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## The Bean-Sinclair Party of Rocky Mountain Trappers, 1830-32

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Fort Smith, Arkansas, was the heart of a region early and prominently identified with the fur trade of the Rocky Mountains. To this general area had come a number of traders, who established posts for traffic with the Indians. Among those who located above Fort Smith, in the "three forks" region—where the Verdigris, Neosho (also called Grand and Six Bulls), and the Arkansas rivers unite—were the Chouteaus, Nathaniel Pryor (of the famous Lewis and Clark expedition), and Hugh Glenn.

Soon after 1800 Pierre Chouteau of St. Louis had induced part of the Osages to move to this country at the head of navigation on the Arkansas and had established good relations with them.<sup>1</sup> About 1820 his son Auguste Pierre took charge of the family trading post at the Saline on the Neosho and was to make his home there the rest of his life.

This A. P. Chouteau, who became the most influential figure in the region, was no stranger to the fur trade of the Rocky Mountains. In fact, he had headed the first large trapping venture to the upper Arkansas and the southern Rockies. This undertaking, the important Chouteau-De Mun venture of 1815-17, met with misfortune when the company furs and equipment were confiscated by the Spaniards and the men were imprisoned.<sup>2</sup> After this unhappy experience Chouteau was content to go to the country near Fort Smith (founded as a military post in 1817) and there seek a safe profit from trade with the Osages.

While A. P. Chouteau and other venturers were building important trade with the Osages, Cherokees, and other Indians of the Arkansas-Oklahoma region, business men of St. Louis were carrying on profitable trade with the Indians of the upper Missouri country and were sending out trapping expeditions to the central and northern Rockies. This activity is amply treated in the numerous books on the fur trade of the far West.

<sup>1</sup>Grant Foreman, *Pioneer Days in the Early Southwest* (Cleveland, 1926), 23-26.

<sup>2</sup>"The Journal of Jules De Mun," in the *Missouri Historical Society Collections*, V, nos. 2 and 3.

Of special interest for our present subject is the Arkansas region activity that forms the background for the Bean-Sinclair venture. In the late summer of 1820 Major Stephen H. Long (who in 1817 had chosen the site of Fort Smith) and Captain John C. Bell descended the Canadian and Arkansas rivers respectively and reached Fort Smith.<sup>3</sup> The report of their explorations at the foot of the Rocky Mountains and of the fur trapping possibilities doubtless had some effect in stimulating commercial ventures into the area. In any event, two such expeditions were organized the next year and pushed west to the mountains.

The first of these was led by Hugh Glenn, who had a trading house near the mouth of the Verdigris. This Glenn-Fowler company was to trap the upper Arkansas and the San Luis Valley of present Colorado.<sup>4</sup> At the same time Thomas James and John McKnight conducted a similar expedition on the Canadian and to New Mexico, having come from St. Louis by way of the Mississippi and Arkansas rivers.<sup>5</sup> Neither party met with such success as to induce the leaders to repeat the undertaking.

But some of the fur trade companies operating from St. Louis met with more encouragement. Also, many of the traders in the covered wagon trains on the Santa Fe Trail deserted the caravan traffic in New Mexico to engage in fur trapping during the middle '20s on the waters of the Colorado, Green, and Gila rivers.

General William H. Ashley, after two seasons of discouragements and disaster, reached the central Rockies in 1824 and quickly garnered a fortune in furs.<sup>6</sup> His successors, Smith, Jackson, and Sublette and the Rocky Mountain Fur Company, thrived in the years immediately following, despite the competition of Astor's American Fur Company, traders from Taos, and various other small operators.

These excellent returns induced a number of independent companies to enter the field. Prominent among these were the Bean-Sinclair company of 1830, the Gantt and Blackwell party of 1831, and the Bonneville and the Nathaniel Wyeth companies of 1832.

The expedition that Robert Bean was to lead from Fort Smith in 1830 had its inception the year before. Captain John Rogers—not to be confused with Captain John Rogers the Cherokee leader and trader who had emigrated from Tennessee in 1817—

<sup>3</sup> Edwin James, *Account of an Expedition from Pittsburgh to the Rocky Mountains*, etc., reprinted in R. G. Thwaites (Ed.), *Early Western Travels* (Cleveland, 1905), XIV-XVII. The Captain Bell journal, recently discovered and now in possession of Leland Stanford University, is announced for publication in the Hafén and Hafén Series, *Far West and the Rockies*.

<sup>4</sup> The principal narrative of the venture is Elliott Coues (Ed.), *The Journal of Jacob Fowler*, etc. (New York, 1898).

<sup>5</sup> The fullest account is General Thomas James, *Three Years Among the Indians and Mexicans* (Waterloo, Illinois, 1846). Editions by W. B. Douglas and by Dr. M. M. Quaife were published in 1916 and 1953 respectively.

<sup>6</sup> H. C. Dale, *The Ashley-Smith Explorations*, etc. (Cleveland, 1918).

came from New York and became sutler at Fort Smith. As a good business man he developed a large trade and accumulated much property. After the original Fort Smith was abandoned he was to be instrumental in causing its re-establishment, and in 1836 sold the government the 306 acres for the new site.<sup>7</sup>

In the *Little Rock Gazette* John Rogers ran during August, 1829, an advertisement that may have been inspired by, and in any event closely resembled that famous Ashley call for "Enterprising Young Men"—the advertisement which launched the successful Ashley fur trade venture from St. Louis.<sup>8</sup>

The Rogers announcement reads:

#### TO YOUNG MEN OF ENTERPRISE

The undersigned will start, on the 15th of Sept. next, from Fort Smith, on a Trapping Expedition to the Rocky Mountains. He wishes to raise about 100 men for the trip, to be absent two years. The company will choose their own officers, and be subject to such regulations for their government as may be adopted by them. The articles of association are already drawn up and signed by a number of persons. The outfit will be furnished by me, (with the exception of the horses and guns,) to such as may desire it. It is confidently believed, that this enterprise affords a prospect of great profit to all who may engage in it.

John Rogers

Ft. Smith, July 20th, 1829<sup>9</sup>

Matters did not develop quite as expected, as is evidenced in this *Gazette* article of September 2, 1829:

We are requested to state that circumstances beyond the control of Captain Rogers, and the other gentlemen associated with him in fitting out an expedition to the Rocky Mountains, will prevent the company from starting on the 15th inst., agreeably to his advertisement, which has been inserted in the *Gazette* for several weeks past. The time now fixed on, for the starting of the Company, is the 15th of April, next, at which time it is confidently believed that it will be increased by the addition of a number of other members, and when, too, the season will be much more favorable for the undertaking, than it is at this late period of the year. Capt Rogers has all the outfit ready and in the best of order, and is extremely anxious to start at the time appointed: but the scarcity of game and the difficulty of foraging their horses so late in the season, had induced him reluctantly to consent to the above arrangement.

The project was revived the following spring, Rogers now being joined by Colville and Coffee and William W. Fleming in promoting the enterprise and furnishing supplies. The "Trapping Expedition to the Rocky Mountains" was to start from Fort

<sup>7</sup> Grant Foreman, *Advancing the Frontier, 1830-1860* (Norman, Oklahoma, 1933), 26, 42, 55.

<sup>8</sup> Ashley's well known advertisement, says Dale L. Morgan, in his excellent *Jedediah Smith and the Opening of the West* (Indianapolis, 1953), ran in the *Missouri Gazette*, February 13 to March 6, 1822; in the *Missouri Republican*, March 20-27, 1822; and in the *St. Louis Enquirer*, February 26 to March 23, 1822.

<sup>9</sup> The advertisement was run in several issues. The copy I have is from the paper dated August 26, 1829.

Smith on April 15; the men would choose their own officers and be absent about two years; and there was ample outfit "provided for from 200 to 300 men—at least 100 of whom are already engaged."<sup>10</sup>

We do not know how widely this advertisement was published or noticed in the press, but of the four men who have written accounts of the expedition, one (Job Dye) read the announcement in New Orleans, and one (J. P. Leese) saw it in Memphis.

As to the equipping of the expedition, the promoters said in their published announcement: "Each man will be expected to furnish himself with a gun and two horses—the balance of the outfit will be provided by the undersigned. Those, however, who are provided with traps, are invited to bring them along."<sup>11</sup> As to the returns Rogers and his associates were to receive for the advances made in outfit, we have but one statement, that of Jacob P. Leese, a member of the party. On presenting himself to Captain Rogers, Leese was handed this agreement to read: "All the outfit will be furnished in advance, as well as such merchandise as is required for the three years' expedition, payable in beaver-fur at three dollars per pound, on return of the expedition."<sup>12</sup> "The equipment of each man," says George Nidever, "was a rifle and six traps. Besides this, most of the men had a pistol, knife, and a small hatchet that could be conveniently carried in the belt. We had the best of ammunition."<sup>13</sup>

The leader of the party and, according to George Nidever, the man who first proposed the expedition was Robert Bean, generally called Captain or Colonel. Leese, *op. cit.*, asserts that Bean was chosen to command at the "request of the owners," but he was "by no means the favorite of the company." Nidever (p. 4) says that Captain Bean was a native of Tennessee and had lived for some time in Arkansas. "He was an elderly man and by occupation a gunsmith. He had never had any experience in hunting and trapping," and was ill prepared to guide the company on its venture. Later he "showed the white feather" in the first Indian attack and thereafter lost the respect and obedience of the men.

"All of our men," reports Nidever, "could handle the rifle and like myself had been brought up to the hunting of small game," but of the whole party only "three had fought the Indians and none had ever trapped" (p. 4).

<sup>10</sup> *Arkansas Gazette*, April 6, 1830.

<sup>11</sup> *Ibid.*, April 6, 1830.

<sup>12</sup> Biographical sketch of Jacob P. Leese in *The Hesperian* of June, 1859. Hereafter this will be referred to as *Leese*.

<sup>13</sup> W. H. Ellison (Ed.), *The Life and Adventures of George Nidever* (Berkeley, 1937), 6. This account, the fullest narrative by a member of the expedition, will be referred to hereafter as *Nidever*.

Our fullest list of membership of the party is that supplied by Jacob P. Leese:

The company was organized on the first day of April, 1830, and was composed of forty-two men, by name as follows: Capt. Robert Bean, William Bean, John Sanders, John Porter, Isaac Graham, Henry Nail, George Nidiver, Mark Nidiver, Alexander St. Clair, Pruet St. Clair, Thomas Durgan, James Anderson, Dr. James Craig, Job Dye, Isaac Williams, Jonas Bilder, Joseph Gipson, Frederick Christ, Powell Weaver, Cambridge Green, James Green, Pleasant Austin, James Bacey, John Foy, James Wilkinson, John Chase, Jonas English, Charles Spalding, John Price, Ambrose Gould, Thomas Hammond, John Pullum, Cyrus Christian, Ambrose Tomlinson, Jacob P. Leese, and seven more, whose names have been forgotten.<sup>14</sup>

Nidever's list (p. 7) contains but twenty names, but fortunately he includes seven that are not given by Leese. These are "Allen, who I think is still [1878] living in Los Angeles Co"; "Baldwin, one of our best shots"; "Bowen"; "Carmichael, who was afterwards treacherously killed by a Mexican here in Cal[ifornia] during one of the revolutions"; "Frazier, who also came to Cal."; "Hace, who left us in New Mexico in 1831 between June and Sept."; and "Potter."

Part of the men would turn back to Arkansas following the first brush with the Comanches. Three men were subsequently killed by Indians, and one died during the two-year sojourn. Of the remainder, a large number were ultimately to settle in California, and of these the following became prominent there: Isaac Graham, George Nidever, Pruet Sinclair, Job Dye, Isaac Williams, Powell Weaver, Jacob P. Leese, and "Gabe" Allen.

The trapping party set out from the vicinity of Fort Smith in early May and moved up the Canadian River.<sup>15</sup> The men found "immense herds of buffaloes, deer and turkeys, as well as any amount of wild honey" (Dye p. 2).

After reaching and passing the Cross Timbers country they encountered a band of Comanches and had a little fight in which one Indian was killed.<sup>16</sup> As a result of the contact, says Dye (p. 4), "Comanche fever broke out, and raged with such violence in camp, that seven of our company became disheartened and returned." Nidever reports ten as turning back.<sup>17</sup>

<sup>14</sup> Leese, *op. cit.* Job Dye, in his reminiscences, published as *Recollections of a Pioneer*, etc. (Los Angeles, 1951), 4-5, gives an identical list, which is undoubtedly copied from that of Leese. This volume will hereafter be cited as *Dye*.

<sup>15</sup> Dye (p. 2) says they left May 7, traveled up the south fork of the Canadian and then turned to the north fork. Nidever (p. 6) says they left in May—date not specified—and moved up the north fork of the Canadian.

<sup>16</sup> Nidever (p. 9) claims to have killed the Comanche; Dye (p. 3) says a Mr. Kates (not mentioned in the lists) did the shooting.

<sup>17</sup> In the *Little Rock Advocate* of October 13, 1830, we find this report: "We understand that fourteen of the party, who set out on a hunting expedition to the Rocky Mountains last spring from this place have returned to Fort Smith—the balance, consisting of thirty or forty had proceeded on the expedition. Rumor says, that a recoultre had taken place between the party and a party of the Pawnee Indians, in which three or four of the Indians were killed."

To avoid further Comanche conflicts the main party turned northward and traveled to the Arkansas,<sup>18</sup> which they followed toward the mountains. Buffalo were plentiful enroute. Some days after reaching the river the trappers met a band of about eighty Pawnees, who pretended friendship. The two parties camped near each other; and as the whites kept careful guard, nothing serious happened during the first night.

The next day the whites met another large band of Indians, probably Arapahoes,<sup>19</sup> who were friendly and who warned against the Pawnees. The succeeding night the trappers and their new friends were attacked by the Pawnees. Dr. Craig writes:

They raised a most horrid yell and rushed upon the guard; but they stood firm until we arrived to their assistance. We quickly formed a line and kept up a fire from one end to the other. I expect I was frightened, for I felt a most intolerable sensation of thirst, though I felt no disposition to give ground, although the savages, with most horrid yells, would charge within a short distance of us, fire and retreat a short distance, and then return to the charge. The men who were in the line, (about fifteen,) behaved valiantly. Our new friends assisted us. None of our company was hurt. Two horses were wounded. That at least one of them was killed or badly wounded there is no doubt, from the appearances in the morning. They carried away with them seven horses, which we could ill spare.<sup>20</sup>

“With the beginning of the firing,” says Nidever (p. 13), “our brave Colonel Bean had been lost sight of, as also a man by the name of Williams. They became frightened and hid themselves. From that time Colonel Bean was totally disregarded and hardly treated civilly, so that, soon after, when we got into New Mexico, he went to San Fernando and finally returned to Arkansas with the first train of the regular traders that went back. Alexander Sinclair was by tacit agreement looked up to as our leader and continued in command until he was killed.”

After the engagement with the Pawnees the trapping party continued up the Arkansas River and in a day or two came to the main village of the friendly Indians who had helped them in the recent fight. Some 250 lodges were spread about on the bottom lands. “We passed a sleepless night,” says Nidever (p. 14), “and were rejoiced to leave our red friends behind the next morning at an early hour. From this point we had but 150 miles to go to reach the mountains. This we accomplished in about a week.”

An advance party penetrated the mountains and found “black-tail deer” in abundance. The main company now moved northward,

<sup>18</sup> Dr. James S. Craig, in a letter about experiences of the trapping party, said that they reached the Arkansas River at the mouth of the Little Arkansas. —*Little Rock Gazette*, January 18, 1832. Nidever infers that it was at a point farther up the river.

<sup>19</sup> Craig does not name these, but says that they were enemies of the Pawnees. Nidever (p. 12) reported them as Arapahoes; Dye (p. 16) says they were Grosventres and Cheyennes.

<sup>20</sup> Dr. Craig's report is the nearest to a contemporary account that we have. *Op. cit.*

doubtless up Fountain and Monument creeks, and crossed the divide to the South Platte. They then pushed westward into the mountains and reached the headwaters of the South Platte, probably in the South Park area. The main company being detained by the sickness of T. J. Durgan, they decided “to send out a small party of six men to prospect for winter quarters and game” (Dye, p. 7).

This scouting party crossed over to the headwaters of the Arkansas and found plenty of game and suitable winter quarters. Mark Nidever and Frederick Christ were thereupon sent back to guide the main camp to the place selected. The remaining four set about getting meat for a winter supply. After they had killed, dressed, and hung up seventeen buffalo and one bear (Dye, p. 8) the hunters moved their camp some distance away, on the hillside. A band of seventy-five Indians came along and began cutting down and taking the meat. The four hunters, considering themselves so greatly outnumbered, headed for the main camp on the South Platte.

In the meantime Mark Nidever and Christ, returning, were met, killed and the bodies mutilated by these Indians.<sup>21</sup>

The re-assembled party of trappers, considering the Indian danger and the snow and cold—it was now late November—decided to go to New Mexico for the winter.

This party of inexperienced trappers had had little success in their new occupation. Nidever (p. 7) says they had collected only forty or fifty beaverskins. Since their horses were thin, the snow deep, and grass scarce, the company decided to cache most of their traps and go to Taos. Accordingly, they threw sixty or seventy traps into a deep water hole. Following the fresh trail of two buffalo bulls, the company made its way over the Sangre de Cristo mountains and caught up with the animals at the Rio Grande. They killed the bulls and feasted, after having lived six days on a little antelope meat and coffee. “The next day,” writes Dye (p. 14), “we took up the line of march, and that finished the last of our beef—hump, rump and stump. We proceeded on our way two days, without any rations, when our friend Nidever, discovered a band of buffalo and killed five fat cows.”

These too were soon consumed, but without further serious trouble the party reached the little Spanish settlement on the Arroyo Hondo.

Three delegates went on to Taos, reported that the company had no passports, but having been forced by privations to come to the settlements, now asked the privilege of remaining for the winter. The word finally came back from the governor that they

<sup>21</sup> Dye says the Indians were Snakes; George Nidever calls them Arapahoes. Roaming the upper Arkansas, they were probably Utes, a branch of the Shoshone family.

would have to leave in ten days. But the order was not enforced, and the trappers remained unmolested through the winter (Dye, pp. 16, 17).

Alexander Sinclair, George Nidever, and Isaac Graham made a trip back over the trail toward the Arkansas to recover the beaver traps left behind, but because of the deep snow and an encounter with the Indians they gave up the attempt.

A number of the men left the trapping company and deserted the project during the winter. Colonel Bean and his son returned to Arkansas with the first east-bound caravan in the spring.<sup>22</sup> Dr. Craig went to Sonora, and later journeyed to California (Nidever, p. 19). Some of the men found employment in New Mexico—Job Dye was hired by Simon Turley; J. P. Leese by Ceran St. Vrain. A number of the men were to join various trapping or trading companies and some would continue to California.

The company members who stayed with Alexander Sinclair, about fifteen in number, set out in March, 1831, to trap in the Colorado region. They spent most of the spring season on North Platte waters and returned to New Mexico in July with two packs of pelts—about 120 skins. These they sold at about \$10 per pelt (Nidever, 22).

Of those who deserted the original company a number joined Ewing Young's party that left New Mexico in the fall of 1831 and went on to California. Of those who joined Young we have the names of Austin, Weaver, Hace, Wilkinson, the two Greens, Anderson, and Basey (Nidever, 20), Isaac Williams, John Price and Job F. Dye (Dye, 18).<sup>23</sup>

Sinclair's trapping band—about one-third of the original company—set out again from New Mexico in September, 1831. They trapped the upper waters of the Arkansas and Platte, crossed the mountains, and went into winter quarters at Brown's Hole on Green River. They had caught about 100 beavers. In western Colorado they found buffalo scarce, but elk in plenty.

In the spring of 1832 they worked up Green River, and on the way met Kit Carson's band.<sup>24</sup> A disagreement as to where they should trap led to a division of Sinclair's company, but the majority went together toward the Platte. Upon meeting some traders bound for the appointed rendezvous site at Pierre's Hole, west of the

<sup>22</sup>In the *Arkansas Gazette* of November 2, 1831, we find this note: "From the Trappers": "Colonel Robert Bean got home yesterday, alone. None of the company came with him. All the company are still trapping, and doing well, except three—Nidever, Christ, and Judge Sanders, who are dead. Colonel Bean is going back shortly. He came by way of St. Louis, as he had company to that place." This reference was kindly supplied by Ted R. Worley, Executive Secretary of the Arkansas Historical Commission, of Little Rock.

<sup>23</sup>J. P. Leese was to join the regular Mexican packhorse caravan in the fall of 1833 and journeying over the Old Spanish Trail would reach California on December 24, 1833.—Leese's biography in *The Hesperian*, op. cit.

<sup>24</sup>M. M. Quaife (Ed.), *Kit Carson's Autobiography* (Chicago, 1935), 23.

Grand Tetons, Nidever and others joined the traders and headed for that assembly point.

This apparently was the first time the Arkansas trappers had attended a general summer rendezvous—that important and picturesque institution of fur trade days. This particular one was perhaps the most famous of the period, being held at the heyday of the fur trade and made notable by the famed Battle of Pierre's Hole.

The trappers, in companies large and small, gathered to this appointed meeting place until there were about 500 present. Rival trading companies were here with goods to supply their own men and to barter to free (independent) trappers and friendly Indians. The great fair of the wilderness, enlivened with horse races, drinking, gambling, contests of skill, and Indian dances, was the great western holiday. Bronzed trappers, having a short respite from the rigors and hazards of their dangerous vocation, enjoyed the few days of wild, drunken prodigality.

Nidever gives a description of the rendezvous and its aftermath, but the scene and events have had more eloquent pens, those of Washington Irving and others, to give adequate portrayals.<sup>25</sup>

At the close of the rendezvous the merchandise captains turned their fur-laden pack animals towards the East, while the trapper brigade leaders pursued the four winds in search of virgin valleys and beaverdam-dotted streams. Alexander Sinclair, his fifteen-man trapper band re-united, headed for the Humboldt River of Northern Nevada.

