



HOME OF MR. AND MRS. JOHN F. CAMPION, TWIN LAKES, COLORADO (1890's)
Main building was 90 feet long and about 50 feet deep. Cost of buildings and grounds, \$49,000.

My Remembrances of Twin Lakes

By JENNIE KURTZ NEUSCHLER (MRS. EDWARD)

John Francis Campion, one of the outstanding mining men of the West, built an exceptionally beautiful home at Twin Lakes, Colorado, for his bride in the summer of 1895. It was one of Colorado's most elaborate mountain homes, during the mining boom era.

With the encouragement of Mrs. A. Bullock-Webster (*nee* Phyllis Campion), Mrs. Edward Neuschler of Colorado Springs, has written the following remembrances of the Twin Lakes house, when she was Jennie Kurtz, nurse and governess of the Campion children. Mrs. Neuschler says she was with the Campion family "twenty-one years straight," and later, "off and on."—*Editor*.

Mr. John F. Campion¹ built his house at one of the most beautiful and interesting spots in Colorado at Twin Lakes, eighteen miles from Leadville, among beautiful mountain scenery. The Upper Lake at the bottom of Twin Peaks joins the Lower Lake by a small stream. Close to the Upper Lake was the summer home of John Campion. It was located on a hill, completely fenced in, and was the only home for miles around.

The house was a large, white, frame building trimmed in green. There was a big porch all along the front. Steps led up to the front door into a large living room finished like a Swiss farm house. The fireplace in it was rough stone with the inlaid words "*Caed Mille Failthe,*" in Gaelic. That meant "One hundred thousand welcomes." The interior was furnished with many hand-carved pieces, bric-a-brac, comfortable window seats with cushions, great, deep arm chairs of all kinds and many tables.

One beautiful piece was a large, carved black bear. This was used as a hat rack. The largest picture in the living room was a copy of the famous "Lion of Lucerne." At one side stood a player piano. Two closets in the hall were filled with cos-

¹ John Francis Campion was born in the parish of St. Andrew, Queens County, Prince Edward Island, on December 17, 1846. His father, Michael Brevort Campion, shipbuilder and owner, went to California to make his home in 1862. Later, with his family he lived for twenty years in Leadville, Colorado, where he died. John Francis Campion obtained his schooling in St. Andrew parish and at Prince of Wales College. During the Civil War, in the United States, he served as a Union quartermaster. At the close of the war he went into mining in California. There he acquired a considerable fortune. Mr. Campion returned in 1878 to Prince Edward Island, where he served for a year as a member of Parliament. About a year later he arrived in Leadville, Colorado. Many mining properties passed through his hands. He was General Manager of the Ibez Mining Company; director of the Carbonate National Bank of Leadville; vice president of the Denver National Bank and of the Denver Northwestern and Pacific Railway. He was one of the founders of the sugar beet industry in Colorado. On April 15, 1895, John C. Campion married Nellie May Daly, daughter of John and Margaret (Tuohy) Daly. They became the parents of two sons: John F., Jr., and Roland; and of two daughters, Helen and Phyllis. —*Men and Women of Colorado—Past and Present*. (Phoenix, Tucson, Denver: Pioneer Publishing Co. 1944.) Helen first married John C. Mulvihill, who died in 1942. The next year she married Lt. Col. George Cook. Mrs. Cook died in 1947. Phyllis Campion is Mrs. Aubrey Bullock-Webster of San Marino, California.



LIVING ROOM OF CAMPION HOME, TWIN LAKES

On left is carved bear hat tree. Above fireplace is Gaelic greeting, "*Caed Mille Failthe,*" meaning "a hundred thousand welcomes to you." The head and antlers of the deer below the mantle were said to be the handsomest and largest in the State of Colorado.

tumes. There was a small dais for a stage, for in those days people were fond of amateur theatricals or charades, and the costumes were put to good use.

To the left a large dining room seated about twenty-five. Behind the dining room were a butler's pantry, the kitchen with large pantries, and a back porch which was enclosed for the help's dining room. Above the porch were the maids' rooms. A door led from the back porch to two storage houses. One was the ice house; and the other for storage.

From the living room a stair led to the upstairs sleeping quarters, fourteen guest rooms and private quarters for the family, which then included Mr. and Mrs. John F. Campion, Baby John and Nurse. I do not remember how many bathrooms there were. The house was built while Mr. and Mrs. Campion were in Europe, and they brought home many Swiss pieces to use in the house.

A large room next to the living room was the billiard room. There was also a shooting gallery with all the equipment. A side door led across the drive to the bowling alley and play

room. Beyond was the stable for six driving horses, four riding horses and two work horses. Above the stables were rooms for the coachmen and workmen.

