Beards set the standard for raising superb bucking stock, carefully monitoring their progress and knowing just when to break them out in front of the crowd. In 2007, the Beard Rodeo Company sold out, something that had happened before, but this time for good. The first happened when they moved from Outlook to Ellensburg. “We wanted to build a log house, and the banks were reluctant to finance it,” Frank says. Build it they did and then rebuilt the stock contracting business

shortly after. That house is a great source of pride and joy for Frank and Charlot. Frank proudly displays his collection of bits and spurs; Charlot, her art collection. There is much more wall space than the homemade 8’ x15’ trailer they started out with, parked underneath the trees at the Van Belle place. The walls tell the story of why the Beard name is synonymous with some of the best rodeo stock in the



Frank and Charlot Beard in 1997

world. Plaques proclaiming Horse, Bull and Stock Contractor of the Year hang amongst five generations of Beard family memories. Even though the Beard Rodeo Company has become a part of history, the legacy it leaves is one of family, hard work and hand shakes. Hand shakes as good as gold.



RECOMMENDED READING

Here are some great reads to add to your nightstand.
Some of the books are brand new; some are older releases but are worth a look.

The Craftsman

Richard Sennet
Yale University Press
www.yalebooks.com



Writer Richard Sennet takes us into the meaning of the word “craftsmanship” in his elegant reminder of the idea and importance of work in his book, *The Craftsman*. In today’s world of corporate downsizing and geographic exporting of tasks, Sennet’s *The Craftsman* restates for us the value of a job done right. “The carpenter, lab technician and conductor are all craftsmen because they are dedicated to good work for its own sake. Theirs is a practical activity, but their labor is not simply a means to another end.” A compelling and well-crafted read.

The Next Rodeo

New and Selected Essays
William Kittredge
Graywolf Press
www.graywolfpress.org



From his youth on his family’s cattle ranch in southeastern Oregon to his work as a professor of English and creative writing, Kittredge’s West has been worked hard and used but his love and hope for its resiliency and flavor never falters. “My father and grandfather found an untouched place. They got the first shot at it; and they inherited an old story. Take charge and make it pay. Our problems are

more complex. We’re responsible for imagining our way into a just society and an economy based on labor and inventiveness, rather than deep plowing in the pastures of heaven.”

Tortilla Flats

John Steinbeck
Penguin
www.penguin.com
www.steinbeck.org



We all need a classic now and then. Steinbeck’s *Tortilla Flats* depicts a time and place after the First World War in a poor area near Monterey, California. The story revolves around the main character Danny, who moves to a small house he inherited from his grandfather, and the free-spirited characters, or *paisanos*, who are drawn to his hospitality. They denounce social convention and have big fun in the idyllic days just before U.S. prohibition. The book celebrates loyalty and gives the reader a true look at the power of goodness and personal courage. It is a Steinbeck like no other.

Revolution on the Range

The Rise of a New Ranch in the American West
Courtney White
Island Press
www.islandpress.com



In *Revolution on the Range*, writer Courtney White gives us stories from a new American West where cattle and conservation go hand in hand. He writes that ranchers and environmentalists have more in common than they’ve typically admitted: a love of wildlife, a deep respect for nature, and an aversion to over use. The real conflict has

not been over ethics, but approaches. The book is a hopeful journey of evolution in a time when control of our food sources and its quality should be front-and-center in every American’s thinking.



RECOMMENDED READING

Water in the West

A High Country News Reader
Edited by Char Miller
Oregon State University Press
<http://osu.orst.edu/dept/press>



Water in the West came described as “a primer on the region’s most precious and scarce resource.” It is a compilation of writings from the pages of *High Country News* – a non-profit, biweekly periodical whose mission statement contains – “*We work to create what Wallace Stegner called a society to match the scenery.*” The book contains a variety of stories that take numerous views of the West’s efforts to

balance competing needs for water. Stories include watchful articles on western cities from Las Vegas to Tucson to Denver and provide some compelling perspectives on a subject that will probably soon eclipse the concern for energy. The issue of water, it has been said, will be the story of the next 100 years. Whether we can maintain its supply and its usability is a question for everyone in not only the West, but also the world.

Dances with Hooves

Skip Halmes
Skip Halmes
shames@dadco.com



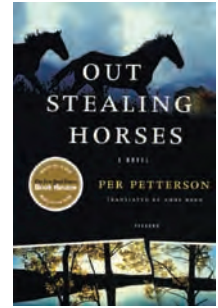
Skip Halmes is a rancher who writes, but could also be described as writer who ranches. His first book, *The Cow Whisper*, was published in 2001 and contained stories from his column in his local town paper, *Cascade Courier*. Cascade’s paper didn’t have a writer to cover his region – just off Mission Road, so Skip took the position and started hunting up the news in the little Montana town southwest of Great Falls. He put many

of the stories into his two books. Skip’s writing is filled with the wonder of the everyday as he describes his area’s happenings with the unbridled love he has for his family and the work they do. This, his second book, self-published in 2007, continues his story telling of local characters and adventures. Unlike so many self-published “memory” books that are too filled with personal agenda and bad poetry, Halmes recollections are filled with invitation – as if we have all just stepped into the family kitchen with him for coffee on a cold morning of calving. His stories are our stories – family, hard work, good friends and faith.



Out Stealing Horses

Per Petersen
Picador
www.picadorusa.com



This little book, from Oslo writer Per Petersen, is a right-of-passage of one Tron Sander. In an era today of second, third and even fourth parts of people’s lives this story starts with Tron at the age of sixty-seven. A professional from Oslo, Tron has recently lost his wife and sister and believes that his ultimate salvation will come from plunging himself into a life of solitude. So, he decides to move from the city to a remote riverside cabin. He is no Thoreau, and while he plans on chopping firewood – he lives with an electric heater. Petersen’s gripping account of one man’s struggle benefits us all as we break our life trails, following our own map of memories and dreams.