The dispersal of trappers had hardly begun before an incident occurred that precipitated a fight. The Milton Sublette and Sinclair and Wyeth parties had moved off to the southwest about eight miles from the rendezvous site, when they saw a long line of Grosventres emerge from a canyon into the valley.

With blankets waving and feathers streaming, they came whooping into the plain, as though they meant war. Their chief, however, rode forward, unarmed, holding aloft a peace-pipe. This gesture, made by a chief or warrior of any other tribe, would have been respected by red and white alike; but the Blackfeet and the Grosventres were notorious for treachery and for their habitual violation of the peace-pipe truce, and naturally a ruse was suspected. To meet the chief rode out Antoine Godin, an Iroquois half-breed, whose father had been killed by the Blackfeet some time before, and a Flathead—one of a tribe whose enmity against the Blackfeet and the Grosventres was ingrained. The three met, and as the chief put forth his right hand in token of friendship, Godin told the Flathead to fire. The command was instantly

<sup>25</sup>Irving refers to our group: "a band of fifteen free trappers, commanded by a gallant leader from Arkansas named Sinclair, who held their equipment a little apart from the rest."—W. Irving, *The Rocky Mountains: or Scenes, Incidents, and Adventures in the Far West; Digested from the Journal of Captain Bonneville*, etc. (Philadelphia, 1837), I, 77.

obeyed, and the chief fell dead, while Godin, seizing his scarlet blanket as a trophy, galloped back with the Flathead, amid a hail of bullets, to the trappers' camp.

The Battle of Pierre's Hole was on. Both sides at once "dug in." The hostiles took a concealed position in a swampy jungle, and while their women hastily threw up a breastwork of logs in their rear, kept up a heavy fire. Milton Sublette, after sending a courier for reinforcements, entrenched his men in a ravine, while Wyeth posted his men behind their baggage.

So far the fighting was at long range and with few casualties. But in an incredibly short time the trappers and friendly Indians from the main camp came rushing to the rescue. The hostiles, amazed to see so many enemies, withdrew behind their breastworks, while their women and children hurried into the mountains.<sup>28</sup>

The trappers pushed into the underbrush, Alexander Sinclair, William Sublette, and Robert Campbell in advance. Writes Washington Irving:

They took the lead by turns, each advancing about twenty yards at a time, and now and then hallooing to their men to follow. Some of the latter gradually entered the swamp and followed a little distance in their rear.

They had now reached a more open part of the wood, and had glimpses of the rude fortress from between the trees. It was a mere breastwork, as we have said, of logs and branches, with blankets, buffalo robes, and the leathern covers of lodges, extended round the top as a screen. The movements of the leaders, as they groped their way, had been descried by the sharp-sighted enemy. As Sinclair, who was in the advance, was putting some branches aside, he was shot through the body. He fell on the spot. "Take me to my brother," said he to Campbell. The latter gave him in charge to some of the men, who conveyed him out of the swamp.<sup>27</sup>

Sublette, who now pushed ahead was presently shot in the shoulder and was carried back by Campbell. But the trappers pressed forward, pouring a rain of bullets into the improvised fort. Someone proposed that they set fire to the brush and burn out the defenders, but the friendly Indians wanted to spare the blankets and trinkets of the Grosventres for trophies. So the fight continued into the afternoon.

Then one of the besieged Indians started a high-pitched harangue, extolling the virtues of his people and shouting defiance to his enemies. Some of the friendly Indians interpreted the utterance as an exulting statement that his fellows were already attacking the unguarded main trapper camp, with its women, children, and goods. Many of the attackers now slipped away and rushed back to the big camp. There they found everything quiet and safe. But by the time they returned, it was too dark to resume the fight.

In the morning the whites found that the hostiles had decamped under cover of darkness. They left ten dead bodies, taking with them, as was later reported, sixteen; and they must have had many

<sup>28</sup> LeRoy R. Hafen and W. J. Ghent, *Broken Hand; the Life Story of Thomas Fitzpatrick, Chief of the Mountain Men* (Denver, 1931), 98-99.

<sup>27</sup> Irving's *Bonneville*, *op. cit.*, I, 82.

wounded. Of their horses thirty-two were killed and many wounded. The trappers lost Sinclair and perhaps four others; the Indian allies lost seven killed; and there were a number of wounded.<sup>28</sup>

The death of Alexander Sinclair at the Battle of Pierre's Hole in July, 1832, may be considered as marking the breakup of the trapper company from Arkansas. It is true that Nidever and some companions continued to trap in the mountains for another year. Then they joined, as did a remnant of Gantt and Blackwell's trappers, with the Joe Walker contingent of Bonneville's men and went to California. There Nidever, chief chronicler of the party from Arkansas, was to spend the rest of his life.

Prewitt Sinclair, brother of the party leader, remained in the mountains for several years. We cannot follow his movements, but he comes into clear relief as one of the three owners of Fort Davy Crockett in Brown's Hole in 1839. In 1843 he settled in Santa Cruz County, California, where he became one of the leading citizens of the region.<sup>29</sup>

Job Dye, interviewed in 1877, said that most of his trapper companions of 1830 remained in New Mexico—temporarily, no doubt, and then returned to the States—and these he never saw again. He says that James Anderson was shot and killed by Cambridge Green on the Gila River. For the crime Green was imprisoned in Los Angeles, but escaped two years later, joined the Apaches, and "perhaps made a good Indian." Dr. James Craig was living, and in 1876 had been in San Francisco. Isaac Williams married into a prominent Spanish family of Southern California and became owner and developer of the large Chino Rancho. George Nidever was living in Santa Barbara, California; Jacob P. Leese, at Monterey; and Ambrose Tomlinson died at San Jose, California.

Of our two principal historians of the Bean-Sinclair Party we record that Job Dye passed on at Santa Cruz on March 4, 1883; twenty days later, George Nidever died at Santa Barbara.

Financially, the trapping venture was a failure. So far as we know, no accounting was ever made to John Rogers and his associates at Fort Smith for the equipment and supplies they furnished for the undertaking.

<sup>28</sup> Nidever (p. 29) says that the hostiles lost fifty killed. Perhaps the best account of the battle is found in Irving's *Bonneville*, *op. cit.* Other reports are in Zenas Leonard's *Narrative*, in the journals of Nathaniel Wyeth and J. B. Wyeth, and in William Sublette's letter published in the *Missouri Republican* of October 16, 1832.

<sup>29</sup> LeRoy R. Hafen, "Fort Davy Crockett," in the *Colorado Magazine* XXIX, 23-24.

## Religious Processions and Penitente Activities at Conejos, 1874

E. R. VOLLMAR, S.J.\*

The parish of Our Lady of Guadalupe at Conejos is considered the oldest Catholic parish in Colorado. Father Howlett gives as the date of founding 1858,<sup>1</sup> however, there is good authority for the establishment of June 10, 1857, as the true date of the opening.<sup>2</sup> The Jesuits did not take over the administration until the ninth of December, 1871, when Father Salvatore Personé and Brother Cherubin Anzalone arrived at Conejos at the request of Bishop Machebeuf and Governor Gilpin.<sup>3</sup> This was the beginning of extensive mission work by the Jesuits in the San Luis Valley, which continued until the dissolution of the New Mexico-Colorado Mission of the Neapolitan Province in 1919.<sup>4</sup> Although Father Personé was the first Jesuit pastor, he was to be far surpassed in the San Luis Valley by the work of Father Pasquale Tomassini.

Father Personé can be considered one of the real pioneers of the New Mexico-Colorado Mission. He was born at Ostuni, Italy, 1833, the eighth child in a family of eight. He entered the Society of Jesus at Naples in 1853. After a brief period of teaching in the colleges of Italy he was driven out of Naples by Garibaldi and his Red Shirts in 1860. Most of the Neapolitan Jesuits expelled by this move continued their studies at Vals in France. While in residence there Father Personé was an active missionary and preacher. In 1871 he was sent to America, his first assignment was to Conejos, where he remained the next four years. He found some of his subjects rather stubborn, but he showed his mettle, and, though always kind, showed them that he was fearless. He did not destroy, however. In place of celebrations that were demoralizing he substituted others which were more magnificent, but innocent, which attracted and pleased his people no less. He was kept very busy covering his extensive district, and met with a number of dangerous, sometimes nearly fatal, situations, all of which made life anything but humdrum and monotonous. In an earlier letter he traced the origin of the settlement and gave some

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<sup>1</sup>William J. Howlett, *Life of the Reverend Joseph P. Machebeuf, D.D.* (Pueblo, 1908), 372.

<sup>2</sup>*El Reino de Dios: A La Parroquia de Conejos en sus bodas de diamante* (Antonito, 1934). A commemorative booklet evidently based on parish records. Espinosa, "Neapolitan Jesuits on the Colorado Frontier," *Colorado Magazine*, v, 15 (1938), 67, accepts the date 1857.

<sup>3</sup>*Diario de la Residencia de la Compañía de Jesús de Nuestra Señora de Guadalupe* (Conejos), 1871-1920. 3v. I, 1.

<sup>4</sup>Włodimirus Ledochowski, "La Separazione della Missione del Nuova Messico e Colorado dalla Provincia Napoletana. Documenti," *Lettere Edificanti della Provincia Napoletana della Compagnia di Gesù* (1914-1920), 155-158. The decree became effective August 15, 1919, at which time both personnel and territory of the mission were divided between the New Orleans and Missouri Provinces.

idea of the impressions and work of the missionaries. A better description was given in a letter by Father Baldassare, which has already been published.<sup>5</sup>

After leaving Conejos Father Personé was Superior of the Jesuit community at Las Vegas, and president of Las Vegas College, 1878-1888, with the exception of the year 1883-1884 when Father Domenic Pantanella filled the office.<sup>6</sup> He was the first president of Sacred Heart (Regis) College, Denver, 1888-1892, Superior at Trinidad, 1892-1902, returned to Italy for a brief stay, but was soon back at Las Vegas, New Mexico, where the *Revista Católica* was being published. From 1908 until his death December 30, 1922, he served at Trinidad, Colorado.<sup>7</sup>

The following letter is taken from the first issue of the *Lettere Edificanti* of the Neapolitan Province. All the letters in the publication are in Italian. Evidently the purpose of the publication was to keep the members, who had been scattered all over the world, informed concerning each other's work. The *Lettere* were not circulated widely and a complete set is difficult to find.<sup>8</sup> The early issues contain a mine of information on the history of the Catholic Church in New Mexico, Colorado, and Western Texas. This particular letter has been chosen because of the interesting description it contains of the Corpus Christi procession and the velorio, in addition to some sidelights on the Penitentes.<sup>9</sup>

### LETTER XV

Our Lady of Guadalupe  
Conejos, August, 1874

By now, you must have received another letter<sup>10</sup> of mine in which I spoke about the origins of our Mission of Conejos, and how, in a short time, we were able to found it. Thanks to the protection of Mary most Holy, we are continually consolidating our endeavors, and we hope to be able to do among these very simple people what we perhaps could not have done among the more sophisticated of the world.

Let me tell you something about the customs of this place which may perhaps delight and edify those who do not know it.

First of all, we celebrated, in due time, the feast of Corpus Christi, a day of great solemnity for the Mexicans. It is so solemn,

<sup>5</sup>E. R. Vollmar, "Missionary Life in Colorado," *Mid-America*, v, 35 (1953), 175-180. This letter of Father Rafael Baldassare was originally published in the *Cartas de Poyanne*, n. 3 (1879), 112-115.

<sup>6</sup>Father Pantanella will be remembered by many Coloradans as the founder of Sacred Heart (Regis) College, and for years treasurer of the school.

<sup>7</sup>It is interesting to note that after some time in the southwest the form Salvador was used commonly by Father Personé rather than the Italian form Salvatore.

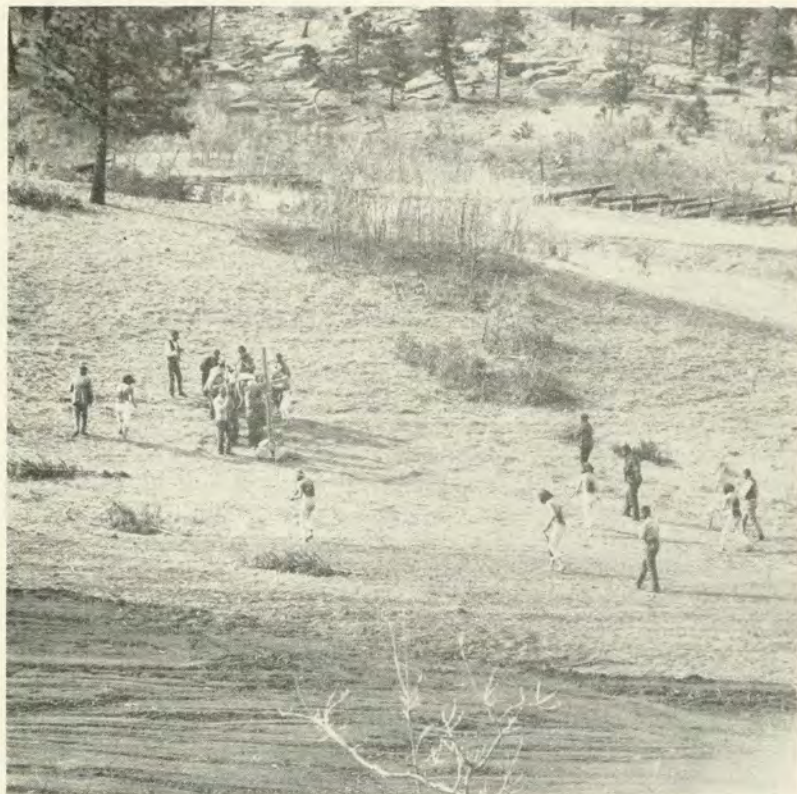
<sup>8</sup>One of the few complete sets is in the library of Saint Louis University.

<sup>9</sup>*Lettere Edificanti*, Serie 1 (1874-1875), Lettere XV, pp. 38-40.

<sup>10</sup>*Idem*, Lettere III, pp. 2-5. Dated February, 1874.

in fact, that some of them refuse to confess for Easter saying that they confess only on major feasts, like Corpus Christi.

They prepare for this solemnity with fervor and await it with anxiety. The concourse of the faithful at church is extraordinary.



PENITENTE WHIPPING PROCESSION, 1902, IN NORTHERN NEW MEXICO, NEAR THE COLORADO BORDER

Collection of Fred Mazzulla

Even though the procession marches only in the chief town of the mission, all the surrounding villages must co-operate in decorating the path of the procession. Hence, early in the morning, men and women can be seen arriving in wagons. Every village must prepare an altar. The people bring with them poles, covers, sheets and other objects for the adornment of the altar. In a twinkling, they make a room-frame with the poles, in the middle of the field, and cover it with blankets, sheets, and so forth. They even bring along a table; and in less time than it takes me to write about it, they have the repository completed. Once finished, they go around examining which village has the best altar in the proces-

sion. Each one judges according to his taste, but no one dares to criticize the other's altar. After the altars are set up, Mass is celebrated, and the procession emerges. Everyone, men and women, must march. The cross heads the procession and indicates the course. Behind the cross come the little boys and girls bearing different-colored flags in their hands. Then follow the men and women, and finally, the numerous clergy which consisted of two, because the third—myself—was busy directing the procession. In the procession a young ladies' choir follows along singing songs. The procession stops at each altar where the customary ceremonies take place. After the procession, your Reverence would see these good people happy and joyful singing out: "¡Que cosa tan bonita!" How lovely! "¡Que será la gloria!" What must heaven be! Then they chat about each incident in the procession: After dinner, there is exposition of the Blessed Sacrament. That night, when permitted, a Velorio is held. The pious faithful has to keep vigil all night until dawn, and when the sun comes up, they watch it from within the church. This watch or vigil begins at sunset. Each one brings a candle. When the people are all gathered together, an old gentleman of the crowd cries out: "Ave Maria purissima" and all reply: "Sin pecado concebida." Then they begin the rosary which they sing. I assure you, dear Father, that their way of singing the rosary is beautiful indeed. They begin with the "Aperi Domine" in Spanish. There follows an invocation to the Holy Spirit. Then begins the chanting of the following: "Virgin, divine tabernacle, we sing thy praises, and in them we shall contemplate the mysteries of the rosary. Powerful Queen, consolation of mortals, Open to us heaven, with a happy death." The song finished, they begin the Our Father, and so on. After the Gloria, the song is repeated. At the end of the rosary, they recite some very beautiful prayers. They conclude asking Mary's blessing and by bidding her good night. Then all yell: "Blessing, the blessing!" and all are asking the blessing of the elders. Wives ask the blessing of their husbands; and fathers are asked by children; little ones ask adults. And you can see especially the older people, giving their blessings with great seriousness, and extending their hand to be kissed. This last ceremony is not performed when the rosary is recited before the Blessed Sacrament. This recitation may last forty-five minutes. After it is finished, another old man shouts: "Ave Maria purissima." All answer: "Sin pecado concebida." And then the old man begins a little song to which the people make response, repeating the same refrain. Most of the Mexican wisdom can be reduced to these songs. The oldsters—called "rezadores" or reciters—know some long songs which they sing from the first verse to the last. The use of these velorios is very common with the Mexicans. Every time that an infant or an adult dies, they have a velorio, that is,



an all-night vigil in prayer. As soon as a person dies, the relatives send out messages to friends and relatives no matter how far away they may be. The closer relatives, living some ten or twelve miles distant, immediately abandon all their business, and set out for the house of the deceased. The number of people which come together is greater or lesser depending on the status of the dead person. The mourners all bring something to eat for the evening meal. After supper, the mortuary parlor is set up. If in the family home there is no large room, one is improvised with beams and covered with sheets. In the middle of this room the corpse is placed. Everyone brings along his own candles, some ten, some twenty; these they place around the corpse. When everything is ready, the *velorio* begins. One of the gentlemen cries: "Ave Maria purissima" and the rosary is begun. On such occasions, the sorrowful mysteries are recited. After the introduction, which is always the same, a song is begun which goes as follows: "On the way of the Cross, Virgin Mary, you saw your beloved Son. And again on the Cross where He hung suffering; no beauty was left in Him. Let every Christian weep at such a sorrowful plight; Free, oh Virgin, from Hell, those who recite your rosary." Towards the middle of the night, if the deceased belonged to a Church society which is known as "Penitente,"<sup>11</sup> the body is borne in procession. This is a procession *sui generis*. Some of the brethren sing certain songs adapted to the situation; others, barefoot, and with covered face and bare shoulders accompany the corpse as they discipline themselves to the point of bleeding. On the way home, they again take up the rosary and continue the discipline until the prayers are finished. The next day, you might see all the walls spattered with blood. Thus, alternating prayers and songs, the night is passed, long or short as it might be, with a perseverance equal to a desert monk. Since I've mentioned this society called "penitentes" I shall briefly tell you how strange it is and how difficult it is to destroy it. There exists here and in many parts of New Mexico, a congregation or confraternity called Penitentes. The Mexicans believe in the rule of this congregation as if it were a fifth Gospel, so to speak. The congregation is under the immediate direction of a "Major Brother" "Hermano Mayor" and a "Zelator general." These two handle all religious matters with the priest who is the superior. The congregation is divided into two classes: the brothers of light, and the brothers of the mask. These classes derive from the different way in which the brethren march in procession. The brethren of light walk uncovered, and everyone can recognize that they belong to the society. But the brethren of the mask, as often as they appear in public, they

<sup>11</sup> There is still no completely satisfactory work on the Penitentes. One of the better books is that of Alice Corbin Henderson, *Brothers of Light*, New York, Harcourt Brace, 1937. It is sympathetic, but neither complete or scholarly.

cover their faces with a band. This is a semi-secret society. They bind themselves to each other not to say anything about what is done in their meetings. The place where they meet is a "Morada," in which no one is permitted to enter who is not of the society. The priest, however, can go in when he wishes, and can even assist at the meetings and know everything that is said or done. During the year, meetings are rare, and are held only on some matter of grave importance; but always at night. During Lent,



PENITENTE HOLY WEEK PROCESSION, 1953  
NEAR THE COLORADO BORDER

Collection of Fred Mazzulla

the "Morada" is open every Friday night. Every village has its "Morada" and its Major Brother. But all The Major Brethren are subject to the Principal Major Brother who is considered as a leader. Appeal is made to him when need arises. No brother can pass a judgment on another brother before seeing the Major Brother who settles the dispute. The Major Brother-in-chief has the right, in case a member is rebellious to his orders, to have him seized by night and disciplined thoroughly and the reasons need not be very grave for the Major Brother has full power over his group. Otherwise willy-nilly "rumors would take over" as they say in my home town. All the brethren are obliged to confess once a year, at Easter time, a condition without which

they cannot enter the "Morada." And if the brother is good, this condition is always fulfilled. Stranger still are their exercises of penance which they are obliged to undergo. Imagine, if you can, a group of men spending every Friday night in Lent praying and doing penance in a place which is very cold and where the snow piles up during winter. I shall not tell you what are the prayers inside the "Morada." The real marvel is in what goes on outside. The "Morada" is always outside the village. About half a mile from the "Morada" can be seen a cross. Towards mid-night although there is snow on the ground, and the temperature low, the penitents emerge from the "Morada" for a procession. The brethren of the light wear costumes and chant the rosary; they are accompanied by the brethren of the mask who proceed naked except for white pants, shoe-less and shirtless. Some carry a heavy cross on their shoulders, while others discipline themselves to blood. This discipline lasts during the whole time it is necessary to go from the "Morada" to the so-called Calvary or cross which I mentioned before, and all during the return journey. Each brother is recognized by three scars which are made on the shoulders. These scars consist of three slight vertical cuts which each member receives on the day of entrance to the society. And these three cuts are about four inches long. Every time that a brother disciplines himself, the scars are opened with a small sharp stone. When the blood begins to flow, the discipline commences; such discipline must intensify the wounds. I assure you that when such a spectacle of fifty, sixty, or two hundred men disciplining themselves is seen for the first time, it is shocking. On returning to the "Morada" the men find prepared for them hot water and something else (I don't know what); they wash themselves, and everything seems over. Sometimes there are brethren of a "Morada" who make a vow to visit one, two, three, or more other "Moradas" nearby. And three or four join a brother of light who serves as their companion. Some carry a cross, others discipline themselves; all this goes on for six, or eight miles; they are naked, as I said, wearing only some short pants in the deep of winter. The things they do during Holy Week are incredible. One of these is the crucifixion. A poor brother is tied to a huge cross by his hand and feet; and the cross is then lifted. The brother hangs from it God knows how long. This year, one of these crucified brethren died, I was told, from sheer pain. This happened in a parish seventy miles away from ours. And it is a wonder how these intense colds do not kill off fifty or more every year. On the contrary, only a few take sick; this they ascribe to a special help from heaven. Poor simple people! Some of them count on buying heaven with such indiscretions, and maybe they do, because they

do it in good faith. The chiefs do it for political reasons. They use these simple brethren for their votes in the elections.