Connected to the stables were the dog kennels: five for hunting dogs, and one for a very large and beautiful St. Bernard, as protection and a pet for Johnnie.

In the Upper Lake were six beautiful white swans and some rowboats for fishing. In the Lower Lake was a large launch named *Ibex*, kept in a boathouse. A rustic bridge crossed the stream and the young ladies were fond of being photographed there. Parties were taken out in the launch over the lake by the engineer from the powerhouse.

Other buildings scattered about on the property were the laundry house, the powerhouse for electricity and a lovely three or four room house for the caretaker.

Four or five times during the summer season guests were entertained at large house parties. On Friday evening or early Saturday morning the coachman and the footman would drive to Leadville in a large coach or four-in-hand, sometimes called a tallyho, to pick up the guests. Some came from Leadville; and some from Denver. On reaching the top of the hill near the Twin Lakes house, Crawford, the coachman, would blow his horn. The stable boy ran to open the gates and everyone in the house ran out to the rustic gate that led to the driveway.

After admiring the view from the green lawn, all would file in for a good lunch, a rest and then the fun began. There was usually a different crowd every time. The guests could fish, hunt, walk or go boating on the lake. Sometimes they spent time shooting clay pigeons. Mr. Campion was an expert shot and once in awhile would shoot blackbirds, which meant that the chef would prepare blackbird pie for dinner. How they loved it! The chef worked hard to make the guests all fat, for the altitude gave them large appetites.

Mr. Campion, who loved being on the water, would often take Johnnie and his Nurse out in a rowboat. Sunshine, rain, thunder or lightning made no difference. Several times we were all soaked to the skin, but Mr. Campion kept rowing on unconcerned, while we sat shivering and thankful when we reached the pier. Mrs. Campion would never go on these expeditions. There is a story that the lake has no bottom and many deep holes and that a drowning person can never be found.

Mr. Campion would drive to Leadville Monday morning to his office, not to return until Friday evening. He usually took the roadwagon and sometimes Mrs. Campion, Johnnie and his Nurse would ride part way with him and walk back.

On one of these trips they were chased by a big black cow. A few cattle were grazing loose by the road. The cow had probably never seen a woman. We all ran for our lives with Johnnie in the middle, and made for a dilapidated outhouse with a door hanging on one hinge. We got in and held the door while the cow took out her anger on the door. We remained there for some time before the animal got tired and we were able to get out and make for the fence and home.

Sometimes the family was invited to parties in Leadville. Mrs. Campion, Johnnie and Nurse would drive in the carriage with the coachman to spend the night with Mr. and Mrs. George Campion (a brother of Mr. John), who lived across the street in Leadville from Mr. and Mrs. A. V. Hunter.²

To run such a large house and with many persons coming and going, a large staff was required for the Twin Lakes house. The staff included two maids, one laundress, two butlers, one yardman, one coachman, one footman, one stable boy, one chef, one kitchen helper, one engineer or electrician and the caretaker.

Driving with Mr. Campion in his buckboard was worth your life. He drove like lightning and seldom slowed for curves. Sometimes only two wheels would be on the ground, the other side would be suspended in air. Anyone with him had to hang on to his neck or to his coat to keep from falling out. This he would not even notice. He was absolutely fearless and never had a mishap, always getting to his destination.

One time the workmen at Twin Lakes hitched the work horses to the big workwagon to carry some stuff away. One horse was mean and unruly. The men were scared of the horse. When the wagon drew near the lake the rascal horse ran right into the lake, drowning the good horse. The bad one survived.

The guests at Twin Lakes had a fine time. They danced, played games and charades, ate enormous meals and did some drinking, but there never was any carousing or misbehaving.

While Mr. Campion was building his big house at 300 Logan Street in Denver,³ the family lived in a smaller house on the Northwest corner of Ninth and Logan Streets. John Jr. was born one year after the marriage of Mr. and Mrs. Campion. They used Twin Lakes during the summer and moved to 300 Logan that fall.

² A. V. Hunter, one of Colorado's outstanding bankers, received his early training in the People's Bank in Colorado Springs, and later in Leadville. Upon the death of David H. Moffat, in 1911, Mr. Hunter became the president of the First National Bank of Denver.

³ This home, still standing, is headquarters of the American Red Cross in Denver.



CRAWFORD, THE COACHMAN, WITH TALLYHO AND FOUR
At Campion doorstep, Twin Lakes.