Craft in America

Celebrating Two Centuries of Artists and Objects
Jo Laura and Steve Fenton
Clarkson Potter
www.clarksonpotter.com

Craft in America illustrates a loving look at the objects and ways of craft in America over the last two-hundred years – from furniture, wood, ceramics, glass and fiber to quilts, jewelry, metal and baskets. We journey through a visual legacy of the handcrafted through a look at a variety of communities that helped



create cultural contributions to the ultimate make up of America. The book features an eloquent prologue by former president, Jimmy Carter, himself a patron of indigenous craft. The book is a companion to a recent PBS series of the same name. Our national cottage industries always seem to be in a state of fading yet in the West we are blessed with a renaissance of sorts of the craft of the cowboy. Saddlemakers, bit and spur makers, silversmiths and rawhide braiders continue to find new customers for the work – who use them with pride and regularity. *Craft in America* is not only a valuable look at our crafts history but a bolstering nudge of support for the future.

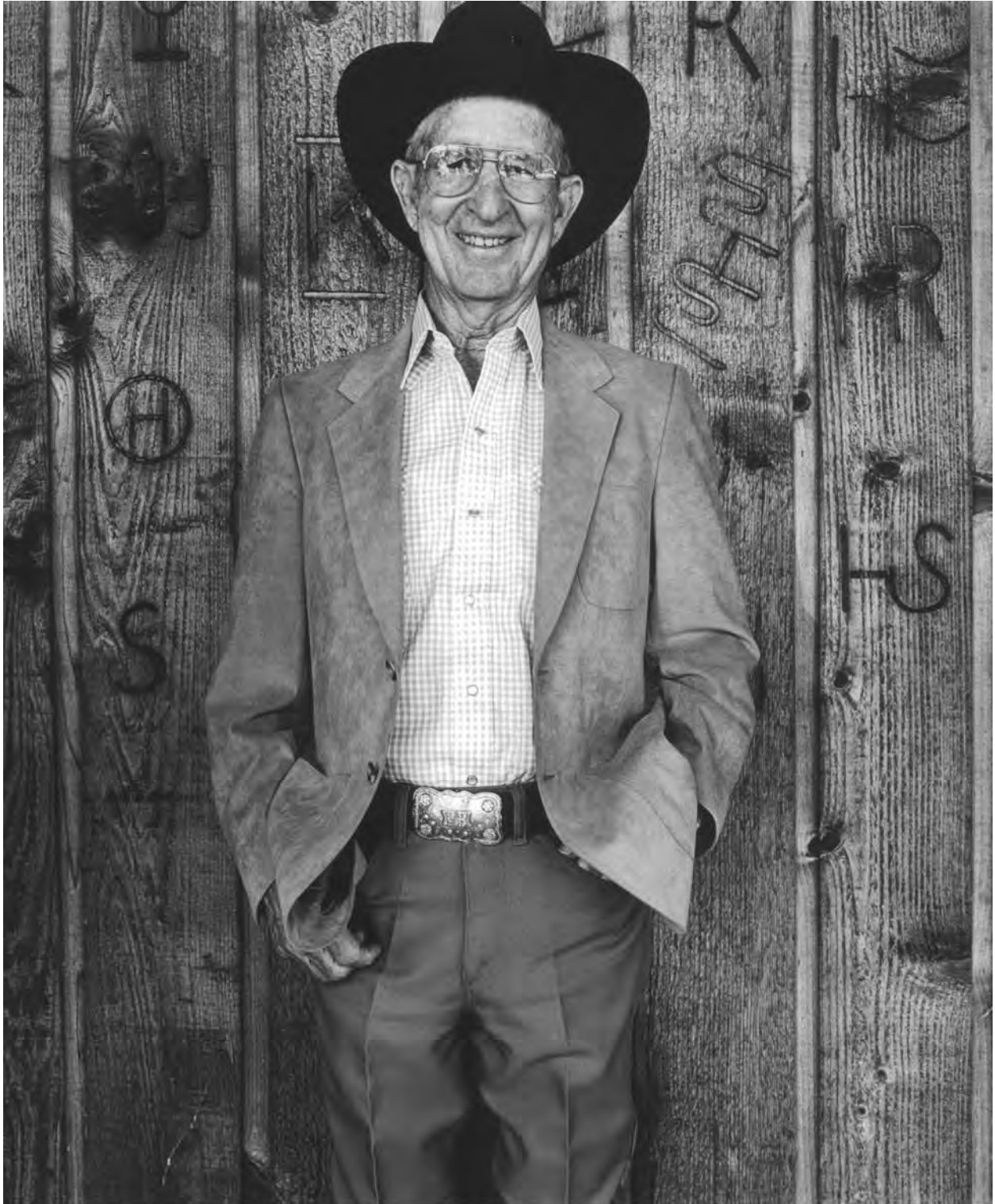


Photo by Jim Arndt

Paul Bond

A handwritten signature in black ink, appearing to read 'J. Arndt', located in the bottom right corner of the page.



A Cowboy's Story

photos courtesy Paul Bond

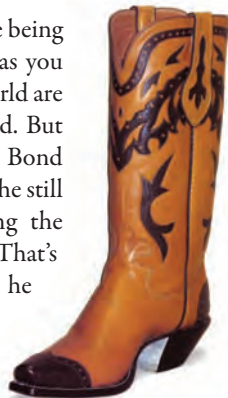
The Western Life of Paul Bond

BY MARK BEDOR

81

Think of your favorite hobby. Now imagine being able to devote your life to that passion, as you craft a product that people all over the world are willing to pay a premium price to own. Not bad. But for Paul Bond it didn't happen overnight. Paul Bond has had that good fortune. And, at the age of 92, he still relishes every day he gets to spend designing the handmade cowboy boots that bear his name. "That's what I work on every day. I love that part of it," he says. "It's fun to see my art work on the boots."

Wear the legend is the slogan of the Paul Bond Boot Company.