One more item, and I shall finish. A brother who renders himself unworthy of belonging to the organization is expelled. But before the expulsion, he is obliged to appear at the "Morada" where three horizontal wounds are made over the three vertical wounds in the back, of which I spoke earlier. These horizontal wounds announce that the person who bears them no longer belongs to the organization and has, therefore, no right to enter a "Morada." We are working, little by little, to destroy these abuses. You can help us with your prayers.

Salvatore Personé, S.J.

## The Civil Administration of Governor William Gilpin

SHELDON S. ZWEIG\*

In late May, 1861, a crowded Overland stage jounced along toward Denver. Within its bare interior a tall stately black-bearded man in his middle forties turned his thoughts westward. He was William Gilpin, the newly appointed first Governor of Colorado Territory. This new position was the climax of a brilliant and dynamic career both in the military and as a public spirited citizen. Only eighteen years before, in 1843, he had wandered through this same territory accompanying the Fremont expedition. It was not then known as Colorado. The next year, with a guide as a companion, he trekked its Western Slopes and became acquainted with its grandeur and topography. In 1846 he led a contingent of Kearny's Army of the West against rebellious Indians in the San Juan River Valley of Southwestern Colorado. He certainly was no stranger to the territory he was to govern. It was easy at this phase of his life to feel exultant. Magnetically drawn to this untapped West he was really coming home. The West had played an intimate part in his life. He had written and spoken eloquently about its boundless possibilities. He had roamed its virgin soil. He had patriotically defended it for his young country. Certainly this ever-shifting American frontier was his natural environment.

Ahead lay the city of Denver. There was a bustling air of expectation among the populace. Ever since Gilpin's appointment by President Lincoln on March 22, 1861, the people of Colorado had anxiously awaited his arrival. Feverish plans and preparations to receive the new dignitary were already in progress.

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A large crowd gathered in front of the gayly decorated Tremont House in residential West Denver. Publicized by the circulation of handbills, the news of the reception spread with lightning-like rapidity. As the last flicker of light danced behind the nearby peaks the welcoming ceremony had officially begun. For two months Coloradans had waited patiently for this moment. Now, on May 27, 1861,<sup>1</sup> they would finally see and hear their new Governor. The throng was fired with enthusiasm as the band struck up patriotic airs and the cannons saluted obediently. Gilpin had arrived.

The Honorable H. P. Bennet, chairman of the reception committee, fittingly introduced the erstwhile traveler to the assembled citizens and welcomed him with some polished remarks. Governor William Gilpin responded with a rather lengthy speech. Full voiced he spoke, with a forceful and lofty rhetoric, characteristic of the better orators of his day. The speaker undoubtedly impressed his audience. Six feet tall and of rugged angular physique, the handsome ex-military man, now forty-five<sup>2</sup> was in the prime of life. A local newspaper column justly described him "as pleasing and dignified, and his manners as speaker betrays the scholar, the thinker, and man of calm judgment and deep discrimination."<sup>3</sup>

The new Governor spoke as a man fulfilling the course of his destiny. The experienced adventurer reminisced with the audience as he sentimentally carried them into the past. Proud to have been here eighteen years ago, he claimed to have recognized that this region was marked for distinction. The speaker visualized that Colorado would "enter into a path of power and greatness."<sup>4</sup> Favored by geographic location and rich mineral resources this territory would become an outstanding state, "a focal point of interest and attraction to our highway of commerce, and the key-stone of political power to the whole American people."<sup>5</sup> Gilpin told his receptive gathering how astonished and gratified he was to see so magnificent a city as Denver on the plains. The Chief Executive was emotionally moved to find it "peopled by so intelligent, virtuous, and industrious a population."<sup>6</sup> He asked the Territorial citizens for cooperation in establishing the new government. The Chief Executive optimistically closed with a reference to the war-racked country "the land of our fathers, our hopes, and asked that she be perpetuated, protected, and prospered, and that now we had thirty-four states so might the galaxy remain and that we have a reunion of hearts. . . ."<sup>7</sup>

<sup>1</sup> Monday evening, 7:30 p.m.

<sup>2</sup> *Rocky Mountain News*, April 23, 1861.

<sup>3</sup> *Ibid.*, May 28, 1861.

<sup>4</sup> *The Weekly Colorado Republican and Rocky Mountain Herald*, June 1, 1861. This newspaper will hereafter be referred to as *Weekly Colorado Republican*.

<sup>5</sup> *Rocky Mountain News*, May 28, 1861.

<sup>6</sup> *Weekly Colorado Republican*, June 1, 1861.

<sup>7</sup> *Ibid.*, June 1, 1861.

His ending words signalled roaring hurrahs for the Union and Colorado. The applause made it difficult to hear the band play the national anthem. Finally, when the excitement subsided other speakers stepped forward. Colonel B. D. Williams, the erstwhile Jefferson Delegate to Congress, and the new Territorial Marshal Copeland Townsend, offered timely remarks. General William Larimer, Jr., Gilpin's only challenging rival for the



GOV. WILLIAM GILPIN

executive post, also talked to the crowd. With the speeches concluded, the crowd dispersed. Some went to the Apollo Theatre where Governor Gilpin was invited to a benefit performance presented by local talent.

Both of Denver's leading newspapers adequately covered the evening's events.<sup>8</sup> *The Weekly Colorado Republican and Rocky Mountain Herald* gave an excellent summary of the Governor's address. The *Rocky Mountain News* reported that Gilpin's "style and manner seemed to satisfy all parties present. His remarks were clearly and cautiously composed, not committing himself on anything, yet insuring and inspiring the hearers with the feeling

<sup>8</sup> *Rocky Mountain News*, May 28, 1861; *Weekly Colorado Republican*, June 1, 1861. No complete transcript of Gilpin's address is extant, but the gist of his talk can be obtained from these two newspapers.

of being interested and impartially devoted toward all the sections and the citizens of our Territory, and of being loyal and sound toward the Union and the Constitution."<sup>9</sup>

On June 6, 1861, the ambitious Chief-of-State officially commenced his duties. On that date the old "provisional governor" of the so-called "Territory of Jefferson," R. W. Steele, legally retired his temporary government and duly recognized the incoming Territorial officers as bona fide agents of the recently created Territory of Colorado.<sup>10</sup> A proclamation to this effect was printed on handbills and widely distributed throughout the settled areas.<sup>11</sup>

The gala introduction was over. There was work to be done and Gilpin realized it. He was a man of action, not an arm chair executive. First the machinery of a government would have to be organized. But his hands were tied until the arrival of the remaining Territorial officers, who were slow in getting here. The new marshal, Copeland Townsend, was a Coloradan, so was already here. He had been in business on Blake Street and was well known in town. Secretary of State Lewis Ledyard Weld had been at Washington to insure his appointment. The secretary intended to return to Denver with Gilpin but was unfortunately bedded back East with sciatica.<sup>12</sup> By June 4, 1861, Secretary Weld arrived in Denver. The other federal appointees were strangers to this area. S. Newton Pettis, a Pennsylvanian, arrived during the middle of June. As one of the associate justices, he was immediately popular in town.<sup>13</sup> A key functionary needed before the wheels of the governmental machine could roll was the Chief Justice, B. F. Hall, of New York. It was not until July 8, 1861, that he alighted from an Overland Coach. The other associate justice, Charles L. Armour, of Maryland, was conspicuous by his absence for a long time. The spadework which created a functioning government was finished by the time he came on October 16, 1861.<sup>14</sup>

Another cause of delay, and one which was to plague Gilpin throughout his executive tenure, was the need of money. It was

<sup>9</sup> *Rocky Mountain News*, May 28, 1861.

<sup>10</sup> The Organic Act, a statute which created the Territory of Colorado and provided a temporary government, became a law on February 28, 1861, during the waning days of the Buchanan Administration; *Congressional Globe*, 36 Cong., 2 Sess., I, 274. A copy of the by-laws of this Organic Act is located in *General Laws, Joint Resolutions, Memorials, and Private Acts passed at the First Session of the Territorial Assembly of the Territory of Colorado begun and held at Denver, Colorado Territory, September 9, 1861, together with the Declaration of Independence and the Constitution of the United States, and the Organic Act of the Territory*; published by Thomas Gibson, Colorado Republican and Herald Office (Denver, 1861), 23-30. Hereafter cited as *General Laws*.

<sup>11</sup> Frank Hall, *History of the State of Colorado* (4 vols., Chicago, 1889-1895), I, 266-67. This original proclamation is still the prize of The State Historical Society, Denver, Colorado.

<sup>12</sup> *Rocky Mountain News*, May 30, 1861.

<sup>13</sup> *The Daily Colorado Republican and Rocky Mountain Herald*, July 5, 1861; hereafter cited as the *Daily Colorado Republican*.

<sup>14</sup> *Daily Colorado Republican*. The rest of the official team under the authorization of the Organic Act was the Surveyor General Francis M. Case, of Ohio; and Attorney General James E. Dalliba of Denver, Colorado. The original selec-

expensive to initiate and operate an efficient government. Funds were provided in the general appropriation act of March 2, 1861; but this money was allocated for the next fiscal year ending June 30, 1862. Hence, Governor Gilpin was financially strained until July 1, 1861.<sup>15</sup>

In spite of these hampering factors the restless governor was pulling at the reins. Acting promptly, he decided this period of transition provided excellent opportunity for visiting the mountain settlements. Besides, a census as ordered by Congress was necessary before any election could be staged. The restless Gilpin probably had other reasons for combining this business and pleasure jaunt. He would not only meet his far-flung constituents but refresh the pleasant haunting memories of Colorado's grandeur and spectacular magnificence. Too, the more remote hamlets and mining settlements could welcome and talk to their public servants. In this manner the visits would awaken a positive feeling for federal authority. Then people could look toward the officials for protection and guidance. Moreover, the vigilant Governor was aware of the "hostile elements"<sup>16</sup> maliciously at work in Colorado, and he felt the success of the administration depended on the loyalty of the majority of the populace.

The latter part of May and the early days of June were spent in the mountain towns north of Denver. The little group traveled to Gold Hill, Gold Dirt and the emerging village of Boulder.<sup>17</sup> At Golden City, Gilpin was banqueted, and the next night Central City was not to be outdone. Here at the Verandah House the guest of honor confidently told his many hosts that he would "use every exertion in getting the government into operation."<sup>18</sup>

By June 13, 1861, the official entourage began the second half of the tour. Two weeks were spent fruitfully observing and traveling through the South Park and the Western Slope before returning via Pueblo and Colorado City. Secretary Weld, who arrived in Denver by June 4, 1861, comprised one of the party. All along the route he, too, made speeches. Marshal Townsend,

tion of President Lincoln for the office of Attorney General was William L. Stoughton, an Illinois man; but when he did not appear in the Territory, Dalliba was appointed on August 18, 1861; Jerome C. Smiley, *Semi-Centennial History of the State of Colorado* (2 vols., Chicago, 1913), I, 320. To complete the executive machinery Governor Gilpin appointed Milton M. De Lano as Auditor on November 12, 1861; William J. Curtice, Superintendent of Schools, on November 7, 1861; and George T. Clark as Territorial Treasurer on November 12, 1861; Wilbur F. Stone (ed.), *History of Colorado* (4 vols., Chicago, 1918), I, 178-79.

<sup>15</sup> Jerome C. Smiley, *History of Colorado*, I, 364. This Colorado historian theorized that the delay in organizing the Colorado government was really advantageous to Gilpin since the secession elements in the Territory were stronger in the earlier days of the summer than at the end. Besides, Smiley continued, had the Governor started his military preparations in May and June rather than later, as happened, he would have been seriously embarrassed by very sharp competition with the Colorado Confederates "who were engaged in a like hunt for guns."

<sup>16</sup> Letter from William Gilpin to Simon Cameron, April 16, 1861, *Records of the War Department, Selected Letters Received, 1861*, on microfilm from The National Archives.

<sup>17</sup> *Rocky Mountain News*, May 28, 1861.

<sup>18</sup> *Weekly Colorado Republican*, June 8, 1861.

director of the census, appointed deputies in each settled area to assist him in gathering pertinent data. With the three federal officers went Thomas Gibson, the publisher and editor of *The Daily Rocky Mountain Herald and Colorado Republican*. The Governor and Gibson became warm friends.<sup>19</sup> The journalist staunchly supported Gilpin's administration even in its darkest hour. Because of his presence the daily doings of the journey were given full coverage and publicity. Hence, Thomas Gibson kept his Denver readers informed and frequently scooped his rival, *The Rocky Mountain News*, with a continual narrative of events along the way.<sup>20</sup> William N. Byers, the vituperative editor of the *News*, was exceedingly unhappy about this. Giving vent to his feelings in his columns, Byers heaped abuses upon Gibson and accused the "ill-bred cockney" proprietor of the *Herald* of forcing himself on the party.<sup>21</sup>

The long wearying excursion was not all business. There was an abundance of parties and dances to enliven the activities. Stops were made by the gushing streams and trout became their quarry. The Governor was even induced to do some panning in pioneer style on the claim of a host. On one occasion when the Governor was not doing so well, a rugged looking miner remarked, "Well you might be a good Governor, but you are a darn poor panner."<sup>22</sup> On two separate occasions Gilpin pleased the bystanders by "digging" forty and ninety cents worth of gold dust.

After many stops the journeyers finally reached Denver on June 29, 1861.<sup>23</sup> Each place welcomed him enthusiastically and treated the small group royally. They were generously wined<sup>24</sup> and dined. On returning to Denver, observer Gibson told his readers that it did the heart good "to see the popular feeling thus displayed the officers of the government."<sup>25</sup>

By July 1, 1861, all the census returns were in Marshal Townsend's office. The total population of the area was 25,331.<sup>26</sup> There were probably a few more people in the Territory at that time as it would be impossible to completely record the nomadic movements of the mining population. Of this total, Denver itself commanded only 2,377. A significant fact of the census was the revelation of a nearly five to one ratio of males to females in the

<sup>19</sup> In 1863 William Gilpin became a business associate of Thomas Gibson as he invested in the *Commonwealth and Republican* to further his political ambitions.

<sup>20</sup> *Daily Colorado Republican*, June 20, 27, July 1, 1861; *Weekly Colorado Republican*, June 8, 22, 29, 1861.

<sup>21</sup> *Rocky Mountain News*, June 12, 13, 1861.

<sup>22</sup> *Weekly Colorado Republican*, June 29, 1861.

<sup>23</sup> A few of the places visited were Tarryall, Fairplay, Georgia Gulch, Canon City, Breckenridge, and Oro City.

<sup>24</sup> Reporter Gibson commented that in "every case our officials showed themselves on the side of temperance." *Daily Colorado Republican*, July 3, 1861.

<sup>25</sup> *Ibid.*, July 1, 1861.

<sup>26</sup> Smiley, *History of Colorado*, I, 363.

twenty-one years or older age group. To Gilpin these statistics were so extraordinary "as to have no recorded precedent in any new society voluntarily planted and perpetuated in the Wilderness."<sup>27</sup>

The most alarming aspect of these returns was the noticeable decline in the population. The census returns revealed 25,331 people in the Territory in June, 1861; it dwindled to 23,000 a few months later in the autumn. The veteran journalist and pioneer historian, Frank Hall, disappointedly commented, "We had counted the hundreds coming in as thousands, but failed to take note of the outgoing throngs."<sup>28</sup> Of course the clash of armies back east was a direct cause of the decline. Strong feelings of loyalty and patriotism sent many hurrying home to shoulder the musket for one side or the other. But actually a closer analysis revealed that the population decline had begun before 1861.

Other forces were at work. Economically, this area in 1861, as a mining center was becoming less attractive. The initial surface placer mining, largely worked out, was no longer a bonanza. New techniques and expensive machinery were becoming essential in order to reach the more refractory ore beneath the surface of the earth. A prime indicator of the slump in mining in 1861 was the repeated drop of commodity prices in the Territory. Besides, other mineral areas farther west began to beckon the miners toward a new pot of gold. This was the period of transition as the territory gradually shifted from the prosperity of its early years toward the depression days experienced throughout the Civil War. These statistics and truisms were meaningless in isolation, but their causative forces and events had a decided bearing on the fortunes of the Gilpin administration.

The month of July saw the mechanism of the Territorial government shifted into high gear. Once Chief Justice B. F. Hall arrived, Gilpin moved with speed. His first official act was to swear in the two judges of the Supreme Court, Hall and S. N. Pettis, on July 8, 1861. Two days later a special session of the Supreme Court was held in a building on Fifth Street near the *Herald* office. After a long-winded speech by Reverend J. H. Kehler opened the proceedings, Chief Justice Hall and Associate Justice Pettis presided. Baxter B. Stiles was appointed Clerk of the Court. The main object of the sitting was to organize and adopt rules and regulations for legal procedure. A few citizens were appointed

<sup>27</sup> Address of William Gilpin to Territorial Assembly, September 10, 1861. *Record of Executive Proceedings*, Colorado Territory, Executive Papers, Vol. I, 1861-1870, 15. Division of State Archives, on microfilm in The State Historical Society, Denver. Hereafter cited as *Record of Executive Proceedings*. William H. Dixon, *New America* (Philadelphia, 1867), 100. The English visitor, William H. Dixon, stated that feminine influence had achieved more for Denver "than the genius and eloquence of William Gilpin," even though he paid the highest tributes to the Governor.

<sup>28</sup> Frank Hall, *History of Colorado*, I, 267.

to examine applicants for admission to practice law and William Gilpin, in attendance, was admitted to the bar along with Secretary Weld.<sup>29</sup>

On July 11, 1861, the Chief Executive authorized the organization of three judicial districts and assigned judges to each one. Time was also set for the district courts to officially convene in September, 1861.<sup>30</sup> That same day the Colorado Governor issued a series of decrees which everyone anticipated. A general election date was fixed for August 19, 1861. Nine councilmen and thirteen members to the Colorado House of Representatives plus a delegate to the thirty-seventh Congress of the United States were to be elected. Electoral districts for legislative purposes were appropriately established. The Territory was declared one congressional district and then sub-divided into nine council districts and thirteen representative areas. Also laws and instructions prescribing the places of voting and manner of holding elections were furnished. Judges of the election were appointed and assigned to various precincts within each district. By summer's end the ground work of government was well cemented. The administration worked feverishly to lay the foundation. These were hectic days for the Territorial officers, especially Governor Gilpin. This work required perseverance, energy, and knowledge. Too, there were other fateful events to contend with.

Election fever mounted in early August. Candidates and issues were everywhere discussed. The press throughout the Territory only added to the interest and excitement as each paper expressed its views and preferences. But long before the executive election proclamation the mountains buzzed with talk of politics, union, and parties. The pioneers in Colorado were not unlike their brethren back east. Each came with a sectional loyalty and a political conviction. The war between the states only focused such feeling.

It was inevitable that political parties would emerge here. Influential groups opposed their formation in Colorado Territory, but such efforts were as straws in the wind. The *Rocky Mountain News* seized the leading role in this hopeless cause. This newspaper was consistently "opposed to drawing strict party lines."<sup>31</sup> With a firm conviction that such a move would hamper the best interests of the Territory, editor William N. Byers voiced a persuasive

<sup>29</sup> Frank Hall, *History of Colorado*, I, 268.

<sup>30</sup> *Record of Executive Proceedings*, 2, 6. Chief Justice Hall was in charge of the first district, all the territory east of a meridian line passing through the town of Arapahoe; S. Newton Pettis headed the second district which included all the territory west of the same meridian and north of the parallel of the town of Bradford. The absent Charles Lee Armour would preside over the third district comprising all territory west of said meridian and south of the parallel of Bradford. On July 29, 1861, Armour was not in the territory yet; thus, Governor Gilpin assigned Justice Hall to convene the District Court at Canon City on August 15, 1861; *Record of Executive Proceedings*, 7.

<sup>31</sup> William N. Byers, "The Centennial State," Bancroft MSS, 1884, 8. This pioneer editor of the *Rocky Mountain News* has compiled a valuable history of early Colorado, much of it taken from the columns of his newspaper.

argument. He claimed where the issue of secession was concerned, the loyal Democrats here would side with the Republicans but would be driven to "side with the disloyal elements of the country"<sup>32</sup> if political organizations appeared on the horizon. This was very convincing in view of the reality that in May, 1861, about three-fifths of the region's voters were Democrats, the rest being Republican.<sup>33</sup> The *News* sincerely believed only one party was needed in the Territory, a Union Party, and it lost no opportunity to say so.<sup>34</sup>

William Gilpin was non-committal on this burning issue. He told Coloradans he was an old line Democratic-Republican.<sup>35</sup> Yet a glance at his career reveals that in his party affiliation he had traveled in a political circle. Years ago the Governor was a Polk Democrat and in 1860, as mentioned previously, he actively supported Republican Lincoln. Much later this versatile man was back in the Democratic fold in Colorado politics.<sup>36</sup> The Chief Executive could be viewed here in the role of a shrewd diplomat. These were sensitive times. Nearly all the Southerners out here were Democrats, but many of them could be swayed toward either the Union or the Confederacy. Gilpin probably realized that political organization was inevitable. Therefore there was little reason to overtly plea for a Republican Party and invoke the wrath of the numerous borderline Democrats.