Mr. Campion was a very amusing man and had nicknames for friends and family. Mrs. Campion he called "Flannelmouth" or "Pokey." John Jr. was "The Old Man." Helen became "Fatty"; and Phyllis, "Ikie" because she could not say "I see." Roland's nickname, I do not remember. I came to the Campion family when little John was twenty-two months old. At that time Mrs. Campion had a bad attack of arthritis or rheumatism, and was sent to Arkansas Hot Springs for the hot baths. I went along, too, with little John, and when we returned we went direct to Twin Lakes. We did not though stay long, as Mrs. Campion was not feeling well. She was expecting her second child. When Mr. Campion learned that the Lower Lake was to be used for irrigation, he sold the Twin Lakes home. The house became the Hotel Campion and was eventually destroyed by fire—the end of a beautiful summer resort.

But if any of the people who were guests at Twin Lakes are alive, they can tell you of the good times at the Campion home. Guests I remember are: Mr. and Mrs. John C. Mitchell, Mr. and Mrs. A. V. Hunter, Mr. and Mrs. William Byrd Page, Mr. and Mrs. James B. Grant (one-time governor of Colorado), Mr. and Mrs. A. A. Blow, Mr. William Blayney (before

his marriage), Mr. and Mrs. Thomas Daly, Mr. and Mrs. George Campion, Miss Lillian Hurd⁴ (considered the most beautiful young woman in Denver and godmother of the second Campion child, Helen), and many young people from Leadville and Denver.

Some of the young men went off to the Spanish War and never returned. I imagine that all these people have passed on and that I am the only one left who remembers Twin Lakes when it was the center of social life in the Leadville area.

Reminiscences of Fred A. Nichols

As told to J. N. NEAL* and recorded by MISS NANCY NICHOLS

I was born up near Walden in North Park in the year 1884, although there was no Walden there at that time. My folks moved to Meeker in July of the same year, when I was three months old. I started to school in 1890 to Mrs. Wallbridge and I went my first three years to her. I went to school in Meeker until 1901, then I went to work in Oldlands' store and worked there until January, 1904, when I was married and moved to Rangely.

When I moved to Rangely I took over the management of a little, one-horse store called The Coltharp Brothers, owned by J. H. Coltharp of Meeker, and W. P. Coltharp of Vernal, Utah. I stayed there until the fall of 1907 when J. H. Coltharp and I went to Ely, Nevada, and opened a store under the name of J. H. Coltharp Mercantile Company. Just a short time later the store was sold to the American Trading Company who also had several stores in Nevada and Utah. Material for the frame store building, which still stands in Rangely and is owned by J. V. and Martha Coltharp, was hauled from Meeker by John Coltharp and myself in the winter of 1910.

While we were in Nevada my wife got inflammatory rheumatism and we moved back to Rangely. In the next year, 1908, I took over the store again and in 1910 I moved to Dragon, Utah, and worked in another of the Coltharp stores.

I'm not sure of the year, but it was about that time that W. H. Coltharp had the Bank of Vernal built in memory of

*Lillian Hurd of Denver was chosen "Queen Thalia" of the Slaves of the Silver Serpent, in the 1897 Festival of Mountain and Plain. She was accompanied by a court of "forty or more charming young ladies from the various counties of the State."—*The Colorado Magazine*, Vol. XXV, No. 4 (July, 1948), 155-156.

*J. N. Neal of Meeker, Colo., and Mesa, Arizona, long has been an interested member of the State Historical Society. The story of his own pioneering experiences in Colorado appeared in *The Colorado Magazine*, Vol. XXXIV, No. 2 (April, 1957).—*Editor*.

his father, W. P. Coltharp. All the bricks for this memorable building were shipped by parcel post from Salt Lake City and arrived in Vernal in wagons pulled by six-horse teams. I remember W. H. Coltharp telling me later that he asked the postmaster if they couldn't deliver the bricks to the building site of the bank. The postmaster said no, the bricks had to be delivered at the post office and then transferred to the building site. After, however, several wagon loads of bricks had been deposited at the post office, the postmaster changed his mind and decided it was a darn good idea if the bricks were delivered to the building site. It was soon after this that postal regulations were changed to keep anyone else from shipping bricks by mail.

In the fall of 1911, I moved back to Rangely which was at that time strictly a cow town. I leased the Coltharp ranch in Rangely and I worked there for eight years with a little bunch of cattle. Then in the spring of 1920, Mr. J. H. Coltharp and I bought out the Rangely store again which was then owned by Jim McGuire. We ran the store together up until 1923, when I bought out his interest and since that time I have owned it myself. Through the years it has grown from a two-man business to an eight-man business.