And if you like cowboy boots, one look at the fine Western footwear Bond and his twenty craftsmen create will have you hankering for a pair of your own. Each and every one is the epitome of Made-in-the-USA - as everything is handmade at Bond's shop in Nogales, Arizona, built from imported French calf, kangaroo, shark, ostrich, buffalo, and other fine leathers. You can spend close to ten thousand dollars on a custom pair, although orders for eight or nine hundred dollars are much more common. Boots start at around \$600. You can see all the styles with the tempting designs and



leather combinations of this master bootmaker on the company website. www.paulbondboots.com

If the boots are a legend, so is the life story of the former world class trick rider who created them. Bond's tale begins in 1915 on his family's Lone Tree Ranch outside Carlsbad, New Mexico. Raised on a 30 square mile cow-calf outfit he still owns today, Bond grew up in the saddle. And, as a teen, he broke horses for the local U.S. Cavalry outpost. The cavalry apparently believed there was no better training for a horse than a wet saddle blanket, and they paid Bond to put some miles on their new equine recruits. He rode those military mounts every day on his ten mile round trip to high school. "They paid me a little bit to ride 'em," Bond recalls. "And I'd ride one two weeks and turn him in (and) they'd furnish me another one. Cavalry was still pretty strong at that time (in the early 1930s)."

Inspired by the trick riders he'd seen, the teen's active mind and athletic talent put all that time horse-back to good use. "I rigged up an old A-fork saddle and did some trick ridin' on those horses," he says, adding, "I'd make them buck occasionally to practice ridin' buckin' horses." Meantime, out of the saddle, the young man was discovering another passion – working



Paul Bond, 1946

with leather – and it was love at first sight. Bond learned the trade and perfected his craft working for a local cobbler. "While I was ridin' back and forth to school, I went to work evenings and Saturdays in a boot and saddle shop there... and back then I liked it just real good," he says smiling, "... and I decided to go into that business."

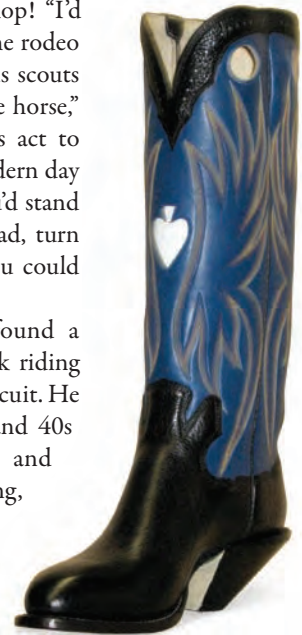
"I liked the looks of a boot, the artwork that could be done on 'em," he continues. "That's really what I like about 'em right now."

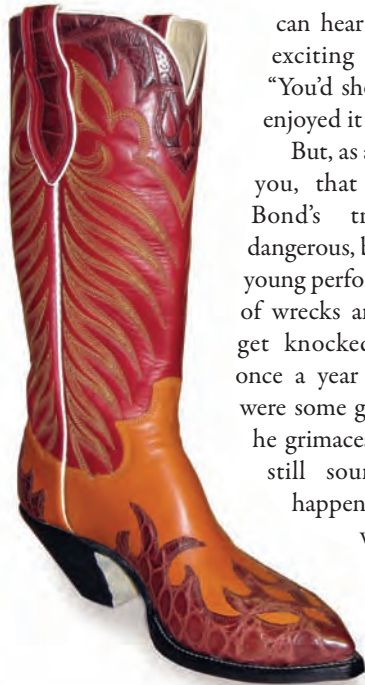
But life was to take a dramatic turn, when some circus scouts discovered the world class trick riding talent Bond had perfected during all those rides to high school. So Paul was just 17 when his career in the arena took off at a full gallop! "I'd been hired to trick ride at the rodeo in Tucson... and some circus scouts was there. Acrobatics on the horse," he describes, comparing his act to what you might see at a modern day circus. "You'd turn flips, you'd stand up, you'd stand on your head, turn summersaults... whatever you could do ridin' a horse."

Within a year Bond found a better and steadier gig, trick riding on the professional rodeo circuit. He spent much of the 1930s and 40s traveling coast to coast, and border to border, trick riding, and later, Roman riding, an awesome spectacle in which a rider stands astride two (or more) galloping horses, a foot planted on the back of each animal. "It paid about twice as well as trick riding did ... it was a good payday, yeah."

Some of the stunts Bond did are downright amazing, like the one in which he crawled from the saddle under a galloping horse's belly, before reemerging on the other side! It took a long bodied and tall mount to safely perform that stunt. But, Paul admits the stunt was never really safe. "His old hocks (ankles) would hit you in the head with a wallop!" he remembers with a laugh. "You'd try to duck through as fast as you could... but you'd get hit hard two or three times it seemed like, every time on the way under."

It was quite a life. The United States may have been in the grip of the Great Depression, but Bond was livin' the dream as a rodeo star, and making the then princely sum of \$75 a rodeo, at a time when a nickel was worth about what a dollar is today. "And it was just a bunch of money," Bond remembers. "I was just tickled to death. I thought this was a life of luxury. I just loved it! I loved it!" he shares, and you





can hear in his voice just how exciting it must have been. "You'd show off for the girls... I enjoyed it a lot."

But, as any rodeo rider can tell you, that glory has its price. Bond's trick riding looked dangerous, because it was. And the young performer endured his share of wrecks and broken bones. "I'd get knocked unconscious about once a year it seems like... There were some great falls occasionally," he grimaces, the painful memory still sounding as if it just happened. "Of course that's

what it was... it was supposed to be a daring event." All the while, Paul had been keeping up

his skill at working leather. And after 15 years as a professional trick rider, it was time to call it a career, and start another. "It gets a little harder to do," he remembers. "I'd hear old timers say - and it's absolutely right - when a sport gets to where it's not fun to do - go lookin' for somethin' else."

But, when he hung up his rodeo spurs, this very fortunate man simply traded one passion for another, returning home to New Mexico to open his first boot shop in Carlsbad in 1946. Luckily, he had plenty of customers right off the bat - all the friends he'd made on the rodeo circuit. "I knew the rodeo people," Paul recounts. "The rodeo producers were kind of my main customers... 'cause they, you know, had money." Those first rodeo customers included Roy Rogers, who often made public appearances at the same events where Bond was performing. The King of the Cowboys was among the first of a long list of celebrities who wore Paul Bond Boots. And they still do. Actress Pamela Anderson recently ordered a pair. Over the years, Bond's customers have included Gene Autry, Johnny Cash, Dwight Yoakum, Rex Allen, Steve McQueen, Frank Sinatra and John Wayne. "I made him about three pair, I believe," says Bond of the Duke. "He used to come in the shop, in the 70s... just like a regular cowboy... He just happened to be a movie star. There wasn't any pretense about him."