Regardless of various opinions, political parties did arise. It seemed natural that the Republican forces should prove the dominant group. The Territory, itself, breathed its first under the Democrat Buchanan, but was mainly nurtured by the Republican administration of Lincoln. Also the federal officers sent here were strong Union men. Gilpin was a Republican and intensely devoted to the North. The judges and minor executive officials were all Lincoln men. Republican and Union became inseparable terms. In general this party had an aura of respectability. Other factors were responsible for Republican political ascendancy. The Territorial Democrats were split. Fortunately many loyal Democrats in Colorado had been stout-hearted followers of the prominent Democratic leader, Stephen A. Douglas, a devotee of the Union cause.

Republicanism gained momentum in June of 1861. Sentiment developed from the impassioned Union meetings of previous months. Rabid patriotic gatherings were held at Boulder, Central City, Golden, Denver and other small towns.<sup>37</sup> By June 15, 1861, the

<sup>32</sup> *Ibid.*, 3.

<sup>33</sup> Smiley, *History of Colorado*, I, 363.

<sup>34</sup> May 10, 14, 1861.

<sup>35</sup> *Weekly Colorado Republican*, June 8, 1861.

<sup>36</sup> *Rocky Mountain News*, June 26, 1880.

<sup>37</sup> *Ibid.*, April 26, 27, 1861; May 8, 21, 1861; June 27, 1861; LeRoy R. Hafen (Ed.), *Colorado and its People: a Narrative and Topical History of the Centennial State* (4 vols., New York, 1948), I, 280.

*Herald*, an outspoken advocate of the early Republican Party, received notices of clubs and meetings in the Territory. For the first time Denver Republicans got together at Apollo Hall on June 20, 1861. Two weeks later a Territorial Convention at Golden City formally organized its political forces in Colorado and nominated Hiram P. Bennet, a Douglas Democrat, as the Republican delegate to Congress.<sup>38</sup>

The opposition, by no means dormant, held a "Peoples' Convention" on July 22, 1861, and selected the transplanted Kentuckian, Beverly D. Williams, as its choice for Territorial Delegate. Speeches were made as both Williams and Bennet appealed to the public. Tempers waxed warm as the campaign neared its end. By election eve the candidates and their qualifications were a minor issue. Both the *Herald* and the *News*, the two Denver newspapers, were bitingly anti-Williams. They played on the patriotic emotions of their reading public. Whether true or not, these two journals tried desperately to publicize the election as a life and death struggle between Union and Secession forces.<sup>39</sup> The *Herald* continually blasted Williams, as the "Secessionist" candidate.<sup>40</sup> In the eyes of the *News* Williams was definitely a rebel. This newspaper frankly told Williams to go back to Kentucky and relinquish the position of Delegate to Congress to a person who would "represent the best interests of Colorado."<sup>41</sup> *The Canon City Times* valiantly defended B. D. Williams and attempted to win votes for him.<sup>42</sup>

The election was staged as ordered by the Governor on August 19, 1861. H. P. Bennet won a signal victory by 3,809 ballots. Republicans in general won a sizeable majority.<sup>43</sup> In the Territorial Legislature, Republicans and Douglas Democrats had a working majority. The election had other significant results for the Gilpin Administration. The 2,892 votes tendered to the defeated B. D. Williams indicated somewhat to the vigilant Governor the numerical strength of the Confederate sympathizers. With a cautious optimism Gilpin told Colonel E. R. Canby, Commander of the Department of New Mexico, that the election, no doubt was a victory for his administration; but "it also revealed a malignant element essential to be controlled."<sup>44</sup> Moreover, the election was a vital victory to the Chief Executive, as journalist Byers wrote over twenty years later. This triumph "was the turning point of

<sup>38</sup> Byers, "The Centennial State," 8.

<sup>39</sup> *Ibid.*, 9.

<sup>40</sup> *Daily Colorado Republican*, August 17, 18, 1861.

<sup>41</sup> August 2, 17, 1861.

<sup>42</sup> July 22, 1861. Democrat Williams was well known through the Territory. He was the delegate to the United States Congress from the old "Territory of Jefferson."

<sup>43</sup> *Record of Executive Proceedings*, 15.

<sup>44</sup> *War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (Washington, 1880-1901), Series I, Vol. IV, 68.

the status of the Territory of Colorado and decided whether it should be a Union or Confederate State."<sup>45</sup> Gilpin was satisfied with the results of the election. To him it signified a conclusive declaration of acceptance of the Organic Act as enacted by Congress. In his opening address to the Territorial Legislature on September 10, 1861, he declared the return of the votes was a

sublime expression of their loyalty, satisfaction, and devotion, to the existing Continental Union. It is a fervent prayer to the Supreme Throne of Grace for the sanctity, the safety and the perpetuity of the Constitution and the best of Governments. It is an unqualified pledge to perpetuate the ancient forms inspired by the patriarchal fathers; to secure the independent liberties of the people, and to maintain the enjoyment of civil and religious liberty in the practice among men.<sup>46</sup>

The machinery of the civil government was near completion. It had to be set into motion. The reins of leadership and authority had to be handed to the people. The Federal offices bustled with activity. This was the driver's seat for Territorial business. Located in the commercial center of Denver, the Governor had a suite of three rooms in the upper story of Stettauer and Brothers' "New York Store" at the corner of Larimer and E (14th) Streets.<sup>47</sup> From here official election returns were rushed to the remote sections of the Territory. Gilpin's announcement in late August that the Territorial Legislature would convene on September 9, 1861, only added to the excitement. Denverites filtered in for information about the recently elected law-makers or for other reasons. In early September Denverites could see the newly arrived delegates stop at the Territorial Offices to get their certificates of election as ordered by the Chief Executive.<sup>48</sup>

On September 10, 1861,<sup>49</sup> a milestone was reached in the growth of the youthful Territory. The first legislators of Colorado gathered in the House "chamber" in joint session.<sup>50</sup> Yet if one looked about the small grimy room on Larimer Street there was nothing to reveal the significance and importance of the occasion. Still, this was a historic moment in the annals of Colorado's pioneer days. The *Daily Colorado Herald* captured the spirit of the meeting with the timely assertion that, "This is a new era in our country's

<sup>45</sup> Byers, "The Centennial State," 9.

<sup>46</sup> *Record of Executive Proceedings*, 26.

<sup>47</sup> *Rocky Mountain News*, June 10, 1861; Gilpin's private quarters were in the front room. The other two rooms were utilized as Secretary Weld's office and for reception purposes. This is the corner now occupied by Joe Alpert's Clothing Store.

<sup>48</sup> *Record of Executive Proceedings*, 18; proclamation by Governor Gilpin dated September 2, 1861.

<sup>49</sup> Actually the first session of the Territorial Legislature was held on September 9, 1861. Both the House of Representatives and the Council held two sessions; and since not all of the Territorial Delegates had reached Denver, a minimum of business was transacted. *Council Journal of the First Legislative Assembly of the Territory of Colorado*, 3-4; *House Journal of the First Legislative Assembly of the Territory of Colorado*, 3.

<sup>50</sup> *The Denver Post*, September 11, 1929. The House "chamber" was on the site of the American Auction Furniture Company at 1451-1455 Larimer Street while the Council meetings were held at the present location of Dave Cook's Sporting Goods Store.



history—a day long to be remembered . . . [anxiously awaited] by those of our citizens who have been striving for a permanent government organization.”<sup>51</sup> Twenty-two men assembled here to initiate self-government. This was frontier democracy at its best. The law-makers sensed their responsibilities as they awaited the Governor’s welcoming words.

By now William Gilpin had established a reputation as an eloquent and dynamic speaker. His comprehensive and stirring address only reinforced such opinion. A perusal of this masterful talk presented the opportunity to penetrate the orator’s logical and well-trained mind. With a dazzling flow of words, Gilpin, artist-like, painted the future of Colorado and touched on her current needs. He called attention of the law-makers to the necessity of enacting wholesome civil and criminal laws; of dividing the Territory into counties, townships and precincts; and for establishing municipal governments within each. It is here in these little republics “where the sovereign power of the people is always in exercise, where self-government has a perpetual vitality, and independent freedom is practised and enjoyed.”<sup>52</sup> The Governor emphatically requested a strong judicial system out of which law and order must come. He enthusiastically declared, “The stern and delicate duty which is confided to you, is to create and condense into system and order the elements of stable government for this commonwealth of the primeval mountain, become, in the march of our great country, one of the family of the American Union.”<sup>53</sup>

Gilpin’s concept of democracy was thorough and real. He knew the necessity of law and order in a well-adjusted society, and that genuine freedom and liberty can only be won by a responsibility to authority and respect for law. The Chief Executive hinted like American statesmen of another era, that eternal vigilance was essential. He continued, “The system of Civil Society is never safe from revolution, and the shock of sudden conspiracies, unless associated with, and fortified by an equally vigorous discipline of its physical powers.”<sup>54</sup> Gilpin strongly recommended a Territorial Militia. Besides, the speech-maker asked the body of delegates to establish a system of civil police for the protection of the citizens.

Of course his choice subjects were included. References were made to the *Continental Railway* which when built would bisect the Territory east and west. A route, already explored and partly surveyed during his administration, stretched from Denver to

<sup>51</sup> September 9, 1861.

<sup>52</sup> *State Department Territorial Papers*, Colorado Series, Vol. I, Incoming Letters and their Enclosures, Proclamations, Petitions, and Memoranda, December 28, 1859-April 22, 1874, folio 25, The National Archives on microfilm in The State Historical Society, Denver, Colorado. Hereafter cited as *State Department Territorial Papers*.

<sup>53</sup> *State Department Territorial Papers*, 1.

<sup>54</sup> *Ibid.*, 3.

Salt Lake City. Woven into this extensive talk were remarks on the geography of Colorado, its favorable climate, its soil and gold-bearing mountains.

The Governor dwelt momentarily on education. Like Thomas Jefferson, of another generation, Gilpin knew that this topic was “Preeminent among the principals which gave vigor and stability to a civilized society. . . .”<sup>55</sup> Some saw the Chief Executive only as an idealist, but he had his feet planted firmly on the ground. This liberal and forward-looking personality admitted that “Upon a perfect system of colleges and schools for the people alone can we rely for a virtuous exercise of the elected franchise—for the steady discipline of Civil Society, and for the permanent power of order and religion over anarchy.”<sup>56</sup> The sweeping speech reverently closed in sermon-like fashion. “We must seek, in colossal dimension and sublime forms of nature, with which we are encircled, and upward to the Supreme Throne of Grace, inspiration of wisdom, moderation and energy, to set the foundations of a Commonwealth, which shall beat back the shocks of time and stand as firm and enduring as the loftiest mountain.”<sup>57</sup>

The message evoked an immediate favorable response from the *Rocky Mountain News*. Gilpin’s discourse more than mirrored his ideas and versatility. It reflected the emotions of the Governor. His fears and hopes were bared. It presaged the thoughts of a military mind. Directly or by innuendo the oration had the impending overtone of the military atmosphere that would cloak the Territorial citizens. Also, the speech summarized and focused the imminent problems faced by Coloradans; issues which eventually cracked the backbone of the Gilpin administration.

The Territorial Assembly was a productive body. As it adjourned on November 7, 1861, the law-makers met for a period of approximately two months. In that time the needs of the present were met and the future assured. Gilpin’s functions did not terminate with this inaugural meeting. Under the Organic Act he was given commanding power. As Governor and executive leader he also shared the law-making authority and jurisdiction with the General Assembly.<sup>58</sup> Besides, no law was in effect until approved by his hand. The Territorial Constitution was silent as to a provision whereby the legislature could set aside the dissent of the Chief Executive. Thus the Organic Act gave Governor Gilpin the power of absolute veto.

<sup>55</sup> *Ibid.*, 2.

<sup>56</sup> *State Department Territorial Papers*, 2.

<sup>57</sup> *Ibid.*, 7. This brilliant address was somehow mislaid only to be recovered in the basement vaults of the State Capitol at Denver on May 10, 1941. The message was also printed in Spanish for the benefit of the Spanish-speaking people of Colorado Territory. It was fittingly signed Guillermo Gilpin; *State Department Territorial Papers*, folio 26.

<sup>58</sup> Section 4 of the Organic Act, *General Laws*, 24.

But this authorization of joint control was used only rarely by Colorado's able first Territorial Governor. On the whole, a spirit of cooperation persisted between William Gilpin and the newly formed Legislative Assembly. These twenty-two men fortunately were a judicious, eager group. They were naturally anxious to do a good job. A number of them were rising young men who would play a conspicuous role in the future growth of Colorado.<sup>59</sup>

It would be a hearty task to list the accomplishments of this First Assembly, but it is a matter of record that the two months were fruitfully spent in completing the organization of government. New civil and criminal codes were passed. The Territory was divided into seventeen counties, and county seats specified within each. And to minimize the effect of transition of authority on the large mining population, the miners' courts were duly recognized, their laws wholly borrowed, their decisions upheld, and pending cases smoothly transferred. Time was wisely spent to clarify the old "Jefferson" laws. The First Legislature increased its membership as stipulated in the Organic Act to thirteen in the Council and to twenty-six men in the House of Representatives. Important was the charter finally granted to the city of Denver and its incorporation with Auraria and Highland.

Education was not neglected, as the law-makers provided a seminary fund for a University of Colorado, located at Boulder.<sup>60</sup> Money for this educational institution was to be raised by the sale of land donated by the United States Congress and through donations. Even the protection of trout fishing was taken into consideration on November 6, 1861; and a bill to guard the rights of married women became law the next day. Two days before the first General Assembly adjourned the territorial capital was moved from Denver to Colorado City "on the east bank of the Fountaine-qui-Bouille at the mouth of Camp Creek."<sup>61</sup> Altogether the law-makers under the guidance of Governor Gilpin enacted fifty-one general laws, forty acts relating to the practice of law, thirty-six private acts, eight joint memorials and three joint resolutions.<sup>62</sup> This body of laws, enacted in a period of sixty days, remains the basis of all present laws. They were primarily patterned from the enactments of the State of Illinois.<sup>63</sup>

Under Gilpin's direction the new government was fully launched. His Civil administration was a signal success. Colorado Territory was established on a firm, working basis. The Governor's

<sup>59</sup> Hafen (ed.), *Colorado and its People*, I, 283.

<sup>60</sup> *General Laws*, 144-148.

<sup>61</sup> *Ibid.*, 65.

<sup>62</sup> *General Laws*, *passim*.

<sup>63</sup> Stone (ed.), *History of Colorado*, I, 173.

accomplishments were achieved in a unique atmosphere. Completely without precedents, the Chief Executive had no guiding ropes to grasp. This feat was executed in five eventful and tempestuous months, at a time when William Gilpin also grappled with other momentous issues, that cannot be treated in the space allotted to this article.

## Cowboy Life at Bent's New Fort and on the Arkansas\*

GEN. W. H. SEARS

In the spring and early summer of 1876 I was a cowboy in Eastern Colorado. I worked for the cattle firm of Moore & Prowers<sup>1</sup> twenty miles east of Las Animas. On the north bank of the Arkansas River stood the ruins of old Fort Wise.<sup>2</sup> This fort was named after Governor Wise of Virginia. During the Civil War my father-in-law, Judge Lawrence Dudley Bailey, Justice of the Supreme Court of Kansas, paid a visit to Major General David Hunter, commanding the Department of the Missouri at Fort Leavenworth, Kansas. When Judge Bailey entered General Hunter's headquarters, General Hunter said, "Well, Judge, how is old Breckinridge County?" Judge Bailey replied, "General Hunter, there is no Breckinridge County. I put an act through the Kansas Legislature changing the name of Breckinridge to Lyon County, Kansas. We do not propose to perpetuate the names of traitors in our State." Without a word General Hunter turned to his desk and wrote the following: "General Order Number ..... The name of Fort Wise, Colorado, is hereby changed to the name of Fort Lyon. We do not propose to perpetuate the names of traitors in this country." As is well known, General Lyon was killed in the battle of Wilson Creek in the Civil War. Now I will proceed with my cowboy story.

Immediately below old Fort Wise was Bent's old fort.<sup>3</sup> It stood on a high, rock promontory fifty or sixty feet above the Arkansas River and was built of sandstone with a dirt roof and in the form of a hollow square, covering a half acre of ground. An enormous deep ditch faced by a high stone wall encircled the fort and inclosed about five acres of ground. In the days when the

\*This interesting reminiscence we read in the Kansas State Historical Society library last summer. Mr. Nyle H. Miller, Secretary of that Society, graciously had a copy of the article made for us and kindly gave permission for its publication.—Ed.

<sup>1</sup>R. B. Moore and John W. Prowers were both prominent cattlemen of Bent County. Moore was a son-in-law of William Bent, owner of Bent's Fort. Prowers was the man for whom Prowers County was named.

This note and subsequent annotations are by the editor of this magazine.

<sup>2</sup>Fort Wise was built under the direction of Colonel John Sedgwick in 1860. The original buildings were about a mile west of Bent's New Fort.

<sup>3</sup>This was Bent's New Fort; the original "Old" fort was some forty miles farther up the river.

Indians were on the war path the great gate in this wall was on hinges so that it could be let down across this great ditch to form a bridge. When I lived in this old fort the gate was permanently down; but the two great posts with pulleys at the top of each, the great chains used to lower the gate, and the two enormous cast-iron weights used to balance the gate when it was lowered as a bridge, were still there.

In the days when this old fort was one of Colonel Bent's Indian trading posts, small field pieces were mounted on the dirt roof of the fort behind low walls that were some three feet higher than the roof.

There was a well in the plaza of the fort that furnished plenty of water; but a road had been cut out of the stone bluff down to the river where live stock could be taken for water. I lived alone in this old fort for about three months, inspecting the cattle on the range every day, and engaging in round-ups and cattle drives.

Soon after the Civil War a great flood came and an ice jam formed at Bent's old fort, so that old Fort Wise was flooded many feet deep and the soldiers were forced to leave the fort. Immediately after this the fort was abandoned and moved to the north side of the Arkansas River opposite Las Animas, Colorado.

While I was there in the spring of '76, Second Lieutenant Homer W. Wheeler of the Sixth Cavalry was sent to old Fort Wise with a detail of soldiers and camped there for some two weeks. This detail of soldiers took up the bodies of all dead soldiers buried at Fort Wise and placed them in wooden boxes. These bodies were hauled by wagon to Kit Carson, Colorado, and from there shipped to Fort Leavenworth for permanent interment. While Lieutenant Wheeler was there I visited with him daily. Sometimes he would take supper with me at Bent's old fort, and at other times I would eat with him in his tent at Fort Wise. I learned that Lieutenant Wheeler was a nephew of General Carmi W. Babcock of Lawrence, Kansas. I also learned that he served as the guide to Lieutenant Hanley and a troop of Cavalry in April, 1875, and participated in the battle of Sapulpa Creek in Northwestern Kansas with the Indians. In this battle Lieutenant Wheeler killed an Indian chief who was just on the point of shooting a soldier, thus just saving the soldier's life. For his heroism he was appointed Second Lieutenant in the United States Cavalry and was on duty with the Sixth Cavalry only six months when I met him at old Fort Wise.

Opposite Bent's old fort was Miller's Island, a mile long and a quarter of a mile wide, and covered with heavy timber. A man named Miller owned it and lived there in 1876. On the south side of the river was the Santa Fe Railroad and near the track was

a ranch house which served as the post office for the surrounding cattle men and ranchers. About twice a week I swam my pinto cow pony across the river to get my mail. Incoming mail was thrown off on the ground in bundles. Outgoing mail was fastened to a large barrel hoop and caught on the arm of a railway mail clerk at the mail car door as the train passed, the mail detached, and the hoop thrown to the ground.

I had my share of breaking wild bronchos while on this ranch. Always we took the wild horse to a large sand bar opposite old Fort Wise and there these bronchos were broken. It did not take long for they were soon worn out from bucking in the deep sand.

For some weeks I had a negro cowboy on the ranch as a helper. He had just finished a five year enlistment in the United States Cavalry and was a good rider. We called him "Peak." One day he insisted on riding the worst bucking horse we had at the ranch—a gray mare. He carelessly let the end of a rope hit the mare's heels and she began to buck furiously. She was very near the bank of the Arkansas River and finally the saddle girths broke and saddle and negro were catapulted over the mare's head into the Arkansas River, ten feet deep. But "Peak" was a good swimmer and holding on to the saddle with one hand he swam to the sand bar and got out. I was able to lasso another cow pony near by and so "Peak" was soon mounted again.

One day we had a big round-up on the south side of the Arkansas River opposite old Fort Wise. I was "cutting out" for I was riding a very fine cut-out pony. A trained cut-out pony will follow a cow, like a dog, and drive her out of the herd without any directions from the rider. My ranch boss, Abe Peterson, was also "cutting out" when suddenly his pony turned quickly to follow a cow, and Abe fell off his pony. This pony immediately galloped away to the south toward the sand hills. I pursued the running pony, but was not able to get near enough to throw my lasso until I had chased him nearly a mile into the sand hills and almost back to the round-up, when I got near enough to throw my rope. It was a perfect cast and the noose dropped over the running pony's head very beautifully. I never stopped the gallop, but led the captured pony back to the round-up. The cowboys cheered me for my expert work and I was nicknamed "Lasso Bill." This name stuck to me as long as I was in the cattle country in Colorado.

One day I was driving a herd of range cattle toward the ranch house, when suddenly a cow dodged out of the herd and ran toward the hills. I followed her and tried to drive her back. I did not know at the time that she had a young calf concealed in the grass in the hills, or I would not have tried to compel her

to rejoin the herd. The cow suddenly became enraged and quickly turned and charged, and before my pony could get out of the way she drove one of her sharp, slender horns through its breast causing its death within a few minutes. I drew my revolver, intending to shoot the cow, but she walked quietly away. I had to carry my heavy cowboy saddle about three miles before I found a bunch of cow ponies grazing and was able to catch one of them by offering it lumps of sugar. I rode to the ranch a very tired cowboy.