Carlsbad, New Mexico was a mining town back when. And, with labor in high demand, it was tough for Bond to find the help he needed to make his boots. So, by the early 1950s, Paul Bond Boots relocated to Nogales, Arizona, where that coveted product is still made by hand, one at a time. Even as he approaches his 93rd birthday, Bond is still at the shop most every day, creating the intricate patterns and stitching that make his boots so special to so many people. "It's my favorite hobby. It's been a hobby a long time," he shares with the quiet voice of a satisfied man. "I'm very lucky to have had the life I've had," he says looking around his shop, "I've just really enjoyed it."

To learn more or to order a pair of Paul Bond's - www.paulbondboots.com or call 520-281-0512.





Heading West

Great getaways at dude ranches endorsed by The Dude Ranchers' Association

BY WILLIAM REYNOLDS

Editor's Note: The PARAGON Foundation is pleased to feature member ranches of the Dude Ranchers' Association. Here's a great way to enjoy the fun and ways of the west at ranches around the country that are endorsed by this fine association.

Three Bars Cattle & Guest Ranch
9500 Wycliffe Perry Cr. Rd.
Cranbrook, B.C. V1C 7C7
250.426.5230
www.threebarsranch.com

A spectacular 35,000 acres located in the picturesque Canadian Rockies British Columbia, Three Bars Cattle & Guest Ranch offers the invigorating lifestyle of a working cattle ranch and reining horse training facilities – with exceptional lodgings and cuisine of a world-class resort. They offer a whole world of fun things to see and do, including a complete range of horseback riding programs, hiking, river rafting, mountain bikes, fly fishing, tennis, heated pool, hot tub, fitness facility or book a massage, it's a true vacation of western hospitality - Three Bars Ranch style – and singles, families and couples are all welcome in this grandest of location.

This is one dude ranch where you can horseback ride to your heart's

content, explore trails through the woods, crisscross the plateau or wander along a riverbank. How you spend your day is up to you. At Breakfasts, the head wrangler visits your table to set-up your days adventure so you can design your holiday to be as active – or laid back – as you choose to be!

Grab your fly-fishing gear and hit the St. Mary's river. Join a river-rafting trip for the afternoon. Take a long hike and enjoy the scenery. Try 18 holes at one of the local golf courses. Play Bocce Ball or Volleyball on their huge lawn. Or jump in our pool for a refreshing dip before dinner. Go sightseeing; there are lots of interesting places to see and visit within a few hours drive from the ranch.

Three Bars was designed to give each guest the utmost in comfort, amenities and relaxation. The lodge is the focal point, with private cabins arranged around a large manicured lawn. It's the perfect place to leave the trail dust behind and enjoy this first



class resort – aa spectacular log building that houses the dining room, saloon and recreation lounge. You won't find video games. Instead, you'll find a pool table, board games and cards. But mostly, guests come into the lodge to relax before dinner, share a drink and, of course, stories of the day's exploits. The spacious cabins emphasize comfort, relaxation with amenities like hand hewn log furniture, cozy quilts, full baths, a seating area and of course, a front porch. Your home while visiting the ranch will be one, two or three bedroom log cabins - each room has unique bed configurations from one queen to two queen beds. The new ranch house cabin is three bedrooms with a king suite plus living room and kitchen. Whichever works best for your family, you are sure to find your private log cabin welcoming!





Heading West

Three Bars Ranch is located in a truly beautiful part of the world. With an abundance of nature, clean fast moving water, green fields and breathtaking mountain vistas. The Beckley family (Jeff, April, Tyler, Jenna and Jesse) invite you to come join them in the beautiful Canadian Rocky Mountains for an adventure of a lifetime.

McGinnis Meadows Cattle and Guest Ranch
6220 McGinnis Meadows Road
Libby, MT 59923
406.293.5000
www.mmgranch.net

At an altitude of 3,300 feet, McGinnis Meadows Ranch is situated in a wide-open meadow with a year-round creek and is surrounded by unending timbered mountains. Seven miles from the mailbox, you will find solitude and quiet here. Deer grazing and coyotes mousing in the meadow are common sites. Homesteaded in the 1890s by the Davis family, you'll find remnants of the past, such as their original house site.

The horseback riding program is based on the Buck Brannaman style of horsemanship, and is the central activity at McGinnis Meadows Ranch. With their large herd of well-taught ranch horses, they can accommodate anyone from the beginning rider to the experienced riding enthusiast and will match you with a horse that best suits your skill level – or you can make special arrangements to bring your own.

With personalized instruction from our team of experts, you'll soon feel comfortable heading out on cattle drives, exploring country in any direction from the ranch and learning to work cattle sorting cutting, and ranch penning. You are welcome to

ride and experience as much as you wish. We educate and ride our horses based on the Vaquero tradition, which is a method that is both gentle and effective and creates a unique kinship between horse and rider.

Quality and comfort is very important at McGinnis Meadows. Their cozy facilities are nestled amidst larch and aspen trees, rolling meadows and timbered mountains. Decorated in a Western motif, you'll see care for detail in every room. The main lodge is very intimate and welcomes you to make yourself at home with its family style dining room, the kitchen of every cook's dream, Jo-Anne Jackson's warm artwork, overstuffed couches and river rock fireplace in the living room. The inviting reading loft has over 500 Western novels and other best sellers. The welcome feeling carries through to each of the rooms in the lodge and the Amish handcrafted log cabins. Each has a queen-sized bed with denim down comforters and Pendleton wool blankets, fluffy robes, complimentary slippers, complimentary water bottles for your rides and plush towels for bath and hot tub use. Lodge rooms have individual private baths and are close to the coffee pot and fresh cookies. Cabins have propane fireplaces, sitting area, private bath, mini-refrigerator, coffee pot and private deck.

As for dining, the cheeriest cooks in the West will greet you every morning and evening. Every meal is prepared with pride, and the refrigerator is always open to you. You'll enjoy fresh breads, salads, fruits and vegetables. Mouth-watering entrees include garlic bacon wrapped rib roast, Flambéed brandied mushroom chicken, and the



tenderest barbecued ribs you'll ever find! Their brandied pecan pie will send you over the edge!

Shayne and Jo-Anne Jackson established the guest ranch in 1998. And although riding is the ranch's main emphasis, the country lends itself to an abundance of outdoor experiences. Guests can hike to the ridge-top from the ranch and see the Cabinet Wilderness Area, mountain bike the abandoned old logging roads, catch a brook trout just before dinner or just listen to the rustling leaves of the aspens from your private deck. A pleasing mix of the old with the new, the folks at McGinnis Meadows invite you to be a part of its history.



THE DUDE RANCHERS' ASSOCIATION
Established 1926

The Dude Ranchers' Association
P.O. Box 2307
1122 12th Street
Cody, Wyoming 82414
866-399-2339 or 307-587-2339
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LUSTER BAYLESS: DRESSING THE WEST

From Tom Selleck and Sam Elliott to the Duke and Brad Pitt, Luster Bayless is the film industry go to guy for authentic costumes.

BY MARK BEDOR

Way back in 1959, a young Luster Bayless hitchhiked from Mississippi to Los Angeles with 65-dollars in his pocket, seeking a career as a Hollywood costumer. Three years later he was working with John Wayne, and the Duke never made another film without him. And after a remarkable career that continues to this day, Luster Bayless owns United American Costume Company, arguably the finest of its kind in the entire film industry. It's a huge facility - 33,000 square feet of



photo by Mark Bedor

warehouse, filled from floor to ceiling - in a very organized fashion - having virtually any outfit one might have worn from 1770 to 1970. And there's more - the biggest names in the business shop here for their film costumes. Clint Eastwood's *The Changeling*, *Appaloosa* with Ed Harris and



Photos courtesy of Luster Bayless

Vigo Mortensen, and Brad Pitt's *Benjamin Button*s are three of the latest films to be outfitted by Bayless. "He's got the quality... and he's got the amount we need," says Tom Numbers, Costume Supervisor for both *Benjamin Button*s and *Appaloosa*. A third generation costumer whose credits include *Titanic* and *Sea Biscuit*, Numbers has worked with Luster for 30 years. The task of wardrobing a movie is mind-boggling. In *Benjamin Button*s, an adventure-love story that spans 100 years, Brad Pitt's character alone has 160 costume changes. Then there's the cast of 137 other people, who each have ten to fifty different changes. Not to mention the films, oh-did-I-forget to-mention-them - 6,000 extras? But the tens of thousands of costumes, shoes, hats and accessories at United American are so well organized; Numbers says it's a relatively easy job to find what he needs, especially compared to other Hollywood costume companies. "Like this show I just pulled. I did it in three days," he explains. "And if you went anywhere else, it could take you two weeks."

Someone needs to make a movie about the life of Luster Bayless. It's a classic. The story of the Mississippi



photo by Mark Bador

sharecropper's son who became both costumer and confidant to John Wayne, before building a truly amazing costume company from the ground up, is a story that would be hard to make up, but truly is the archetype of the American dream. It begins 70 years ago in the small Mississippi delta town of Ruleville, where Bayless literally grew up picking cotton on a farm where they still used mules to plow the field. "And you couldn't go to school 'til November, 'til you got the crop picked," he remembers. "So you took your frustration and depression out by goin' to the little theaters." Gene Autry, Roy Rogers, and yes, John Wayne were among young Luster's heroes, and along the way, he developed a passionate interest in American history. Meantime – lap dissolve – a Ruleville friend's uncle had become buddies with a Hollywood producer while serving in World War Two. The producer got the uncle a job as a movie costumer after the war, and this fortunate fellow, Seth Banks, became very successful. Banks got his nephew a Hollywood costume internship in 1959, and that young man told his old friend Luster he could get him a job interview at



Western Costume, another famous costume house in Hollywood, if Bayless could get to L.A. So, as we said in the beginning of this story, with 65 dollars in his pocket, Luster put out his thumb, and made the interview - along with 175 other eager applicants.

“And the man told me he had 175 people lookin’ for jobs... producer’s friends, actor’s friends... I said, ‘Look! Give me anything you got! I can’t go back and tell my Dad I made a mistake!’” Luster recounts. “That man leaned back in that chair and he scratched his head and looked me straight in the eye and he says, ‘I tell you what... You come to work Monday morning,’ I grabbed his hand and ran out! I didn’t ask what the salary was... or anything! I had a job! That’s what counted!”

The pay was a whopping \$1.62 an hour, 51 dollars a week take-home. But the 21 year old from Ruleville tended bar to make ends meet and made the most of the opportunity. A regular customer at Western Costume was Frank Beetson, costume designer on John Ford’s *The Searchers* and known as the legendary director John Ford’s right hand man. “I’d see him come in and they’d say, ‘He’s big time, he’s big time!’” recalls Luster,

his excitement still evident nearly 50 years later. “So, you wanna be close to a big time guy... I’d say, ‘Can I help you with anything?’ ‘Oh yeah, kid, get me this or get me this.’ And next thing you know, he’d say, ‘Hey Bayless, I want you to help me here.’” Luster always had plenty of questions for Beetson, and a passion for the business. The old man took a liking to him. “And the next thing I know, he says, ‘Kid... I’m gonna take you on a big one!’ I thought he was lyin’ to me, pullin’ my leg! But he did,” Bayless said.

Luster was tending bar when he got the call. It was Beetson on the phone! ‘I want you down in Tucson, tonight! Get on a plane!’ I hung up the apron, I ran out! I got on that plane and got there at 4 o’clock in the morning!” Luster found himself working on his first John Wayne picture - *McLintock!* And he apparently made a good impression. “Duke says to me one day... ‘I want you to do all my films. I got 6 of ‘em lined up! And don’t forget one thing... when they sign old Duke... they sign you too!’ I said, okay!”

Wayne had seen something in the young costumer’s work that Duke friend and costar Harry Carey Junior



photo by Mark Bedor



talked about in his book, *Company of Heroes*. “In 1948, although Duke was number one or two in popularity at the box office, he wasn’t the legend he became fifteen years later,” writes Carey. “Luster Bayless became his top costumer in this later period and made the outfits that really fulfilled the image of Duke that America came to idolize.”