I was in a prairie dog country and I often saw prairie owls, rattlesnakes, and rabbits, all running into the same prairie dog hole. This story has often been denied, but I vouch for the truth of it.

Soon after taking charge of Bent's old fort, I picked six good milk cows out of the herd of range cattle and drove them into the corral inside of the fort and milked them twice a day. I had to rope these cows every time I milked them, snub their heads close to a post, and then tie their hind legs together, before they would submit to being milked. I made butter, and sold the extra butter, milk, and buttermilk, also eggs, to passing immigrants, for the trail passed close to Bent's Fort, and near the trail I put out a sign—"BUTTER, BUTTERMILK, MILK, AND EGGS FOR SALE." I had a flock of chickens at the ranch and they furnished me several dozen eggs a day. When Lieutenant Wheeler was camped at Fort Wise, only one-half mile from Bent's Fort, he was one of my best customers for these food supplies, not only for himself, but for his men. My income from these sales largely supplemented my salary. In fact, this source of income was larger than my salary.

William Bent Moore, son of my employer, often visited me at the ranch and assisted me with the cattle on the range. One day his mother came to the ranch in a closed hack with a Mexican driver. She remained to help eat the dinner that I had prepared. She was an educated woman and spoke perfect English, though her mother was a full blood Cheyenne Indian, while her father was Colonel Bent, former owner of Bent's old fort.

Six years later William Bent Moore entered the University of Kansas and we were classmates there and belonged to the same dancing club, "The Gradatim Club," which was organized by the late Lieutenant-Governor William Y. Morgan of Hutchinson, Kansas. While here in the University, I held many "campfires" with William Bent Moore over our cowboy days on the range. Soon after leaving the University and returning to his home in Old Town Las Animas,<sup>4</sup> he was run over by a switch engine in the

<sup>4</sup> This original Las Animas was east of the present city of that name. When the branch railroad line was extended from Kit Carson to the Arkansas River, a new town—West Las Animas—was laid out. Its name was subsequently shortened to Las Animas.

railroad yards and instantly killed. He was one-quarter Cheyenne and a very handsome man. His two sisters, younger than William, were said to be the most beautiful women in the state of Colorado.

In the performance of my duties on the range, in the neighborhood of the ranch, I rode on horse back from fifteen to thirty miles per day; but one day I rode eighty miles, using four horses. The last twenty miles I rode from the ranch in company with William Bent Moore to his home at Old Town Las Animas, where I stayed all night.

Before daylight the next morning I left Old Town Las Animas in company with Judge Moore, in a buggy drawn by two very fast trotting horses, for Trinidad, Colorado, a distance of one hundred miles. We arrived at our destination just as it was getting dark. Judge Moore had a large sum of money in the buggy and he took me along to help him guard it. We were armed with rifles and revolvers, but we were not disturbed on our journey. We remained in Trinidad all night and started back the next day, but we traveled slowly and it took us two days to get back to Old Town Las Animas.

After the round-up season was over I was assigned, with other cowboys, to guard a large beef herd on reserve pastures on the north side of the Arkansas River, a few miles above Bent's old fort. One night I was on duty, with three other cowboys, holding the cattle. It was after midnight and most of the cattle were lying down, when suddenly a great storm came up from the northwest with wind, rain, and hail. I was on the south side of the herd near the river when the storm broke. Instantly this great herd of cattle stampeded and, as is always the case, they ran before the storm. My only chance of escape was to plunge my horse into the Arkansas River and swim across; but before I got across the herd was upon me and on both sides. As soon as I struck dry ground, I raced my horse to the south as fast as any horse could run, finding my way by the flashes of lightning. I ran up a gulch, a tributary to the Arkansas, with the great herd thundering in pursuit, but a flash of lightning showed me a ledge of rock and I dodged in behind it and thus probably saved my life.

The day of the round-up described above, as Abe Peterson was returning with me to the ranch, we witnessed a fight between two bulls. At the beginning one was on a sand bar on the north side of the Arkansas River, pawing the sand and bellowing his challenge to another bull, which stood on a perpendicular bluff some thirty feet high on the south side of the river. This second one answered the challenge by pawing the buffalo grass and bellowing. A younger and smaller bull stood about fifty feet south of the second and witnessed the actions of the rivals. The second challenger stood

within three feet of the high bluff and parallel with it. Suddenly the young spectator lowered his head and charged, striking the second contestant in the side and tumbling him into the river, which was ten feet deep. When the surprised animal came to the surface he could not climb the bluff, so was forced to swim across to the sand bar, where his rival met him, and a terrific battle ensued with the result that his second competitor was defeated and ran for the hills to escape.

As the young bull stood on the bluff and watched the old one swim across the river, he seemed to say, "You coward! Now go over and fight it out with your rival."

In the fall and early winter of 1876, I was in Dodge City for several weeks. I was first employed as a cowboy by a cattle man named Evans. My first service was to help Billie Wright, a cowboy, drive about fifty head of cattle from Dodge City to Saw Log Creek, a tributary to the Arkansas, ten miles north into Hodgeman County. There we camped on this stream and held the cattle we had driven and many more already there, on buffalo grass to fatten them for the market. We were located about half a mile from the widely known "Lone Tree," a large cottonwood.

One morning we noticed that two men had established a camp near the "Lone Tree." We visited them and learned their names were Cole and Calahan and that they were fishing in the Saw Log Creek and selling their catch in Dodge City and Fort Dodge.

One day, while eating our dinner, we discovered a large party of men, some fifteen or twenty, approaching the fishermen. In a few minutes they conducted Cole and Calahan to the "Lone Tree" and, without trial or ceremony, hanged them both to this tree. We rode over to learn what was going on and arrived in time to hear the pitiful pleading of Calahan and the defiant swearing of Cole, which all went unheeded by the members of the mob and these two men were soon hanging from the Lone Tree. The leader of the mob ordered me and Billie Wright to return to our camp and stay there. We did go back to our camp and the mob rode away towards the southeast. As soon as these men were out of sight, Billie Wright and I galloped our cow ponies all the way to Dodge City with the news of the hanging. A large party of men was organized and started out to capture the lynchers; but this company of volunteers soon returned and reported they were unable to find any trace of this mob.

Calahan's father, a minister from Lecompton, Kansas, came to Dodge City for the body of his son. I learned that Calahan owned the team and wagon used as a mess wagon, and to deliver fish to market, and was an honest young man; but Cole was a gambler and horse thief. The party that hanged Cole and Calahan

were vigilanthers from near Kingsley. Cole was no doubt guilty; but Calahan was innocent. It was a case of "Tray and the bad dog." The stolen horses were found near the Cole and Calahan camp and that was evidence enough for the vigilanthers.

My next job was to drive twenty-two head of young cattle from Dodge City to Crooked Creek, eighteen miles south and a little west of Dodge City. I rode Mr. Evans' favorite sorrel, riding horse, a fast runner. I went alone, starting early in the morning. Mr. Evans rode with me until we got the cattle across the bridge over the Arkansas at Dodge City. His final instructions were to turn the cattle loose when I reached the elbow of Crooked Creek, which is in the southwest corner of Ford County, then ride on down the creek until I came to his ranch and stay there all night with his cowboys and return to Dodge City the next day.

Nine miles from Dodge City, I struck Mulberry Creek. Here I let my cattle drink, graze and rest, and watered my horse and put him on my lariat to feed, while I ate the dinner provided for me by Mr. Evans. After an hour's rest I resumed the drive and just at dark, reached the elbow of Crooked Creek and turned the cattle loose as instructed. But I was in a dilemma. I could not decide which was up or down the creek. At this point there was no perceptible current in the stream. As I was later to discover, I went up the creek instead of down. It was election day, 1876, and Hayes and Tilden were the contending candidates. There was a full moon that night which enabled me to find my way up Crooked Creek. I continued to ride at a gallop until I ran into rough country; then I dismounted and examined the current in the creek and found out that I had been traveling up stream. Not being able to find a ranch house, I had kept on riding. Now I was too far away from the Evans ranch to try to reach it that night; therefore, I looked for a camping place. I soon found a good one. Near the south bank of the creek a huge cottonwood tree had been blown down towards the south. Its top reached a steep bank and its great body, about five feet in diameter, lay on the level bottom land of the creek. There was a great fork, or crotch, in this tree, and there I made my bivouac. The thick bark on this tree, was loose, and I pulled off a lot of it, in large pieces, and made a roof across the fork of the tree. Then I pulled a quantity of buffalo grass and put it under this roof for a bed. On this bed of soft grass I spread my blankets and with my saddle blanket and overcoat, I had a very warm, comfortable bed.

That afternoon I had shot a jack rabbit and tied it on the back of my saddle. I skinned and cleaned my game and roasted one-half of it over my campfire which I built in front of my improvised bed and shelter. I had no salt; but with the remains

of my noon-day lunch, I made a good meal. I hung the balance of my rabbit to the limb of a tree, out of reach of coyotes. I picketed my horse nearby, and with my ready revolver at hand, turned in for a good sleep. At intervals, in the night, I turned out to replenish my dying fire; for I had gathered a pile of wood for this purpose, before going to bed. All night the coyotes yelped, but I was not disturbed much by them.

Early the next morning, I was up and roasted the remains of my rabbit for breakfast and was soon on my return trip to Dodge City. On the Mulberry, I ran on to two buffalos, traveling towards the southwest. I gave chase and after a very hard run, I came up alongside of the younger one, a two-year old cow, and brought her down with three shots from my revolver. I had a big knife in my revolver belt, and soon I carved off a hind quarter and tied it on the back of my saddle. It was a slow journey into Dodge City with this heavy quarter of buffalo meat to carry, which prevented me from traveling faster than a walk. However, I got into Dodge late in the afternoon and reported to Mr. Evans how I had lost the trail, my lonely camp on Crooked Creek, and my buffalo hunt. He told me this was the first buffalo killed so near Dodge City for several years.

The next day I tied up my quarter of buffalo meat in a big canvas covering, and shipped it express to my father, the late Captain Charles May Sears, at Eudora, Kansas. He lived, at that time, on a farm five miles southwest of Eudora. All the neighbors shared in the buffalo steaks that winter.

One day the Evans outfit was camped just south and west of the Dodge City stockyards. We were getting off a shipment of cattle for the Kansas City market. It was shortly before our cook yelled, "Come and get it, or I'll throw it out," when Mr. Evans directed two cowboys to drive a good, fat yearling steer close to the mess wagon, and kill it for meat for the cowboys. In a few minutes the steer was brought up to our camp on a gallop. When the animal was within thirty yards of our chuck wagon, Jim Reynolds, a tall, lean puncher, about thirty-five years old and wearing a big mustache and long, curly, black hair, threw his lasso and caught the running steer about the neck. Jim instantly half-hitched his rope about the horn of his saddle and checked his pony to throw the steer, but both the cinches broke and Jim and saddle sailed over his pony's head; but when Jim struck the ground, he struck it running and instantly drawing the rope partly around his hip, he braced himself and threw the steer. Mr. Evans

witnessed this incident, and was so delighted with Jim's quickness and presence of mind, that he shouted "Ten dollars a month added to your salary, Jim!" When the steer fell, a cowboy jumped on him and held his head down, while another cowboy cut its throat with a big butcher knife, and we soon had fresh beef steaks for our mess.

About this time I secured employment at the Dodge City stockyards. W. W. Wall was my chief; but soon after I began to work with him, he was called away on some business, and I was placed in full charge of the yards. Wall never returned and I remained in charge until the close of the year. That fall we shipped 150,000 head of cattle from these yards, besides feeding many trainloads en route from Colorado to Kansas City.

My chief assistant was John Christian, nicknamed, "Buffalo John." My nickname was "Red Cloud," which designation was given me by the cowboys, because of my long, dark, red hair. One night the ferocious barking of our dog awakened me. I called Buffalo John and we seized our revolvers and mounted the stockyard fence and ran across the yards on the running boards, 12"x2" planks, near the top of the high board fences which surrounded the yards and pens. I was in the lead and as soon as I reached the top of the fence, I saw two men running east on the running boards. I opened fire with my revolver. Buffalo John, just behind me, could not fire because I was between him and the fleeing men. They reached the east fence of the yards and jumped off and disappeared. We had several pens full of horses and no doubt these men intended to steal them. Earlier in the season, when W. W. Wall was in charge, a pen full of horses were stolen one night and the horses and thieves were never found. The morning after I fired on the supposed horse thieves, we found blood on the east fence and on the ground outside the yards, showing some of my shots had found their mark.

Every evening I walked from the stock-yards to the Santa Fe Railroad Station, a distance of one-half mile, and delivered the money I had received for water, hay, and yardage that day, from three to five hundred dollars, to Jim Phillips, the Agent, and he locked it up in his big safe. Always Buffalo John accompanied me and we were both armed with revolvers and on the alert for hold-up men every minute.

But when Christmas approached, I resigned my position, and securing a pass through Mr. Phillips, returned to my home and to my neglected studies, as a pupil, in the Eudora, Kansas, school.

## James Thomson's Colorado Diary, 1872

With an Introduction and Notes by

K. J. FIELDING\*

*Introduction.* On meeting James Thomson soon after his return from America, W. M. Rossetti found him "rather a small man, with sufficiently regular features, bright eyes, and . . . a cheerful pleasant manner."<sup>1</sup> At that time, after a career as an army schoolmaster, journalist and company secretary he was still known as a poet only to the readers of the secularist *National Reformer*. He was to emerge from obscurity with the publication of *The City of Dreadful Night* in 1874, and at the same time to begin the downward course of increasing poverty, diminished strength, ill-health and despondency, which was to lead to his tragic death in 1882.

The months Thomson spent in the United States from May, 1872, to January, 1873, however, were probably among the happiest of his life. After rather a miserable period of miscellaneous journalism and "some work in a printing office," he had been appointed temporary secretary to "one of the thousand companies, which came into being" in the prosperous year of 1871. It failed, and a second foundered; but, by January, 1872, Thomson was able to report to his sister-in-law, "I am at present astride a third which may carry me out safely or not."<sup>2</sup> This was the Champion Gold and Silver Mines Company. Towards the end of April the directors instructed him to go out to Colorado to inspect the mines and report on the Company's property; and Thomson accordingly left London on April 27th and arrived in Central City, Colorado, on May 15th.

His general impressions of the city are best given in one of his letters to Rossetti which was not written until he had been there several months:

. . . Every village out here is termed a city: this Central with Blackhawk and Nevada, the three virtually forming one straggling town, numbers between four and five thousand people. Of these the great majority are miners, perhaps a thousand being Cornishmen, who earn from \$3 to \$4 a day wages. . . . We have churches, chapels, schools, and a new large hotel, in which a very polite dancing party assembled the other evening. . . . We have a theatre, in which we now and then have actors. The rough old days with their perils and excitements, are quite over; the "City" is civilised enough to be dull and commonplace, while not yet civilised enough to be sociable and pleasant.<sup>3</sup>

\*Mr. Fielding, William Noble Fellow at the University of Liverpool, 1951-53, is the author of *Charles Dickens, a Survey*.—Ed.

<sup>1</sup>Henry S. Salt, *The Life of James Thomson* ("B.V.") (revised ed., London, 1898), 62. Salt's *Life* is still the most generally informative, although Imogen B. Walker, *James Thomson*, "B.V." (New York, 1950), offers a more critical introduction to his work as a poet.

<sup>2</sup>H. S. Salt, *Life of Thomson*, 59.

<sup>3</sup>It has always been known that Thomson kept a diary while he was in Central City, and a number of extracts from it with some of his letters home

His life, indeed, was unexciting, though bitterly frustrating in his negotiations about the mines, exhilarating in his excursions away from Central, and not unsociable outside his brief hours of business. But the story of his stay is best told from his entries in the diary itself:<sup>4</sup>

*May 18.* To Central and back. Old coloured woman in jerky coming back. Bought her freedom in '56, came out here with two other negresses in '59. Was separated from her husband, son & daughter twenty years ago & has never been able to find any of them. After the war went to Tennessee where she was raised, and gathered together and brought out here twenty-six relatives and orphans at a cost of \$4,000. Had to cross the plains in wagons. Has three granddaughters in college at Ohio, \$4 a week each, \$600 per annum in all. Has made all her money out here by washing. . . . Talked capitally, can't read or write, good head, grey hair, good features; wonderful roll of eyes & opening of mouth for broadest comedy, even when her story most serious. . . . Aunty (Clara or Cary?) she is called. Well known and respected in Central. . . .

*May 21.* . . . Walked evening Nevada Road &c. Moon about full, stars clear, blue sky with large clouds, cool breeze. Sheet lightnings playing all round behind the hills, especially from one long dull white cloud eastward.

\* \* \*

*May 23.* Walked after breakfast. . . . Passed cemetery, square, neatly fenced. . . . Outside the cemetery a Golgotha of cattle-skulls bleached white as snow. Nearer Central all covered with dry fir-cones tho' scarcely a fir tree now left. Plenty of snow on the hills. Near Central skinned of their timber and torn & scarred with mining and rounded in low curves, the hills look mean. But here and there behind one glimpses bolder and keener contours dark with fir. Coming back this morning I saw some of this kind, though

were included in the *Life* by Salt. Since 1952, however, his diaries and the Dobell Collection of Thomson Mss. and papers have been in the Bodleian Library, Oxford; and it has been possible to present the following selections with the kind permission of Mr. Percy Dobell. Some years before, however, a microfilm copy of the diaries (with prior permission to make use of them) was acquired from Mr. Dobell by the University of Colorado; and I am now also indebted to its authorities for their courtesy and co-operation in allowing me to make use of the originals.

<sup>4</sup>Thomson's main diary (A) is a small black notebook in which he entered an account of his general day-to-day life; a similar notebook (B) is a business diary which records his activities as secretary to the company; and an even smaller pocket memo-book (C) was one chiefly used for impressionistic jottings which were later written up in (A). All the following entries are from (A) unless otherwise indicated. Omissions under one date are shown in the usual way by stops . . . , longer excisions by asterisks. No other alterations have been made except that the style of the date-headings has been systematized and Thomson's dashes have often been replaced by periods.



the floating film of blue & blue-grey smoke, & at the utmost horizon the strip of blue beneath level white cloud could not be distinguished from a sea.

\* \* \*

*May 25.* . . . Coach to Idaho—to spend Sunday with T. H. L[owe] . . . I mentioned my wish to know Poker, and they played . . . till midnight.

Barnes Justice of Peace. Told story of early times. Two men on terms of shoot at sight, but one avoiding the other. At length avoider shot pursuer, & got off as evidence wasn't complete. The dead man, Morgan, had \$64 odd on him. They stopped his funeral at a store, drank to his salvation out of his own money & took a bottle with them to the burial place. Both deserved shooting, said Barnes, impartially.

*May 26.* . . . Lounged about making whistles for the children all the morning—dozed & dawdled afternoon, smoked evening, to bed before 10.

Mr. Osborn, guest of Mr. Lewis, an old lawyer, given to preaching, capital trapper.

Borrowed beaver traps. Mountain men laughed it being their particular accomplishment to catch beavers. One would skin all he could catch. He set trap just under water on trail of beaver with stick attached. Caught two with 3 traps. Beaver swam from dam to shore, caught feet in trap, sank with it & was drowned.—If trap on land the creature would have gnawed its foot off to get free. . . .

*May 29.* Walked after breakfast to Potter's Mill head of Nevada Gulch. . . . Pleasant walk down. Bird in the air which I could not see—song like beginning of lark's—but only for 8 notes at a time. Beautiful floating & wheeling in the air without decided motion of wings, of bird I know not: Mountain hawk? . . .

*May 30.* . . . Among specimens Chase & Sears<sup>5</sup>—"Burr from the pinetree on which Pennsylvtuck was hanged." Pennsylvtuck was a bad lot, so bad that the citizens resolved at last to relieve him & themselves of his noxious existence. They hanged him on a pinetree & left him. As night was very cold it remained doubtful whether he met his death by strangulation or freezing. Citizens generally agreed to consider that he had been frozen to death.

Pennsylvtuck = Pennsylvania-Kentucky, these two States sharing the honour of raising him.

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*June 8.* . . . Theatre in evening—Macbeth, better than expected.

<sup>5</sup> See below July 25.

*June 9.* . . . Fellow who catered for army in Iowa, sent six waggons of whiskey and one of provisions. "What the hell shall we do with all these provisions."

\* \* \*

*June 11.* Near the Divide, with a snow covered triple mountain right opposite, found a little unenclosed cemetery on the stony slope, not unpathetic in the solitude. Thin grass and weeds are the only growth just there. . . .

Head of Virginia Cañon. To the S.W. under the afternoon Sun a gentle hill shining green with cottonwood aspens and darker firs, ridging eastward into promontory, brown and sombre with thin firs. To the left a brown and green promontory (Pewabac mountain?) specked thick with small white stems. In front, down the cañon, beyond Idaho, the ridges of hills & mountains swelling obliquely from left to right, the right being S.W. They were dark green with brown patches, and the highest bore some thin sprinkling of snow. Immense cloud shadows, black and irregular, lay upon them. They swell obliquely through one rounded mountain into two high sharp scalped peaks, with massy foldings and dells. Behind were white clouds massed and in round islets and the blue sky. The foreground a rough patch with a very few firs and dwarf cottonwoods, many stones and tree-stumps, thin grass, a single cow grazing. The thick dark green of the firs on the mountains looks fine and short as well-mown grass. The white stems and the multitudinous dazzling twinkle of the leaves of the cottonwood aspens. The sun hot and the "shoo-flies" countless & busy. The dull tinkle of a cowbell on the right hand slope.