But meantime, the 20-something Bayless was still learning his craft under the guidance of the old pro Beetson. “After we’d finished *McLintock!* he said, ‘Now son... I got another big show to do. It’s called *Advance to the Rear* with Glenn Ford over at MGM... Kid...we’re gonna do it together!’ So I’m with Beetson,” Luster continues. “I’m his right hand man! So it was Beetson who really taught me.” Bayless worked one last time with John Ford on *Cheyenne Autumn*.

H e n r y Hathaway, Howard Hawks and Andrew McLaglen are among the other celebrated directors he costumed for. Walt Disney gave him plenty of work as well. But Luster’s most dramatic moment on a movie set came on Director Francis Ford Coppola’s *Apocalypse Now* in the Philippines. Bayless was on a boat, crossing a river with other members of the film crew, when the vessel was suddenly swamped by high waves, and he was tossed overboard. “And I’m underneath the boat...and there’s legs all around me... people fallin’ in... and the shank of the motor hit me in the back...lucky the blade didn’t get me.. I just lost my glasses... tryin’ to swim... couldn’t do it... and (stuntman) Terry Leonard dove in... pulled me out.” That was 1975. Duke made his final picture, *The Shootist*, the following year. I ask what Luster remembers most about this American legend, as he shows me a personal note Wayne sent just weeks before his death. “He was a man of his word. You could count on him. He always told me, ‘You can count on me.’” The pair shared some light moments along the way, and a drink or two when the day’s filming was over. “Duke would say, ‘What happened to that bottle?’ I says ‘it’s empty...’ He says, ‘Hell, open up another one, son!’ So we’d have a few drinks at night to take the warts off... talk about the day’s work. Funny, I never had any warts...”

“Traveling, meeting people... that was interesting,” Luster

shares about life on location. “It wasn’t too good when you came home. They didn’t know who you were, you’d been gone so long!” That may be one reason why Bayless decided to quit working on individual films and start his costume business in 1977. “So we did *The Sacketts* with Sam Elliott and Tom Selleck and Glenn Ford. And that really started American Costume,” tells Luster. “It was in a garage across the street. And then you’ll see what it is now.”

What United American Costume Company is now is awesome, and also, great fun to tour if you love Westerns. There are buffalo coats, chaps, holsters, cavalry uniforms

and a vast collection of properly crafted Indian items from the Sioux, Cheyenne, Apache and other tribes. Luster did the costumes for the remake of *The Last of the Mohicans* and Wes Studi’s *Geronimo*. As we walk amongst the aisles, he shows me the hat Tommy Lee Jones wore in *Lonesome Dove*. There’s the long frock coats Kurt Russell and Sam



photo by Mark Bedor

Elliott wore in *Tombstone*. A label inside another coat reads “Roy Rogers.” And there are of course mementos from John Wayne. Luster recently donated some of the costumes Steve McQueen wore in *Tom Horn* to the National Cowboy and Western Heritage Museum, along with several Western outfits worn by Sam Elliott. “They were very appreciative, but that’s where they should be,” he quietly shares. “I don’t rent that type of stuff out, so I gave it to them.”

Today Luster has returned to his hometown of Ruleville, Mississippi, turning over the company reins to his daughter Diana, who was born during the shooting of *The Cowboys*. (His other daughter was born during the filming of *True Grit*.) He calls himself semi-retired, but isn’t quite done yet. “I got one more left in me... in case a big one came along!” he smiles. And the old pro doesn’t believe the Western’s done either, as he shares one more recollection of John Wayne. “They say Westerns are gone,” Bayless scoffs. “Hell, they used to say that when Duke was alive! Duke’d say, ‘It starts with a good story.’” For the story of Luster Bayless, there are few better stories than the tale of the kid with \$65 bucks who hitchhiked to Hollywood in 1959, and made good.



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Some cowboy poems that have come our way.

LOOKING FOR WORK

By Pecos Higgins

Dear Lord up in heaven, Will you listen a Bit,
I am talking to you from Below
There is quite a few things I don't understand
And a whole lot more I don't know.
I could ever have lived to be old as I am
If it had not been for you.

I have worked for the Devil the most of my life,
Lord, I made him a hand
But now I've come over to your side of the range.
And it was not because I got canned.
I have rode bad horses in three western states
That was plenty mean and tough,
And worked wild cattle in mountain ranges
That was plenty brushy and rough.

There was many times in life, dear Lord,
The jack pots I was in
I never dreamed you protected me
Or cared about my sin.
Since I have found you now, dear Lord,
I know how I got through
You helped me out in every way –
All the credit goes to you.

I have pulled many boneheads in my life,
Like many old cowboys do,
But I have rode gentle ponies, lived a better life
Since I been working for you.
Satan, I reckon, misses me now
For I could stir up a whole lot of sin
I never failed him on any job
No difference what shape I was in.

But, laying all other jokes aside,
Understanding is what I crave
I don't mind leaving this old body of mine
Down here in a six foot grave.
My spirit is what I am thinking about
Since I am trying to get it clean,
I never cuss or drink any more,
And never think any thing mean.

I have cowboy friends that went some place
And some relations too –
I pray dear Lord, you gathered them in,
And they are all there with you.
When you get ready to put out my Light,
I pray your favor I have won
That you will let me hang out at your headquarter ranch
When my work on earth is done.

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BOUT TIME

By DW Groethe

"bout time"
he thought,
as the wind stilled.
the clouds sighed full
of rain and relases.
perfect timing, as,
he'd been close on
plumb outta wait.
"bout time"

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THE PICTURE

By Dan Hess

While glancin' through the daily news
In the bunk house yesterday
A special picture touched my heart
In a special sort o' way

The young marine stood ramrod straight
Decked out in his fine dress blues
The quintessential image plate
Of one who'd paid his dues

He was crippled by a war machine
That was built by mur'durous hand
Designed to kill our fightin' men
In a hostile foreign land

He had lost a leg and lost an arm
An' was blinded in one eye
Yet his face reflected deep resolve
That simply would not die

An old soldier stood before him there
Who had shuffled to the fore
A veteran from another time
Who'd survived a Great World War

He was holdin' him in lovin' arms
With his head on the Sergeant's chest
And as he held his fine young peer
Tears fell upon his breast

They had drawn each other ever so close
And were locked in fond embrace
Emotion moved the Elder's heart
And showed plainly on his face

Another old Warrior stood behind
With his chin set firm and proud
Then these brave Comrades young and old
Were cheered by the grateful crowd

I saw the pain within their eyes
And the deep Pride dwellin' there
A sharin' Honor with their Counterparts
As they breathed a silent prayer

I could not help but think right then
"These men have paid the price"
For I would not have the life I love
Save for their sacrifice

Now I'm just a poor old Cowboy here
On a lonely range tonight
But I realize how blessed I am
With every word I write

I can look at snow-capped Purple Peaks
That belong to you and me
And know sometime, somewhere, someone
Fought hard to keep us free

I can watch my Grandkids grow up safe,
Watch an old cow raise a calf
'Cause those in harms way somewhere
Suffered on my behalf

I can live and work in Peace here
And lead the life I chose
In the Greatest Nation on God's Earth
'Cause someone paid my Dues

I'm so glad I saw the Picture
Of those men who faced the test
Simply to remind me of
How greatly I am blessed

Now the next time I feel sorry
For myself and start to whine
I'll think of those who Paid the Price
And died for me and mine

Or if basking in self-pity
Just because I have no shoes
I'll think of those who have no legs
And the Ones who've Paid the Dues

Then I'll pray for soldiers everywhere
And for all our fightin' Men
If I've ever seen a finer Breed
I can't recall just when

So here's to the Ones who gamely serve
And do what they're called to do
With deep Respect, I'm here to say
My old hat's off to you!!

And when at night before I sleep
I'll remember what it means
To live in Freedom, Blessed by God
And may God Bless our Marines

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"The Picture" shows Pearl Harbor survivor Houston James of Dallas overcome with emotion as he embraces former Marine SSgt Mark Graunke, Jr. of Flower Mound, Texas during the Dallas Veterans Day Commemoration in November 2004 at Dallas City Hall. SSgt Graunke, Jr. – who was a member of a Marine ordnance-disposal team – lost a hand, leg and eye while defusing a bomb in Iraq in July of 2003.

Photo by Jim Mahoney/The Dallas Morning News

PARAGON FOUNDATION MEMORIALS

**In Memory of Helen Chenoweth-Hage
of Tonopah, Nevada**

From Duane Sandin of Yakima, WA
From the Derry Brownfield Show of Centertown, MO
From Junior & Betty Stoots of Tularosa, NM
From Jane & Jonna Lou Schafer of Dell City, TX

**In Memory of Wayne & Helen Hage
of Tonopah, Nevada**

From John & Leslie Johnson of Young, AZ

In Memory of Wayne Hage of Tonopah, Nevada

From Jane & Jonna Lou Schafer of Dell City, TX
From Frances & Jimmy Goss of Weed, NM
From Edward & Eunice Nunn of Deming, NM
From Duane Sandin of Yakima, WA
From Lincoln National Forest Allotment Owners
Association, Cloudcroft, NM
From the Derry Brownfield Show of Centertown, MO

In Memory of Laurance Daniel of Folsom, New Mexico

From Bud & Cathy Daniel of Folsom, NM

In Memory of Carrie Regnier of Kenton, Oklahoma

From Bud & Cathy Daniel of Folsom, NM

In Memory of John C. Danley, Jr.

From Robert & Janice King of Alamogordo, NM

In Memory of Jay Cox of Winston, New Mexico

From Jack Finnerty of Wheatland, WY
From Hub Thompson of Jeffrey City, WY

In Memory of Hugh Kincaid of Carlsbad, New Mexico

From Jane & Jonna Lou Schafer

In Memory of Bo Rasco

From Jane & Jonna Lou Schafer

In Memory of "Kick" McNeil

From Jane & Jonna Lou Schafer

In Memory of Jack D. Peck of Farmington, New Mexico

From Bob & Dorothy Jennings of La Plata, NM

In Memory of Ben Cain

of Truth or Consequences, New Mexico

From Edward & Eunice Nunn of Deming, NM

In Memory of Rick Carr

of Truth or Consequences, New Mexico

From Edward & Eunice Nunn of Deming, NM

In Memory of Pete Wynn of Deming, New Mexico

From Edward & Eunice Nunn of Deming, NM

In Memory of George McBride

From Al & Judy Schultz of Cody, WY

In Memory of Charlie Schultz

From Wanda Boles and Sherrell Gurley of Alamogordo, NM

In Memory of Lucille Marr of Tularosa, New Mexico

From Charles and Thelma Walker of Cloudcroft, NM

In Memory of Isaac Morgan of Mescalero, New Mexico

From Charles and Thelma Walker of Cloudcroft, NM

In Memory of Hallie Kirkpatrick Black of Ozona, Texas

From Paul & Ginger Perner of Ozona, TX

In Memory of Louis Lynch of Deming, New Mexico

From Edward and Eunice Nunn of Deming, NM
From Jean, Bebo, Maddy & Linda Lee of Alamogordo, NM
From Virginia Brownfield of El Paso, TX