Turning back toward Central, green slope and gulch with shanties and mills. Right and left firs and cottonwoods. These are small bright green firs which turn yellow and russet in needle and apple, and then seen with sun behind them look like withered ferns similarly seen, burning gold & red. Beyond a massy hill wall brown and dark green with pines. Beyond still a high sharp mountain on right, brown and dark green. Leftwards a keen steep range, accentuated and abrupt in outline, with white gleaming precipices on the highest left. . . .

Found pretty yellow & blue wildflowers, especially the yellow kind with long delicate trumpets and slender leaves, and the blue with purple and azure bells and pink tinted pods.

*June 13.* Heavyish rain last night. Cloudy this morning; no dust. Started for Idaho soon after 9. Stopped a little with Owens. Halfway from Missouri City to Divide, front and rear raw white clouds seething over the crests of the hills and overlapping far down. The right hand hills from Central clear with strange pale

green stormy gleams. Some rain and hail drops, then the sun breaking out in blue high overhead.

At the head of Virginia Cañon dull grey vapour drifting low across Pewabae Mountain and that on the right. The dark peaks of the mountains past Idaho visible.— Their mass swathed by white & grey smoky cloud. The foothills underneath shining light green.

A little way down the Cañon, the foothills in light are dark green and brown; the vaporous clouds hover and drift above, veiling the mountains; the sky is all overcast, some raindrops fall.

A man climed Cañon just as I reached the head, and placed a little bottle with what looked like whiskey in it, not much, on a post there. Delicate forethought for future winded climbers?

The mountains still sprinkled with snow.

Two or three kinds of pretty yellow flowers by the wayside.

White convulvus-like flowers, but with dull brownish centre-boss, on wrinkled-leaved bush so interwreathed with a bush of smooth light green serrated leaves that it was difficult at first to know which owned the flowers.

One bush where three or four branches forked covered with a strong manifold white web, about six inches by two, tapering down to a fork. Within this perhaps a hundred brown caterpillars, most heaped together, some vivaciously crawling, and a starry host of brown spawn-speeks. . . .

*June 14.* Lovely bright morning. Everything so green after the rain. Idaho with its hills and booming brown creek under the large sky about as beautiful a place as I ever saw. . . . Walked up the Cañon, catching up coach. . . . The hills and mountains never the same for five minutes together in form, colour or expression. The shadows shifting, the forms varying, the lights changing, the colours running through a hundred different shades.

Enjoyed my walk very much, and thought with a certain vigour as I used to think.

Owens about the Ditch. Injunction from running once. Put up notice no more water, privately instructing agents to let the miners have it. Summoned for contempt of court. Produced notice. Said miners took water in spite of him, but honourably paid for it. He couldn't afford to pay his agents enough to lay down their lives at the gates. If, however, the opponents liked to appoint an agent to see that no water was taken, he would be happy to give the man every facility. If anyone had gone up Spring Gulch to stop the water, he would have been lynched. "You can tell So-and-so that I *did* say that if he had been concerned in pulling down plume, I would be one to go and kill him, and I meant it." —

"You and I lived near each other opposites sides of [*name blank*], for twenty years, and I never heard of your killing a man." Great meeting of 2,000 miners. Resolution, Parties are invited to remove injunction or else clear out of country in three days. . . .

*June 15.* . . . Traveller some months or more since in storm at Georgetown. Whole air charged with electricity, not particular clouds. Men had to throw away picks, shovels, everything with iron in it.

T.H.L. told me that one night his moustache was charged with electricity, sparkling & gleaming to wonder of himself & friend.

. . .<sup>6</sup> Afternoon walk up Eureka Gulch. Lose sight of Central nearly all the way up. Looking backwards yellow brown hills with grey stone & scant grass; reminding me of Jerusalem pictures in tone.

Past Cemetery & round hill with wall of huge stones, here & there piled to a sort of gateway where road passes through. . . . Wind fresh & cool, sounding like a waterfall from the trees & grasses of the valley. . . . The appearance looking over Central, which I have seen nowhere else here, of a faint indefinite blue sea-line beyond low hills under level base of cloud. Very fascinating — The plains. . . .

Eastward, under pale blue sky broad pale blue sea, more like than ever. — The plains. — Even what seems a wet ridge [?] with foam round it. Halfmoon high in deep blue firmament. — Dazzling white clouds piled under sun.

\* \* \*

*July 4.* Fourth of July. Stood about City all day & evening, except afternoon when up to lake. One boy climbed pole for ham. Baseball match on Bobtail Hill. Wrestling at Mountain City. Rifle match at Mack's Brewery. Steamboat on lake — first in Colorado.

A few drunken men in evening. Cartridges & fireworks. Irishman in morning, draped in the flag of me counthry, majestically halfdrunk.

\* \* \*

*July 6.* . . . I ordered Herman Melville's Pierre, Redburn, Mardi and Whitejacket, \$1.50 each. . . .

*Week ending Saty. 20th July.* Down with short but sharp attack of "Mountain fever" complicated with overdose of Hydrate of Chloral. Felt at death's door Wedy. & Thursday: down & up with a steep run (though with great difficulty) to dress & walk about a little on Sunday. . . .

*July 25.* Owen's good story about Chase and Sears, the tobaccoists. A well known woman happened to be delivered of a still-

<sup>6</sup> The next three paragraphs from (C) pocket-book, also June 15.

born child. The doctor wrapped it in a newspaper & took it home for preservation in Alcohol. He forgot it for two days, & then on unfolding the parcel found the body marked across the stomach with something he couldn't rub off. Covering the marks he called in some of the fellows, and shewed them the creatureling. They asked whose it was. — Oh, he said, there can be no doubt about that, for it bears their brand; and uncovering the stomach revealed Chase & Sears in plain characters — impression taken by the moist body from their advertisement in the paper. Each of the partners used to visit the woman. . . .

Wonderful lightning at night to N.E. . . . flashes and surges of white light which lit up cloud outlines and drowned the stars, and flung pale reflexions on the zenith-clouds. At first these seemed heat-lightnings, but soon zig-zag, oblique, transverse, vertical lines of intenser flame darted through the broad fire. No thunder or echo of thunder could be heard. An immense and terrible storm was probably raging at a distance whence thunder was inaudible. . . .

*July 31.* Club Dance in evening at Teller House. I invited by Potter of the Rocky Mountain Bank.<sup>7</sup> . . . Pleasant party, got several introductions, danced most of the dances, enjoyed myself very well, could have gone on all night tho' I thought I no longer cared for such amusements.

Home quite wakeful at 2 p.m.; sat up till 4 smoking & drinking some bottled stout.

*August 1.* . . . Wentworth's story of nasty Irishman who shot without provocation a respectable quiet man with wife & family. Murderer let out on bail. Next day "up to" Nevada he got quarreling with a countryman who swore he should murder no one else, went outside, picked up a big boulder & smashed in his skull. Murderer's murderer left the district, no one trying to catch him; and indeed some people at Nevada made up a purse to assist him in his journey. — Everyone glad that the other fellow was dead. \* \* \*

*August 6.* Finished letter to W. M. Rossetti. . . .<sup>8</sup>

*August 7.* . . . Heard that miners &c. thought of lynching Tarley who shot Chanpiot's Cook—not unnaturally if it is true that no one has ever been judicially hanged in this Territory except by Judge Lynch. The Irishmen who shot a man at the Center Mine are all out on bail but one, they say. Belatsnell told me that the fellows who flung a keg of powder down the shaft with intention to destroy himself & men in the Leavitt were merely bound over to keep the peace.

Wentworth at the Geo'town Theatre had to carry a fellow downstairs by the scruff of his neck who was flourishing a pistol. . . .

W., in '65 I think, turned out the boys at Geo'town & hanged a man who had wantonly shot another and threatened to shoot more yet. The fellow, in the presence of the Sheriff, bragged that the rope was not spun which could hang him. W. in the same presence told him to wait until midnight & he would see. At midnight he was hanged, & the next morning everybody, woman and child, must go out & look at his corpse still suspended.

W. got the rope ready for another ruffian, who skedaddled just in time.

W. also claims that he began the movement for civilising Denver, by persuading the decent people to make the nominee for Governor (or Mayor?<sup>9</sup>) promise to put down the gambling saloons in case of election. The man was elected & kept his promise.

I have heard of a man working a lucrative mine here, who would lavish as much as a thousand dollars in one or two night trips to Denver, between gambling saloons & brothels.

\* \* \*

*August 19.* Lovely walk up Cañon between 8.30 & 9.45 or 10. At first not a cloud in the sky, intense blue zenith, azure horizon. Wildflowers mostly gone; coarser yellow, white & lilac ones left. The innumerable rattling crickets. At first the Southern hill-mass, solid sombre green, like bronze; then the light green crater; then the Squaw & Chief to the right; then on the divide the whole line under horizontal white clouds, & northwards the well known hills (high mottled green to right, sharp spinal ridge centre, noble ridge to left with precipices, now like three black eyes white-ringed. Between the Gulch & the lefthand hill, seamed with trails and watercourses, stripped, gashed, pitted, lacerated, & the idle mills down Russell Gulch like ships in ordinary at Spithead or Plymouth.

The pines on the sombre southern hills fine, thick & sleek as the soft warm fur of some monstrous animal.

The hills sharply defined against the azure daylight as usually against a clear moonlit or gloaming sky.

\* \* \*

*August 26.* Start at 8 a.m. Wentworth, Rev. Turner, Judge Hahn, Best & Self. — Goodfellow & Black with pony & mule. Pleasant till near top of range. Then into thick mist & rainclouds which went into us. South Boulder Gulch invisible. W. shooting at grouse with Best's revolver. Steep path down, leading our horses. Dinner at Lake—Rain—Horses strayed.

<sup>9</sup> Mayor.

<sup>7</sup> The dance is described in a letter to Mrs Charles Bradlaugh, H. S. Salt, *Life of Thomson*, 1892, pp. 79-80.

<sup>8</sup> See H. S. Salt, *Life of Thomson*, 1892, p. 72 ff.

After dinner Mammoth Gulch clear. Rough stony road along side of mountain—1,000 to 1,500 feet below on left; precipice 60° to 70°—, here fanged with rocks, there quite smooth. Noble pines on opposite side of ravine. Didn't feel at all giddy or nervous.

Seven or eight miles of timber, spruce & pines & hemlock, with grey & russet stems. — Beautiful green carpet of delicate plants; open spaces of homelike foliage, vividly green. Rain all the way. Some lovely wild flowers. — Wet through at Haystacks, beyond Frazer River — Grand fire. Slept in log shanty; buffalo robe & blankets. Doorways & window-space open. — Peaknuckle & his friend, former with pony & two boxes of trout from Grand River lake, caught in nearly a fortnight, 150 lbs., 600 trout. — Day's ride good 25 miles.

*August 27.* Across Middle Park. Beautiful grass, Sage brush, fir wood. Pleasant sunshine all day except an hour or two of rain in afternoon. First broadgrass bottom with four or five streamlets, arms of Frazer; mountains all round. Three or four such plains with green rolling hills between. Loped along joyously in the bright morning. Serpentine rill, very. . . . Arrived at Grand River opposite Springs about 5. Last few miles noble rolling green land, profusion of wild flowers; here & there the underrocks showing their teeth.

Fine approach up broad valley bottom to Grand River. Hills formed as at Golden, organ pipes or basaltic in shape, but crumbly & brown sandstone. — Wildflower, large three-petalled white bell with quaint lilac & gold inside. Grand redoubt—hill crowned with citadel of nature's massive masonry. . . . Spring opposite, thatched-roofed; Shanty, 2 tents; tent on our side with Denverites, tent up gulch beyond river.

Good 25 miles' ride.

*August 28.* Up river fishing in morning. Forded above. Seven foot high grass. — Wild corn (rye?). Usual walk off of horses. My pony, without lariat, always seduced by any horse free. Best and I fishing assiduously! Wet afternoon. Euchre under tent of large sheet waterproof. Best & I routed the Church & the Law. . . .

Chase after Dr. Roger's white broncho mare, all in at the death.

Coyote at noontide gnawed our ham & eloped with our corned beef.

Indian camp marks, with refuse of antelope about bottom, which has numerous holes (cayote?). . . .

*August 29.* Dull morning. Vote as to return. Casting vote stay another day in hope of change.

Towards evening bath in Sulphur Springs. . . . Bath very refreshing; smell at first nauseous & hot. People have been five

weeks here for rheumatism—but whether the bath or the jolly open air sober life has done them more good cannot say.

My pony a poor forder—nearly losing his head & turning down stream—I had to tug & whip.

Rained out of bed at 12.15 a.m. this night or preceding. Water running down rocks under our bodies formed pools & started rills on buffalo robe. Got good fire, coffee & smoke. . . .

*August 30.* Rode off for Haystacks after breakfast. Did not stop on way. Wentworth & I arrived at 2.30, trotting & loping well the last few miles. The others not long after.

Peaknuckle (German or Sweed, blonde & ruddy) back at Shanty, having sold his 150 lbs. trout, Monday night in Central at 50 cents a pound. Fine spread of somebody's spoiled trout on the ground. Peaknuckle's bread, potatoes, pony, strength & plans. . . . Can lift 850 lbs. with hands. Put 400 lb. barrel of whisky on counter. When trout fishing over will trap & shoot—beavers, elk, deer &c. Then perhaps some mining as of course he has claims. . . .

*August 31.* After breakfast started in pleasant morning for home. Long climb up through timber, ground considerably sodden with late rains. As we approached the top usual mist. Along Mammoth Gulch could only see a few yards above & below. Bitter breeze driving the mist, which became a compound of chill vapour, thin rain, keen sleet, sharp snow. Wentworth, Turner & I halted at lake for a cold bite of grouse, bread, mouthful of brandy & water. . . . Before this weather cleared. Boulder Gulch visible; fine shifting rainbows in tops of pines on farther side. Plenty of snow patches above & beneath us, as when going. Delightful ride through timber. . . .

Took short cut as before on wooden horse tramway. At head of Peck Gulch heavy storm came on; rain that wet me through in less than five minutes, frequent & prolonged thunders that rattled like artillery overhead, lightnings right in one's face as if a veil blown back against it. Pony who was much scared by revolver shots did not start at all at thunders & lightnings. We galloped furiously but to no purpose, being too far from home.

At head of Eureka Gulch Turner persuaded me to seek shelter in a deserted Mill. . . . When storm over we issued, wet rabble. Eureka Gulch a roaring torrent of slate coloured Slush. Roadway like another creek rushing down fetlock deep. Lovely rainbows, double, the inner one as big as I ever saw. . . .

Spite of rain much enjoyed this rough jaunt. Felt jolly. Per contra some mosquito bites, nose slightly skinned, slight stiffness, slight excoriation bottom of spine due to the first day's riding.

*September 2.* [Description of further storm.] . . . Shower grew heavier & heavier. People scared about their frame houses.

Dowlen's office a foot deep in water, next day several inches deep in slime. Spring gulch filled from side to side with a drab torrent. Main Street culvert gave way; fifteen feet long hole from Chase and Sears to Post Office. Pollock Street flooded; high roaring tide against big barn opposite corner. Roads all cut up. Lower part of Main St. not so bad, thro' flood running into hole of broken culvert.

*September 3.* Sent \$3 to Harper & Brothers for *Omo* & *Typee*, cloth. Others came about middle Aug. 5 vols. \$7.50.

*September 5.* Social Club Dance at Teller House. . . . Afterwards to Goldman's. . . . Songs, jokes, walk rounds, home at four. Very jolly, quite sober. \$5.

\* \* \*

*September 11.* Dowlen's marriage. . . . Pleasant party, jolly supper, but broke up too soon (at ten) most present being engaged for a party at Roger's. . . . I gave Mrs. D. an amethyst ring—\$18. . . .

*September 13.* Have scribbled up this book from page 45, Middle Park [August 26], & hope to write some letters to friends. Have neglected to insert some good stories, which won't recur to me just now. Must try to keep up with them henceforth. . . .

*September 16.* Recd. *Omo* & *Typee* from Harper & Bros.

*September 18.* To James Peak. . . . Wentworth & 3 ladies in buggy, rest on horseback. Lovely day. Deep blue sky in morning. Home by moonlight through Nevada.

Lunch at base of mountains. Climb over rocks. . . .

*September 24.* First snow here of the season. Felt it drifting in on me in bed, with rough flaws of wind. . . . Snow over hills & houses in patches. Walked top of our hill before breakfast. Keen N.W. wind. Afterwards bright midday, but keen. . . .

*September 27-29.* To Denver. — Fair. All of the house. Lovely weather. City booming. Narrow gauge to Golden. Fine ride through Cañon. Horse racing on Saty.

Crowds, broad streets, side rills & trees, views of range & plains &c., &c. Tramways.

*October 10.* . . . Peaknuckle (of Middle Park) called with fish. Is going to settle for a time in town, as furs are poor this year. Don't care to work much underground as is not first class miner. Wants to run machinery, which he can do well.

\* \* \*

*October 22.* Hills slightly mottled with snow. Read poetry all morning with great delight—Swinburne, Mrs. Browning &c. in Wentworth's book.

In evening kept up Mrs. D's birthday by having whiskey toddy with our whist. . . .

*November 2.* To Idaho with Mrs. Dowlen & Mr. . . . Free fight in Central at night, Oxford Theatre. . . .

*November 5.* Only two answers to Advt. [for rooms.] . . . Bitter cold morning. All water frozen. To get bath had to break thro' ice digging with toothbrush. Spunge like lump of rough ore. . . .

*November 7.* Left Wentworth's in evening with Walton. Took rooms at Teller House. Stove to be put in sitting room as early as possible. . . .

*November 17.* All past days beautiful bright days, snow lying. Very cold morning & nights. Thursday 5° below zero at 7 a.m. Friday 8° below (40 below freezing point) at 6.30. The most lovely and luminous blue skies by day. — Brilliant moonlight nights, lucid heavens crowded with stars.

No stove yet in sitting room: can't get them up from end of track.

Saty. night. Hotel barkeeper's stories about small manufacturing towns in moral Massachussetts. — Factory girls. Of 58 marriages only two not forced on by pregnancy of Girl. The prostitutes' ball at [name blank]. Four fellows in four-bedded attic: three with girls at one time. The prize for best dancer. Girl who had got it four times, refused it fifth. Went & undressed save stockings & garters. Danced wonderfully for five minutes, music playing, hall crowded. Then "Here's the leg that can dance, & here's the arse that can back it up!" Redressed & danced with the others till daylight.

*November 25.* Social Club Dance in evening till ¼ to 1. Afterwards in bar till 3¼. . . . Attempt to burn town or some particular building at about one. Nick Cremer discovered and put out fire. — Split planks &c. arranged. — With a few minutes' start fire must have destroyed the place, as high wind blowing.

*November 28.* Thanksgiving Day.

Very little attention paid to it here except by extra feeding. Stores open morning as usual. City looking busier because more people on Streets. . . .

*November 29.* Atkinson on Cattle driving from Gulf thro' Texas, Indian territory & Kansas. About one man to a hundred head. Three horses a day. Eight miles a day, involving riding perhaps fifty. So many herds driving near together that there will be 4 or 500 men at night round campfires, & heads get all mixed. Indians give pony for bottle, quart, of whiskey. Heavy fine of two years penitentiary if known to bring whiskey thro' the Nation (Indian). — Many a Choctaw & Chickasaw pitched dead-drunk into a Creek.

Stories last night about Newton, & other places in Kansas. Newton forty houses, of which thirty saloons. One landlord shot a Texan for something. Next night Texan's friends came for him. He seized two Colt's sixshooters & in getting round from the bar was shot. Down, he shot all his barrels, killing six and wounding four.

Atkinson in '67 at bar with Texan friend having drink. Mexican came from behind, felled him with butt end of pistol, & gashed him in thigh. His friend shot Mexican dead. Case of mistaken identity, probably. . . .

*December 4.* . . . Cash speaking of English cattle dealers in St. Louis Park, other side of the Arkansas. Dunn & Prior, moneyed men; Carson, Scotch expert. Corraled all sheep together in lambing time, so old sheep trod young lambs to death. Bought some hundreds beef cattle from merchant at 1000 lbs. each on feet & 3½ cents per lb. At Denver could only get 2 cents per lb. Shipped all off to Chicago where they fetched 2¼ cents. Lost difference plus all expenses.

*December 6.* . . . Reed. despatch to return from Coy.

*December 9.* Fine day. To Geo'town on horseback with Walton, Lowe and Cushman. Rode there & back, forty miles. . . . "Sam" almost used up climbing Virginia Cañon—Walton had to lead him halfway. I kept on Dutchy, who took it very well. Rather cold, tired & stiff last three or four miles

*December 10.* Wrote Julia, recalled. Will send you word when I sail from New York. . . .

*December 11.* Lovely morning. — Some inches of snow.

Dancing & singing, parlour in evening.

*December 17.* High gale at night & three alarms of fire. City almost bound to be burnt out some night.

*December 20.* At length telm. from Coy. remittance.

Some snow falling. Much more threatened.

*December 28.* Start for Denver on way home by this morning's coach.

Have handed to Walton all necessary papers.

The following afternoon Thompson left Denver, and reclining "on the sofa of a rushing drawing room," soon found it "crossing the level yellow-green grass sea." Past the "blue line like horizon" he was into the plains, beneath "a lovely warm blue sky," with "a long level sunset of intense pale yellow fire" behind him "burning over the long low hills."<sup>10</sup> As he lay back in the Pullman,

<sup>10</sup> From (C) pocket-book.

now that he was returning home, he took out his pocket-book and scribbled a translation of Heine:

Shall I somewhere in the desert

Owe my grave to stranger hands?

Or upon some lonely sea-shore

Rest at last beneath the sands?