In Memory of Betty Nunn

From Edward and Eunice Nunn of Deming, NM

In Memory of Nellie Mullins of Ruidoso, New Mexico

From Jean, Bebo, Maddy & Linda Lee of Alamogordo, NM

In Memory of Viola Jeffers

From Stella Montoya of La Plata, NM

In Memory of Rusty Tinnin of Bell Ranch, New Mexico

From Stella Montoya of La Plata, NM
From J. Diann Lee

In Memory of Jim Jennings of Roswell, New Mexico

From Charles Cleve of Roswell, NM

**In Memory of Milton Wakefield
of Roswell, New Mexico**

From Charles Cleve of Roswell, NM

In Memory of Lee Robins of Deming, New Mexico

From Edward & Eunice Nunn of Deming, NM

In Memory of Rene McLane of Deming, New Mexico

From Edward & Eunice Nunn of Deming, NM

In Memory of Wilson & Susie Mae

From Pop & Donnie Snow of Dell City, TX

In Memory of Panzy Lee

From Pop & Donnie Snow of Dell City, TX

In Memory of Larry Smith

From Pop & Donnie Snow of Dell City, TX

In Memory of Charlie Schultz

From Pop & Donnie Snow of Dell City, TX

In Memory of Willard Myres

From Pop & Donnie Snow of Dell City, TX

In Memory of Rick Carr of Winston, New Mexico

From Jimmy R. Bason of Hillsboro, NM

In Memory of Earlene Smith of Dexter, New Mexico

From Charles Cleve of Roswell, NM

In Memory of Clark Lewis

From Pop & Donnie Snow of Dell City, TX

PARAGON FOUNDATION MEMORIALS

In Memory of Kendel Lewis

From Pop & Donnie Snow of Dell City, TX

In Memory of Mike Jones

From Pop & Donnie Snow of Dell City, TX

In Memory of Charlie Lee

From Pop & Donnie Snow of Dell City, TX

In Memory of Bill & Panzy Jones

From Pop & Donnie Snow of Dell City, TX

In Memory of Roy Rasco

From Pop & Donnie Snow of Dell City, TX

In Memory of Alton & Laura Jones

From Pop & Donnie Snow of Dell City, TX

In Memory of Laheeta Harvey

From Pop & Donnie Snow of Dell City, TX

In Memory of Lincoln Cox

From Pop & Donnie Snow of Dell City, TX

In Memory of Bessie Walker of La Luz, New Mexico

From Pop & Donnie Snow of Dell City, TX

**In Memory of Jose Ramon Velasquez
of Blanco, New Mexico**

From Jennifer Truby of Aztec, NM

In Memory of Wesley Tibbetts of Miles City, Montana

From Harold & Norma Peabody of Terry, MT

In Memory of Charles Coody of Barry, Texas

From Jane & Jonna Lou Schafer of Dell City, TX

In Memory of E. V. "Hig" Higgins

From Joe & Diane Delk of Mesilla Park, NM

From Jack & Jean Darbyshire of Anthony, NM

In Memory of Andy Hinton of Mt. Pleasant, Texas

From Gertrude Delk of Hanover, NM

**In Memory of Andrew "Duley" Canterbury
of Canon City, Colorado**

From Janell Reid of Ordway, CO

From Gerald & Betty Clark of Fowler, CO

From Mark & Tina Fischer of Corrales, NM

From B J Embry of Canon City, CO

From Robert Shoemaker of Canon City, CO

From Royal Gorge Association of Realtors
of Canon City, CO

From Abel & Judy Benavidez of Model, CO

From Wayne Rusher of Orday, CO

From Melinda Rusher, The Magic Door Styling Salon,
of Orday, CO

In Memory of Lucille Marr of Tularosa, New Mexico

From Jean, Bebo, Maddy & Linda Lee of Alamogordo, NM

In Memory of Tom & Evelyn Linebery of Kermit, Texas

From Rita Neal of Hobbs, NM

In Memory of Herscel Stringfield

From Lincoln National Forest Allotment Owners
Association, Cloudcroft, NM

**In Memory of Gordon Booth
of Alamogordo, New Mexico**

From New Mexico Precision Shooters, Inc.
of Alamogordo, NM

In Memory of Larry Wooten

From Charles Cleve of Roswell, NM

In Memory of Edwin Hyatt of Deming, New Mexico

From Gertrude Delk of Hanover, NM

In Memory of Roger Read of Las Vegas, New Mexico

From Bob & Dorothy Jennings of La Plata, NM

In Memory of Lydia Verploegen of Havre, Montana

From Peggy Verploegen of Havre, MT

In Memory of Andrew Lewis

From Virginia Brownfield of El Paso, TX

In Memory of Edwin Hyatt of Deming, New Mexico

From Edward & Eunice Nunn of Deming, NM

In Memory of Bill Cowan of Tucson, Arizona

From Edward & Eunice Nunn of Deming, NM

In Memory of Frank Sultmier of Corona, New Mexico

From Edward & Eunice Nunn of Deming, NM

In Memory of Laurance & Carrie Regnier

From Bud & Cathy Daniel of Falsom, NM

In Memory of Laurance Daniel

From Bud & Cathy Daniel of Falsom, NM

In Memory of Abelardo Martinez of Safford, Arizona

From Margaret Schade of Safford, AZ

From Fern Engquist of Safford, AZ

In Memory of Ben Cain of T or C, New Mexico

From The Lee Family of Alamogordo, NM

From Joseph and Ruth Wood of Tularosa, NM

From Joe and Diane Delk of Mesilla Park, NM

From Jane Schafer and family of Dell City, NM

From Yvonne Oliver of La Luz, NM

From Jimmy Bason of Hillsboro, NM

**In Memory of Chris Jaramillo
of Las Cruces, New Mexico**

From Christie Cleve of New Braunfels, TX

From Charles Cleve of Roswell, NM

In Memory of Dan Trice of Tularosa, New Mexico

From Jane and Jonna Lou Schafer of Dell City, TX

**In Memory of Charlie Cookson
of Alamogordo, New Mexico**

From Jean, Bebo, Maddy & Linda Lee of Alamogordo, NM





Photo by Eric Temple

A wedding took place out West on January 31st of this year, and we want to congratulate Tom and Nadine Russell on their nuptials. It happened in Elko, Nevada during the 24th National Cowboy Poetry Gathering – where Tom and some of his co-horts were performing. Held at the “Ever After” Wedding Chapel, it was cowboy to the core. Tom was nice enough to send along a photo of the wedding party.

From Left: Wylie Gustafson, Laurie Darcieno, Silvia Von Daeniken (Nadine's mom), Nadine Russell (bride), Tom Russell, Dickie Gibford, Ramblin' Jack Elliott (official troubador), Paul Zarzyski (wedding poet), Ian Tyson (best man), Claudia Russell (Tom's sister-in-law.)

On the last page of each issue, we will leave you somewhere in America where work is going on, lives are being lived and families are doing their best. Send us your photo from OUT THERE. If we publish it you'll receive a pair of PARAGON mugs. See our website for details. www.paragonfoundation.org

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