Ever onward! God's large heaven

Must surround me there as here;

And like deathlamps o'er me swinging

Night by night the stars burn clear.<sup>11</sup>

Via Omaha and Cedar Rapids, he reached Chicago by the 31st, still noting odd impressions in the pocket-book which were never entered in the diary. In Chicago he was surprised by the vehemence of "a Restaurant Saloon" full of "people intensely excited, throwing dice for tickets in a lottery . . . for a \$2,000 pair of horses." At Niagara (on the 2nd) he stopped long enough to go down under the Falls with two companions, "really but a little way under," where he wrote that "the white mossiness of the snow cushioned rocks, & the lively frosting of the trees, & the immense icicle stalactites, made one think that the winter scene must be better than the summer." But "the Canadian vermin who have settled on the Falls," he added, "must be the most bloodthirsty and rapacious I ever came across."

On to Buffalo, Susquehannah (by January 3rd) and Dixon, he at last arrived at Jersey City, where he was despondent at having to wade through heavy city slush "less than knee- but more than ankle-deep." At the hotel, however, he was able to stay indoors comfortably reading Gautier, Swinburne and Whitman's "Leaves of Grass & Voyage to India &c." — Perhaps the greatest book yet produced in the United States." On Thursday, the 9th, he finally booked his passage and then, notebook in hand, had a last look at New York from Trinity Church Steeple:

. . . Clear pale blue sky, not luminous or transparent, very pale to the South, rather dusky to the north; bright watery sun; water a white frosted silver sheet beyond Battery, dark solid green east & west; numerous steamers with bright smoketrails; Schooners under full sail down North River; fresh N.W. breeze; Broadway to Grace Church; city with serried roofs & few steeples, of brown stone principally; Brooklyn chiefly lost behind ridge; Trinity Steeple itself ornamented with upward lines of brown stone or stucco, about as shapely as rough-kneaded lumps of dough, one larger & protruding lump at every yard. Heard that a man once for a wager climbed it outside, by these, & stood on the cross at the top, over 320 feet high! . . .

<sup>11</sup> *Ibid.*, see also *The Poetical Works of James Thomson*, ed. Bertram Dobell, 1895, I, 337-8.

From the height of Trinity Steeple—Broadway for a long distance centred by a serried line of 'busses. These being white, with two windows in front, the more remote ones curiously suggested a death's-head, with its dark empty sockets.

On January 11th Thomson embarked on the *Baltic*, sailing for Liverpool, at which his diaries end.

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## D. C. Oakes, Early Colorado Booster

MARITA HAYES\*

Daniel C. Oakes, '59er and ardent Colorado booster, enjoyed a career filled with praise and damnation, glory and infamy. His is the story of an enterpriser, adventurer, and a man of many interests and talents. His is also the story of a man who played an important part in promoting the Colorado Gold Rush of 1859, which was termed by disappointed gold seekers, "The Pike's Peak Hoax."

D. C. Oakes was born in Carthage, Maine, April 3, 1825. At the age of ten he and his father moved to La Grange County, Indiana, and then on to Iowa.<sup>1</sup> As a young man of twenty-four Oakes heard the echo of "Sutter's Mill" and responded by joining the rush for quick money which was being found in California sand. He was fortunate enough to stake a claim in the famous Feather River District where he panned gold in paying quantities, and save \$6000 of California dust in four years.

In 1853 Oakes returned to Iowa and married. Now with the responsibility of a wife to support he engaged in the more stable occupation of building and contracting. This business occupied him until 1858 when the panic of the previous year made his trade no longer lucrative. Without any income Oakes, the adventurer, eagerly responded to rumors about the discovery of gold in the Rockies and he again journeyed westward as the leader of a party of five.

On October 10, 1858, Oakes and company reached Cherry Creek and joined the remnant of Green Russell's Georgia Company. On the Platte River a few miles from the mouth of Cherry Creek, Oakes and his companions began washing gold to the extent of from three to ten dollars a day per man. This experience of moderate success served only to stimulate a desire for more. Thinking float gold was but an indication of big deposits, these prospectors began looking for the source. They failed in this pursuit, and

\*Miss Hayes wrote this article as a Graduate student at the University of Colorado.—ED.

<sup>1</sup>A. L. Baskin & Co., *History of the City of Denver, Arapahoe County, and Colorado* (Chicago, 1880), 321

Oakes returned to Iowa for the winter, taking with him the account of Russell's Party which was kept by Luke Tierney.

Back in the "states" and among the unemployed and adventure seekers, Oakes saw that Tierney's literary efforts might have commercial possibilities. After all, Oakes had not only seen Colorado gold but he had panned it himself in paying quantities. He had great faith that Colorado would turn out to be another



MAJ. D. C. OAKES, 1858

California if enough men could be stimulated to take advantage of the opportunity. Oakes went into partnership with Stephen W. Smith, and early in 1859 a booklet appeared with the following auspicious title:

*History of the Gold Discoveries on the South Platte River.*

By Luke Tierney.

*To which is appended A Guide of the Route.*

By Smith and Oaks [sic],

Published by the Authors, Pacific City, Iowa,

Herald Office: A. Thomson, Printer, 1859<sup>2</sup>

In the introduction, Tierney modestly stated that "... Accompanying the first company in their search for gold on the South

<sup>2</sup>Title page of Smith and Oakes Guidebook.



Platte and remaining with them in all their vicissitudes, keeping a faithful record of their transactions from day to day, his opportunities for giving a reliable and truthful statement are unparalleled. . . . If by the circulation of this work the author shall succeed in aiding and benefiting those who emigrate hither, and in directing public attention to the importance of these discoveries, his highest aim will be accomplished."<sup>3</sup>

In the pages following, Tierney not only gave an account of the richness of the finds, varying from a few cents to \$18 per man daily, but also their locations on the Platte and other streams.

Explaining that the party's intention was not to work the float mines but to discover the source, he described in fairly exact terms the extent of their previously unsuccessful attempts reaching from the Platte to New Mexico. According to him the best locations were to be found on the Platte and nearby streams not far from Denver.

The account did not stop with just the record and prognostication of gold finds. Travelers were forewarned of the dangers of bears, lions, and troublesome Indians who had a passion for the white man's scalp. Prices were high at the trading posts, but as a compensation for this Tierney said that the scenery was beautiful, and ". . . My experience teaches me beyond doubt, that the country including the north west portion of the desert and all along the Rocky Mountains is as healthy as any portion of the continent, if not more so. . . . Some of the mountaineers who have traded among the Indians here for many years assert that they have never known a man to die in this region from any disease contracted here."<sup>4</sup>

To this account of Tierney's, Oakes and his friend Smith had a few words to add. The route advised was via the south side of the Platte and South Platte rivers. This trail, which was not mentioned by Tierney, came to be the one preferred by gold seekers. Its advantage, according to Oakes, lay in its being level and straight with but few streams to cross. Also, it was regularly traveled and there was easy access to wood and water.

Oakes warned of the Indians that might be encountered and suggested a method to be used in dealing with them. He said that the tribes which would probably be met were Pawnees, Sioux, Cheyennes, and Arapahoes. They were temporarily on friendly terms with the whites, but "the less emigrants have to say to the Indians the better."<sup>5</sup> The best thing to do was to salute the red men and leave without further adieu. However, if they wished to trade it was better to comply with their wishes than to cause hard feelings. If they were dissatisfied with the bargain, trade back immediately—scalps are valuable, particularly to the owners.

<sup>3</sup> *Ibid.*, 2.

<sup>4</sup> *Ibid.*, 17.

<sup>5</sup> *Ibid.*, 21.

If a war party should be met, Oakes suggested that the gold seekers make a peace offering of flour and tobacco. If the bribe failed, the next best thing was to use a whip to make them run.

Oakes then gave a few helpful hints to make the trip more safe and secure. He advised against carrying a primed gun in the wagon, for it might accidentally go off. He also suggested that horses not be used in hunting buffalo since such strenuous exercise depletes the horses' strength very quickly.

He continued with an enthusiastic description of the gold fields: "The country in which the mines are located is healthy and well adapted to grazing, or the cultivation of wheat, oats, barley and all smaller varieties of grain. . . . The streams abound in fish of excellent quality, the most numerous species being known as Speckled Trout."<sup>6</sup>

Oakes then listed the supplies the gold seekers would need and their approximate prices, the grand total amounting to \$517.25, and concluded his guide with a few comments about the various routes from the East to Pacific City, Iowa.

This guide book was put on sale at the outfitting stations and starting points along the Missouri River, and it was widely circulated among many of the parties then starting from the Missouri to find "Eldorado." The pamphlet, along with letters filled with glowing accounts of the richness of the country coming from the Pike's Peak region, helped to stimulate the great race to the Rockies in the spring of '59.

The migration westward that followed the publication of the guide mounted with amazing rapidity. Not only did these speculative optimists have locations of gold in a pocket edition, but also routes to the bonanza outlined in reasonably accurate form. Over the plains rolled a determined procession of wagons, some of which bore the inscription, "Pike's Peak or Bust," or "Lightning Express," and other such expressive slogans.<sup>7</sup> Strange vehicles of all sorts could be seen on the trail to riches. Some who underestimated the difficulty of the trip pushed wheelbarrows laden with supplies, and one such traveler reputedly took on a boarder to help pay his expenses.<sup>8</sup> Some loaded oxen with their provisions, and others carried their picks and shovels on their own backs.

The city of Denver grew like a field of mushrooms. Business houses and shanties seemed suddenly to appear. The usual frontier entertainments, many of the bawdy variety, were soon in the process of fleecing lonesome bachelors. Buckskin became the fashionable material for dress, and newspapers served the purpose

<sup>6</sup> *Ibid.*, 24.

<sup>7</sup> Alice Polk Hill, *Tales of the Colorado Pioneers* (Denver, 1884), 24.

<sup>8</sup> *Ibid.*

of windowshades for those more interested in gold than in finery. The gold area was indeed one of hustle and bustle with little regard for gentility.

Meanwhile Oakes, still back in Iowa, was making preparations for his return to the gold fields. Sincerely believing that the Pike's Peak area had a great future, he pooled his finances with those of Dr. William Street and the two together purchased a steam saw mill. Oakes had no doubt that this area would be permanently settled, and certainly a growing territory needs lumber. His saw mill would afford a steady and lucrative income less subject to the vagaries of nature than gold mining.

On March 20, 1859, the company of Oakes and Street began its trek westward.<sup>9</sup> Because of the heavy equipment they were transporting, progress was slow and the tide of immigration passed their wagons. The dismantled sawmill attracted considerable attention and the passers-by inquired, "who and why?" When they learned that this was a party led by D. C. Oakes himself, nothing but praise flowed from their lips. He was regarded by all with envy and admiration, "making the first two hundred miles resemble the triumphant progress of a conquering king."<sup>10</sup>

However, Oakes' smile was soon turned into a frown, for near Julesburg a hitherto unprecedented phenomenon was seen—a wagon train going east! To his chagrin he learned that this train was filled with men who had not found what they were seeking. They said that everything in the guide book was "damn lies"<sup>11</sup> and that they had been hoaxed. Oakes tried to convince them that there was gold in Colorado and that they had not given the country a fair trial, but they would hear nothing of going westward again. When the disappointed miners learned that they were speaking to the publisher of the guide book that had lured them into a hoax, their behavior became quite threatening. Violence was averted, but Oakes was warned that he would be hanged if he continued toward the diggings.

Oakes now realized that he wasn't as popular as he had been a few weeks earlier. Not wanting to be elevated "to a high and swinging position on the tall cottonwoods,"<sup>12</sup> he kept his wagons off the main route. A few miles beyond the first encounter Oakes saw an unusual and extremely disheartening sight: his own grave. Ahead stood a tombstone of buffalo bones and an epitaph written with charcoal and axle grease that said:

Here lies D. C. Oakes,  
Who was the starter of this damned hoax.<sup>13</sup>

<sup>9</sup> *The Trail*, II, No. 7, p. 9, D. C. Oakes, "The Man Who Wrote the Guide Book."

<sup>10</sup> *Ibid.*

<sup>11</sup> *Ibid.*

<sup>12</sup> Colorado Writers' Project, *Colorado, A Guide to the Highest State* (New York, 1941), 98.

<sup>13</sup> *The Trail*, *op. cit.*, 12.

Still further ahead was seen another which said, in somewhat stronger language:

Here lies the bones of Major Oakes,  
The author of this Goddamned hoax.<sup>14</sup>

Still another read:

Here lies the bones of D. C. Oakes,  
Killed for aiding the Pike's Peak Hoax.<sup>15</sup>

If Oakes had ever entertained doubts about his loss of popularity, they were completely dispelled by seeing his burials in effigy. Although he sincerely felt that gold in attractive deposits was located in Colorado territory, as he had insisted in the guide book, the number who did not share his optimism about the new territory was mounting rapidly. He felt that the procession eastward consisted of men who were easily discouraged and who thought they would find the precious metal lying on the ground like hailstones. However, he did not want to risk his life merely on principle. He hid the sawmill wagons from the view of the angry tenderfoot miners and went ahead to survey the situation at the diggings. Without the burden of the sawmill Oakes reached the Rockies in a few days. He visited a place called Deadwood on South Boulder Creek, then Gamble Gulch, where rich mines had been operating, and found "the deposits equal to any we might find anywhere."<sup>16</sup>

Thoroughly convinced that the disheartened miners who wanted to hang him were foolish, Oakes began his journey back to the hiding mill party. He passed through the small settlement of Boulder, but wisely avoided Denver because he feared his identity might be discovered. Being unable to carry enough food in his saddle pack, he subsisted mostly on antelope meat. He stopped for one night at an abandoned derelict known as Fort Vasquez and found three men who were debilitated from eating nothing but roots and prickly pears for three weeks. Oakes traded meat for shelter and slept the night.

Returning to the camp site of the mill party Oakes found less activity than the returning miners had found gold. All that he could see was the usual disorder left by campers and a note from his cohort, Street. The message stated that the Doctor had dissolved the partnership and that Oakes would undoubtedly turn back after facing his immense unpopularity at the diggings. Consequently, Street had begun the return to Iowa as many of the would-be miners had done, taking the sawmill with him.

Oakes was now thoroughly angered. Not only had many tenderfoot miners given up without a fight, but his own partner had started eastward without even consulting him. His horses were

<sup>14</sup> Wilbur F. Stone, *History of Colorado* (Chicago, 1918), II, 615.

<sup>15</sup> *Ibid.*

<sup>16</sup> *The Trail*, *op. cit.*, 12.

exhausted from the hard day's ride, but knowing that the wagons bearing the sawmill were slow, Oakes started tracking them on foot. He walked all night and overtook Street and company at daybreak, stepping into their camp in much less than good spirits. As he later wrote, "In a few well chosen words (which had best remain unprinted) I pointed out their error, and telling of the claim I had staked ordered them to yoke up the oxen and turn about."<sup>17</sup> Knowing that Oakes was not in the mood for a lengthy controversy, Street agreed to change directions, and the mill again proceeded westward "without further altercation."<sup>18</sup>

Oakes kept the mill off the beaten paths and they reached their destination without mishap. The warning given him by the disgruntled go-backers did not materialize, and there is no record of any more expression of hard feelings. Not all of the gold seekers were disappointed, and those who weren't had more reason to praise Oakes than to condemn him. At any rate the popular wrath was short lived.

There is little doubt but that Oakes' guide book contributed substantially to the Gold Rush of 1859. It sold on a large scale and was widely read and quoted. However, one cannot charge him with intentionally trying to mislead would-be miners. In the first place, according to Oakes himself, he did not make enough money from the guide's sale to pay the printer. True, he undoubtedly wanted at least some remuneration, but knowing publication costs and possible sale proceeds, he could easily have seen but little profit. Many of those who turned back had started the journey ill prepared, which Oakes definitely had warned against. Some expected to find gold too easily and gave up without giving the country a fair trial. Stories of failure reached wagon trains which had not even finished the trip and many reversed directions without coming into view of the Rockies. Had Oakes not had faith in Colorado gold and the other resources of the region, he would certainly not have joined the tide of immigration with his finances tied up in a saw mill and plans for his wife to follow him later in the spring. He obviously intended to make Colorado territory his permanent residence. Had a hoax been intended, the opposite direction would have been safer for him to go, for none knew better than Oakes that law and order did not always prevail on the frontier.

In the late spring of 1859 Oakes located his steam saw mill in the pineries of Douglas County on Plum Creek, some twenty miles south of Denver. He announced the opening of his mill in

<sup>17</sup> *Ibid.*, 13.

<sup>18</sup> *Ibid.*, 14.

the July 9 issue of the *Rocky Mountain News* with the following advertisement:

LUMBER! LUMBER!

We the undersigned will deliver lumber of all kinds for building purposes either at the mill or at our yard in Auraria on terms that cannot fail to suit purchasers. Call our agent, Mr. H. Allen.

D. C. Oakes  
Wm. Street

A short article also appeared in the same issue in recognition of the opening of the mill. It ran as follows:

Another Steam Mill—Messrs. Oakes and Street have located their saw mill in a fine body of timber some 20 miles south of Auraria and we expect are now in full blast. We are satisfied there is room for several mills in the vicinity and we think it would be to the interest of all concerned to deliver lumber on terms that at once would be an inducement for miners to commence building as we are satisfied a great rush will be made in the fall for houses. By commencing operations now great difficulty will be obviated and mechanics will be profitably employed.

As a part of the developmental history of early Denver, it may be assumed that after Oakes was established in the lumber business, few log houses were built and the carpentry contracts took a sudden jump.

The article cited from the *Rocky Mountain News* begins with the words, "Another Steam Mill." This presupposes the existence of at least one other mill besides the one owned by Oakes. As a matter of fact, two saw mills arrived in Denver from the Missouri River early in April of 1859. Besides Oakes' mill, another mill owned by Bennet and Wyatt was set up and operated by a man named Cooper. This mill was located in the Cherry Creek Pineries.

Competition has arisen as to which mill has the right to claim the distinction of providing the lumber for the first frame house in Denver. Both Smiley<sup>19</sup> and Mumey<sup>20</sup> agree that the first lumber to be milled came from Bennet and Wyatt's mill on April 21, 1859, and Mumey adds that it was delivered to Wootton and Pollock. Pollock used the greater part of it to build a two-story hotel on the corner of 11th and Market Streets.

Oakes' claim is defended by his wife and daughter.<sup>21</sup> Both agree that he sawed the lumber for the first frame house, which was still standing in 1911 at 1223 Market Street. The daughter adds as support for her argument that he is listed in the first Denver Directory as the only lumber merchant.

In the early sixties the Indians who were scattered about in the various hills near Oakes' settlement were molesting the settlers and in general constituted a danger. Oakes, the enterpriser, conceived the idea of building a fort for the protection of the settlers

<sup>19</sup> J. C. Smiley, *History of Denver* (Denver, 1901), 247.

<sup>20</sup> Nolie Mumey, *Early Settlements of Denver* (Glendale, 1942), 103.

<sup>21</sup> *The Denver Post*, April 24, 1911.

if the potential danger materialized. The fort, which he named Fort Lincoln, was called by the settlers, "Oakes' Folly," and it was located near his saw mill. When completed the fort had nine rooms. It was built of logs, with a court, stockade, and well. The impending Indian trouble became a reality in 1864 and thirty families took refuge at the fort. Mrs. Oakes said, "The Indians kept close watch on us. Men could not get out to buy provisions except under cover of darkness."<sup>22</sup>

The thirty families lived there six months. In the interim the Indians left the area, but when the settlers looked for their former homes they found nothing but piles of ashes and all of their stock had been driven away.

In view of this, "Oakes' Folly" turned out to be quite a judicious undertaking. Oakes' enterprising nature can also be held responsible for sponsoring a romance. Mrs. Oakes says that while the settlers were taking refuge in the fort a courtship sprang up between two young people and they were married by a justice of the peace who also was among the refugees.

Oakes engaged in the lumber business until May, 1865, when he sold the mill to Ephriam Blake.<sup>23</sup> In the same year he was appointed by President Andrew Johnson as Indian agent for the Grand River, Yampah, and Uintah Indians. He served in this capacity until October 30, 1869.

During his period as Indian agent Oakes had many interesting experiences. In 1866 he and his wife had a dinner party for the chiefs, and, according to Mrs. Oakes, the Big Chief Navajo gave her a gift of a magnificent bear skin from a huge silver tipped bear. Governor Cummings, then governor for the territory of Colorado, was so impressed with the bear skin that he asked Mrs. Oakes if he might have it to give General William T. Sherman. She consented, though probably reluctantly. Later she received a letter of thanks from the General.

Oakes was also a friend of Kit Carson. In 1868 there was a peace conference in Washington which both men attended. Carson became ill on the return trip to Denver and Oakes took him home by team. They camped twenty-five miles south of Denver, and it is reported that there Carson made his last camp fire.<sup>24</sup> Soon after he reached his home near the Purgatoire River he died.<sup>25</sup>

It appears that Oakes proved to be a very satisfactory Indian agent. He apparently understood the Indian temperament, and the Indians had a great deal of respect for him. They affectionately

<sup>22</sup> *Ibid.*

<sup>23</sup> Wilbur F. Stone, *History of Colorado*, II, 614.

<sup>24</sup> A monument marks the site, in Daniel's Park.—Ed.

<sup>25</sup> The stone building in which he died, at Fort Lyon, is preserved as a Carson museum.—Ed.

called him "Father" and they were often visitors at his home at 11th and Curtis Streets in Denver. They often brought him gifts, such as baskets and bowls, and once he received a large silver medal with an inscription on it as a token of their esteem.

In 1869 Oakes became Deputy U. S. Land Surveyor in extending public surveys, and his successor as Indian agent was the renowned Meeker. Meeker refused to listen to the advice Oakes gave him, based on his own experience in dealing with the Indians, and the result of Meeker's Indian policy is well known.

Mrs. Oakes tells the story that while Oakes was surveying the northern boundary of the Indian reservation, a party of twelve Indians came across the country and told him of their dissatisfaction with Meeker. They objected in general to his policy of making them work and farm their land. They were particularly disgruntled at his having plowed up their race track.

The Indians then sat around and held council. After some deliberation they asked Oakes to return to his position as Indian agent. He tried to explain the impossibility of his complying with the request, but the Indians failed to understand and showed their irritation by tearing up Oakes' field notes. Oakes, not known for a mild temper, reached for his gun. However, his friend the famed Jim Baker who was with him had anticipated some difficulty and had taken Oakes' rifle. With the crisis over, the Indians, now sullen over the failure of their mission, prepared to leave. Before departing one of them said, "White man work—Indian hunt!"<sup>26</sup> Three days later the Meeker Massacre occurred.

Also in his capacity as U. S. Land Surveyor, Oakes, according to his wife, merits the distinction of having run the first line across Pike's Peak.<sup>27</sup>

Oakes' interests were not limited to prospecting for gold, to publishing the opportunities available in Colorado territory, to owning and operating a saw mill, to acting as Indian agent, and to working as a U. S. Land Surveyor. He was also an early purchaser of Auraria lots, a member of the Denver Railroad Association, and director of the Alpine Tunnel Company. He dabbled in local politics and was elected as delegate to various county and territorial conventions. He was president of the earliest mentioned organization of pioneers of 1858 and '59.

Not too much is known of his personal life. Although Oakes had the responsibility of raising a large family, eight daughters, which certainly made demands on his time and finances, he still took an interest in his appearance, something of a phenomenon in the frontier land of buckskin and burlap. He had a passion for

<sup>26</sup> *The Denver Post*, April 24, 1911.

<sup>27</sup> *Ibid.*

the luxury of silk underwear, which he bought at the cost of \$40 a suit. Although there is no record of his having military service, Oakes, like many a well known member of the community, carried the title of "Major."

An article in the *Rocky Mountain News* written shortly after his death in 1887 praises him as being one of Denver's "most useful and upright and worthy citizens. He was one of the oldest, earliest, and best known of Colorado's pioneers. He was large hearted, liberal handed, and generous to a fault."<sup>28</sup>

Oakes' colorful career was certainly one filled with many exciting episodes, and few men have enjoyed such an assortment of experiences. His contribution to the development of Colorado has been largely neglected, and D. C. Oakes like many another forgotten pioneer deserves more recognition for his role as a publisher, booster, and builder of the Centennial State.

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place called Webster in South Park some place, on the Sanderson and Barlow stages. They had six and eight horse stages. My father was a roamer. He was here and gone, and every time they would strike a new mining camp, he was off to it. We went through home life in this way—he made two or three stakes, but he put them right back in the ground. It was chickens today and feathers tomorrow for us for a great many years. Then we arrived at Leadville in 1879 and of course he took up his prospecting again and did very well.



J. L. TAGERT

Courtesy R. G. Lyttle and the *Meeker Herald*

## J. L. Tagert, Rio Blanco Co. Pioneer\*

AS TOLD TO J. N. NEAL

I was born in Virginia City, Montana, Sept. 15, 1868. My father was in the store business there, a grocery store. He accumulated a bunch of horses. From there he went down to Corinne, Utah. I have been told that they had figured on that place becoming the capital of Utah at one time. From there we moved to Denver, and that must have been about 1875 because we were in Milton, Pennsylvania, in 1876. We went there out of Denver about the time of the Centennial. All of the family went to the Centennial but my sister and myself. I can remember my sister and I came to St. Louis—East St. Louis. I think the family lived in East St. Louis and we split up from there. My sister and I were taken over to an orphan's home at Webster Grove, Missouri, and the others went, I think, to Quincy, Illinois; my mother had a sister there. We joined them there at Quincy in 1878. That was the time of the yellow fever breakout in Memphis, Tennessee, and this orphan's home was a big rock, square building, and there must have been a hundred girls come there during the yellow fever epidemic. We moved on then and came to Quincy. I can remember where we lived there. I got me a prairie dog, and it was out in the lawn; we tried to get him out but never could. We had to leave the prairie dog.

From there we came to Denver about 1878 and the Leadville boom was on in 1879 and we came to Leadville. We staged from a

\* *Rocky Mountain News*, March 13, 1887.

\* The story and the illustrations came through courtesy of R. G. Lyttle and the *Meeker Herald*.—Ed.

But it wasn't long before he had it all sunk again. My first day's work that I can remember—at about eleven years old I went to work for the Western Union to carry messages. The morning I went to work, I looked up the street on Harrison Avenue and where the Courthouse now stands they were just building the Courthouse, and it was in the frame, just the 2x4's and 2x6's—nothing had been covered yet. I ran up to see what it was all about. There were two men hanging there—Frodsham and Stewart; they were lot jumpers. The miners would go up to their work, and when they came back someone would have their lot. They took those fellows up there and hung them, and that stopped the lot jumping.

I lived in Leadville from 1879-1884. Then I went on to a paper route horseback to the mines, often wading through snow higher than my head, and delivered the papers to subscribers every morning.

Leadville offered no inducements for me so I headed for White River. When I left Leadville, I was young yet, in my teens between fifteen and sixteen. I left Leadville trying to catch the Reigan Brothers who were headed for Piceance Creek. They were two days ahead of me, and at Robison or Kokomo either one, I ran on to Ira VanCamp with a herd of his cows. He ran a milk route in Leadville, and he was on his way to White River too, so I threw in with him, and we came on down to Middle Park and Kremmling. I drifted along with them. I never did catch up with the Reigans, and when we got to Kremmling we headed then for the Gore Range. I might say, too, that at this time Leadville was all in a fever over this White River Reservation and lots of people in Leadville were coming here—Piceance Creek mostly. Piceance was pretty near solid Leadville people when I came here. But some of them were coming to the White River.

As I was going to say, as we came up the Gore Canyon there we heard a shot. We were near Crazy Man's Cabin. We heard a shot up the road a ways, and when we got up there we saw this wagon standing there and a fellow lying down in front of the wagon wheel dead. His name was Fox. I forget his first name. He had been riding on the wagon seat with Joe Ward's wife. I don't know unless he was hunting a deer, but anyway something happened. Ward took a shot at this fellow and killed him. I don't know how they disposed of the case.

But we got up to Egeria Park and Mr. VanCamp decided to rest his cattle there. We were four miles below Yampa at a place called Peg Leg Watson's. While we were there I had a misfortune. I had an old Sharps rifle, and I had reloaded cartridges and me and one of those Gray boys—some of that family are up there yet—went out hunting. There you would find deer close. It wasn't 200 yards to the aspen, and I had trouble getting the shell into the gun so I took a couple sticks and hammered the shell in. It exploded, and injured my hand; I carry the scar on my thumb yet. And I was nearly blinded; Mrs. VanCamp picked powder out of my face until she got it all out. I was practically blind for a week or two—no doctors of course, but I finally came out of it all right. After we had been there a couple of weeks, Mr. VanCamp had got on a deal with the Ward outfit to buy their relinquishment, which he bought, and that is the town site of Yampa now. He lived there many years—he and his wife just passed away in the last five years.

I threw in with the Hat Ward outfit and came down to Juniper Springs. We came drifting down the road with what they had, a couple of wagons, a cow or two, and some horses, and they located there at the Government Bridge; after we got located, they made a cheaply constructed house out of lumber, and the settlers around,

they kinda wanted to get acquainted and see who their new neighbors were. We had been there I guess a couple of months, but most all the settlers who lived around had been there, among them Tom Iles and Charley Hulett. They stayed around for a day or two and kinda sized Ward up. I think they were a little suspicious of the outfit. Pretty soon Mr. Iles got ready to go home and wanted to know how I got hooked up with them. He said, "How did you get in there?" I told him I was trying to catch the Reigan boys and get over on Piceance Creek. He says, "Why not go up with us and stay with me?" So I went.

All the Ward family came to a tragic death. Joe Ward was returning from Rawlins with supplies when he was waylaid and shot off his wagon near Four Mile on Rawlins road. Clover Ward, the son, lost control of his bicycle coming down the hill and ran off the bridge and was drowned. The body was found on a sand bar in Lily Park about eighteen months afterward. The daughter, Etta, committed suicide by taking poison on the train somewhere in the southern part of the state. Hat Ward was burned to death when her home was destroyed by fire. Joe, Hat, and Clover are buried on the side hill near the Government Bridge. The daughter's body was never returned for burial here.

Tom Sherwin was there at the place—just he and Mr. Iles. This was before Tom Iles was married, and I think he expected if I turned out all right he wanted me to stay with him. But it got around the country that he was harboring some of the Ward outfit, so it was up to me to move on. He told me that Norris Brock would be coming down in a few days on his way to Glenwood, he was the sheriff, and would point me over to Meeker.

When I got to Meeker, of course there was only one place to stop then. That was the Meeker Hotel. Mrs. Burke was the proprietor. In after years she was better known as Mrs. Wright. I told her I didn't have any money. She said, "You stay here and I'll take care of you. When someone comes from Piceance, I'll have them take you out." It wasn't long till some Piceance people came in. And so I headed for Piceance and finally got to the Reigans in the fall of 1884. I stayed there with Reigans, and they got in bad with the neighbors. They knew too much—talked too much. I stayed there till the next spring, 1885, and then I went to work up at the P. L. Ranch, and I hadn't been there but two or three days till word came up to me to come back down to Reigan's. I got down there, and Bob was all excited. They had blowed them up with dynamite. They killed Pat Reigan and they killed Jimmy, the one who had just come out from the East. They thought Bob would be sleeping there, but he had given up his bed for the tenderfoot brother. I had helped them stack grain opposite the only door in

the cabin, his bed up in front of the grain we had stacked. When it blew up it threw the two boys out the front door, but Bob was covered with the grain, and he wiggled out of it and didn't get hurt. So he finally got up to Jim Cole's. He passed the Metz place, which is now the Burke place. He was suspicious of these people that they might have had something to do with it. The sum and substance of it was that some of the fellows were rustling cattle, and the Reigans knew about it and got to talking too much, and that is just the size of it.

Well, I went to Fairchild's, and he had about 100 head of horses out there on the little hill and that was the only stock there was there. So a Leadville lawyer came down there and bought Fairchild's out. Dan Sayers was his name. He paid \$5000 for the place, and everybody thought he was crazy to pay that much for that land. So Sayers didn't come out, but he had this Dr. Foote from Pennsylvania come out and take charge of the ranch. And he had his nephew come out, Harry Beakes, to stay with him. Before the sale was made, I was left there alone quite a little, and the Indians would come through and I had to cook for them. Old Colorow was one of them. He was one of the head Utes. So one day while I was getting a meal for these Indians Bert Fairchild came home, and he just kicked all those Utes clear off the place. And I said, "We will all get killed now." But they didn't kill him. Then the Beakes came, and Foote and his wife followed.

Well from there in the spring of 1886 I went to work for Patsy Heffron. He was the foreman for the Sim Green and Billy Wilson outfit. I worked there for four or five years—maybe longer—till they went out of business. It was a hard winter, and I can remember Mr. Green was riding range up there the summer of 1889, and one day he said to Patsy, "Well, I think we'll ship everything." Patsy said, "What is the matter?" He said, "Didn't you see when the horse steps on that grass it breaks off to the ground?" But he saved himself and shipped his cattle. That was one of the greatest losses the cattle industry ever had because nobody prepared to feed then in that section. There was no hay raised down in that section—only enough for two or three saddle horses. So that loss did happen, about anyhow sixty to seventy-five per cent loss. You could pretty near walk on dead cattle from the Ambrose Oldland store at White River City clear up the Creek to the ranch which was the old Bird Fairchild's ranch.

Mr. Green just had a remnant of cattle left, but he kept me there to gather and take care of them, and I made my camp with Walter Critchlow, and I wintered there with Arthur. Our main business was to ride after the cattle, and I would throw in any of these Sim Green cattle I could find and take care of them. About

all I had to do was feed the horses. It was before Arthur got married, and my main job was to take his mail to the post office. I passed the Ryan place, and I used to bring Edith home candy from the store. She was just a little kid.

In 1888 the Bar D outfit, which means Critchlow and Ayer, Sim Green and some other Piceance outfit gathered their steers to move them to the old Carbonite Mining camp—then deserted with only a caretaker to watch the camp, on account of machinery and personal property being left there. We were up the hill about 12 miles from Dotsero. In all, our outfits had approximately 1800 steers on the best bunch grass you can imagine. The D. & R. G. W. Railroad was building their road grade through the Glenwood Canyon. Dotsero was the end of the road and the Rio Grande built a stock yard as a loading point for the White River cattle to be shipped in the fall. We arrived there in July. Bill Sears, Tom Gould, and myself formed the crew to herd these cattle, or I might say line ride, until shipping time. A few outfits on White River and Blue Mountain outfits came along in the fall to load their beef at Dotsero. I remember Ed Wilber coming up there in charge of a bunch of beef, for, as I remember he was working for the N V or Niblock outfit, or else Dendry and Hankey—who owned the now well-known Baer Brothers Land and Cattle Co. ranches.

When shipping time came for our outfits to go to market, about 600 cattle divided into two bunches—one bunch or half of them would go to Dotsero Stock Yards to be yarded for the night, while the follow-up bunch would stop at Willow Springs to be night herded six miles up the hill from the yards.

I want to go back to 1887—the time of the Ute War. I was raking hay on what was known as the Barcus ranch, about 10 miles down Yellow Creek from the home ranch. Someone brought the word that the Utes were on the war path, and was I scared! I had this 12-foot sulkey rake to take to the home ranch—no road, just up through the sage brush and greasewood. I had not gone far till I wrecked the wooden-wheel rake; but with what harness I had left, I climbed on top of one of the ponies, and did I go! Imagining I could see Indians on every turn of the gulches! I made the home ranch, and they were outfitting to gather the stock horses—about 300 of them that were being ranged on what we called Horse Ridge, a 25 mile ridge running from the Book Cliffs to between Grand Valley and DeBeque. We were only a day or two gathering the horses, and started for Frank Morgan's road house, at what is now known as Rio Blanco. Mr. Green's reason for stopping there was good grazing, and not too far from Meeker. The State had created a big demand for saddle horses, and Mr. Green got in on the contracts. On our way up Piceance Creek, we stopped at the Quarter



Circle B Ranch belonging to Limberg and Patrick. There were many of the Piceance and White River people in the Stockade—Mary Delaney and her family, now Mrs. Ambrose Oldland—many others too numerous to mention. The evening we arrived at Frank Morgan's, a Count or Prince from some foreign country was at Morgan's. This Count or Prince wanted an Indian Scalp badly, and was willing to pay a price for it. It was after dark and our horses were in the corral, so one of our boys, Tom Skerritt, came over to where I was at the camp fire and said, "Kid, let's get that fellow an Indian scalp." "How can we do it, Tom?" "Come with me!" With his lariat in one hand, proceeded to rope a colt with a good black tail, cut off 3 inches or more of the tail bone, set up all night by the camp fire to tan the scalp. Next morning, the Count purchased the scalp. My cut was \$15.00.

In a day or two along comes the then Governor Alva Adams, accompanied by General Reardon—along with their aids—I was selected to escort them to Meeker. I would rather do escorting than to day-herd horses, wouldn't you?

It was my business to ride at least one-third mile ahead to notify them of any danger ahead. Nothing happened, we landed in Meeker safely.

The winter of 1890, I went to school at Jim Cole's private school. Miss Agnes Hazen was the teacher. Being so far from Public Schools Mr. Cole built a school room adjoining his house, furnished with blackboards and everything. There were three children in Mr. Cole's family, all teen-agers. Am not sure that I followed up this school in the winter of 1891, but my recollection says I did. When I left Leadville, I had but reached the 5th grade. I can remember my teacher, Miss Ditenhaver. Ed Taylor, our deceased Congressman, was the principal of the Central School at Lower Chestnut Street, Leadville. The winter of 1893, I took a commercial course at Denver University, 14th and Arapahoe Streets. The Commercial School was sponsored by Denver University with R. J. Wallace as Principal. The D. U. Law Department was in the same building as ours, opposite the Denver University proper. Both the law department and Business College students attended chapel across the street in D. U. proper. When spring came, I did not go back to White River, but instead went to work for Mr. Joe Adams, a Commission Man at Denver Union Stock Yards. I became his office man, and also lived in Mr. Adams' home located at First and Sherman. With a one-horse buggy we would make the drive to the Stock Yards each business day. A long drive, as you may know. Some funny experiences we had! Our business was mostly drive-ins, occasionally we would get car loads, and when that happened, it took money to pay the shipper. Here is the way we worked it: I would make up the

account sales and make collections from the Packing Company, get back to this old horse and buggy, go down Larimer Street to the German National Bank, make the deposit, get back to the yards before Mr. Adams could draw the check in payment of the cattle.

It sometimes was expensive for Mr. Adams to entertain these men before I could make the rounds. At that time there was but three commission firms in the yards. Namely, Old Man Barnes, Joe Adams, and the Denver Livestock Commission.

Spring was approaching in 1893—horses were much in demand in Western Kansas. Mr. Adams having an interest in the Brazil horse herd ranging in Big Gulch, near Lay, Colorado—this outfit had decided to quit business, and Mr. Adams proposed that I take a carload of these horses to Goodland, Kansas. These horses were unbroke, but they sold well, and I was back in Denver in two weeks. [There follows an account of taking two carloads of horses to the Dakotas.]

In the summer of 1894, our roundup was on the head of Cathedral Creek, and we were camped up Soldier Creek close to the Book Cliff Divide. It being two days before the Fourth of July, the outfit took vacation, and the cow pokes went to Grand Junction for the Fourth, excepting myself and Bill Johnson to take care of camp and the horses. Camp was not far from the Book Cliffs Divide, where our horses would graze. When we would cross over at the top it was not far from Brush Creek, a tributary of Roan Creek. While I was out on the divide this particular morning, bunching the saddle horses, I noticed a lone horseman "in the grey dawn" coming down the divide from the direction of Brush Creek. I waited for him to catch up before turning off the divide for camp;



SNAKE RIVER ROUNDUP

Courtesy R. G. Lyttle

here he came, dressed better than usual, and his rifle swung to his saddle. I said, "Dave, what are you doing up here at this time of the day?" He said, "Oh, I have a horse on the head of Hunter I want to get and bring home." "I have one over that way I want to find, come on down to camp till I change horses and eat, and I will go with you," I told him. "No," he said, "I will ride slowly down the trail on the divide, and you can catch up. I didn't catch him, but I did ride to the head of Hunter Gulch, and no Dave. This was at a point where you leave the Divide and follow a ridge dividing Roan Creek and Parachute. Not far down the ridge had I gone till I noticed six or eight horsemen going down the ridge. Out of curiosity I wanted to see who they were. I whipped up to a pretty pace, evidently faster than they wished to go. Crowding them, they stopped and dismounted, and I could see the firearms glisten. One of them discharged his gun into space, and believe me, I reversed that pony and back tracked faster than I can remember ever passing over earth before or since. I got back to camp and reported to Billy Johnson my experience. We decided they were horse thieves making a raid on the Limberg and Patrick horses ranging not far off. On the second day after the 4th of July, the boys came stringing back from the Junction and asked us if we heard of the Sheep Killing at Pearl Creek which we knew nothing about. Pearl Creek was a tributary of the Parachute and Roan Creek Divide on the West, or Roan Creek side, not more than two miles below where those riders spooked me. When all the gang returned from the Junction, we in a body, visited the slaughter. What happened to the herder is not clear to me now, anyway they did not kill him. They pushed those sheep off a sheer 200 foot drop. This job was probably done by cattle owners, as no cow punchers were invited to the party.

When I came to Meeker in 1896, George Lord came with me, and we both quit the Range at the same time, and went to work for Oldland over here in the store in 1897. I ran for Assessor and was elected, and elected again for another term in 1899; I went out of office in 1901.

Myself and Lord bought Simpson out. He had a little meat market. We ran that I guess till the next spring, and we sold it out, our interest, to Jackie Simons and Coltharp, who were the Union Trading Company. Then this land opening happened down in the Reservation by Roosevelt, and I went down to Grand Junction, and put in a drawing for a piece of land; after that Coltharps were opening a store in Ely, Nevada. Fred Nichols was managing it, and Fred wanted me to go with him, and I went down there and stayed

for that winter. I came home, I guess I came home before the winter was over.

Then I went to work for the Forest Service under Jim Blair who was then Supervisor. I worked, that was in 1908, up there with them. First I went on boundary work, and went clear around the forest on boundary survey work with the surveying crew; then I was of course a ranger, and then we were sent up to Burns Hole up from Wolcott to count a bunch of cattle owned by Albertson Bros. in Burns Hole. We went up there and counted them up in regular old round-up style. They were in trespass. They hadn't gathered in their cattle, so it was our business to gather them in and count them. There was a bunch of us, Elmer Stephenson, one of the rangers who came from Yampa, E. D. J. Stevens, Frank Loring, Sid Moyle, and Bob Lyons. They, the Forest Service, fined him because they found him in trespass with three or four hundred cattle. We held the cattle there until the Forest Service got through with them.

I was nominated for Treasurer here in Rio Blanco County. I never came in to campaign or nothing. I came down and qualified that I would run for the job, and I was elected five times in that office as County Treasurer. I decided when the five terms were up I'd better quit before they threw me out. They wanted to keep me kinda on the job so they nominated me for coroner. I held that for two terms, and then I quit. I had all that I wanted.

Then I bought a bunch of cattle from Fred Nichols and went up on Sulphur Creek after that. I homesteaded under the enlarged grazing act. I had a section of land, two 320's. I first had a 320; then I enlarged and got a 640. I also leased the Toothe ranches consisting then of 400 acres formerly owned by Johnnie Goff, and I ranched there until 1922.

Then I came down here and John Clark was trustee for the Gwynne Hardware Store, and John put me in there as his representative to carry on the business until something was done about it, and I afterwards made a deal through John Clark to buy the store. I continued the business up until 1941. Then I sold it to my boys. I think that is about the size of it. I was married to Fannie Wear August 1, 1901; to this union, five children were born, all living at the present time, namely Ralph, Charles, Donald, Margaret and Bill. All are now married. Fanny passed on in April, 1942, and I married Mrs. Robert Woodard, September 8, 1944.

So this about ends my doings and experiences throughout my lifetime.