In the fall of 1918 I was elected County Commissioner and it was the next spring that Snell Johnson, a sheepman from Vernal, had his camp raided, wagon and camp supplies burned and about 350 sheep killed. I was up at Meeker at the time at a Commissioner's meeting and I was immediately deputized to go out and make an investigation. This I did and I found an armed camp and the 350 dead sheep scattered down the ridge. This started everything off. A few months later John Durnell was killed a few miles west of the Johnson raid by a group of unidentified men. Eleven cowmen and cowboys were arrested and taken to Grand Junction. They were tried before the federal court. Because of my investigation I was one of the witnesses at this trial. The men were convicted, and it was decided to appeal the case to another court but the transfer was never called. Some said this was to be a lesson to the cattlemen, and the case was left hanging as a warning and also because of lack of complete evidence. It was discovered later that some of the eleven men who were accused actually did not take part in the killing but were suspected because they loudly proclaimed their dislike of sheep and those associated in the sheep business.

In 1934, my doctor advised me to get out in the outdoors. I went into the cattle business on Douglas Creek with Cecil Gross. We started out with 14 head of Jersey cows. We borrowed all the money we could get and went to work on 370

acres. Cecil did most of the work because my health was not good. We had to borrow so much money that we were soon head over heels in debt. Fortunately we had a turn for the better and came out on top. I am happy to say that I have never been bothered with low blood pressure since!

It wasn't too many years later that Rangely became a boom town. Everything was suddenly changed. When I came to Rangely in 1904, there were a boarding house, post office, little old store, and a schoolhouse and that was the size of our town. It was strictly cattle country at that time and remained so until it was finally opened up for sheep in 1927. We didn't have any growth in the town of Rangely until the oil boom in about 1946. Then we had more growth than we knew what to do with. The people came in very fast with the oil and there was lots of drilling. In the fall of 1946 I was elected the first mayor of Rangely. We had nothing—no black top roads or even gravel roads, inadequate schools and worst of all—no money with which to build. People were needing everything and naturally they were demanding everything but there seemed to be no solution to the problem. We were too late to get on the tax roll in 1947. It was the spring of 1948 before we received taxes for the town of Rangely. How we got along up until that time, I will always wonder. The population boomed from about 50 persons to about 5,000. They all had to be taken care of, and since Rangely was incapable of doing so, much of the business went to Vernal, Utah. Schools were the outstanding demand of the new residents, very few of them were on the tax rolls. We had to bond the school district for money to build school houses.

The third year our taxes from oil production began coming in. It kept mounting until we were getting around 11 million dollars per year. Then our trouble began. The state demanded that all taxes from oil and gas go into the General fund. We contended the revenue from all natural resources be returned to the county in which the revenue was produced. Bills were introduced regularly in the state legislature for three terms. We defended our rights and defeated such bills each term and we profited by retaining the oil and gas taxes for six years, which meant about 60 million dollars to our county. The fourth time the legislature met, a bill passed conveying all oil and gas taxes into the General fund and then prorated back to counties according to population. We were the losers but we held on to it till we got our bonded indebtedness cleared.

The population consisted of good people and bad people. I can remember the time when the bad people had to be handcuffed to a telephone pole because Rangely had no jail. We

were very fortunate though that there were never any killings during this period.

As was to be expected, there were many new businesses that came in with the oil business. There were all kinds of stores and although they aren't called saloons anymore, there were many bars with all kinds of gambling. Rangely gradually got the things they needed and the roads were black topped. Development proceeded pretty fast. Our school went from a one-room school house to a million dollar school building. Our school system is nothing short of wonderful.

When the drilling first started there were a number of local companies that drilled and also a few of the big companies. The Richman Company was drilling about 1920. I used to buy gasoline from them. The Brigman Oil Company was also drilling until in 1933 Jack Stewart drilled the discovery well for the California Company. The government made them open the field up in about 1945 or 1946, and the number of oil discoveries increased steadily until there were about 480 deep producing wells and Lord only knows how many shallow ones.

The estimate is that the secondary recovery program will produce about the same amount of oil as was produced by primary methods. At Rangely it has been estimated up to 350 million barrels of oil could be recovered by primary methods. Using gas injection, re-injecting natural gas into the earth and water flood, the additional recovery will amount to some 438 million barrels. This means that the Rangely field, with a life expectancy now of 30 to 40 more years, will produce some 788 million barrels of oil in its lifetime. Therefore, we look forward to many years of profit in taxes from the Rangely oil field.



REV. H. MARTYN HART

The out-of-doors held an interest for the Reverend H. Martyn Hart from a sporting as well as a scientific viewpoint. This portrait, made in England when he was a young man, shows correct clerical attire, with gaiters and a high silk hat, but note the riding crop held in the left hand.

Dean Hart Pre-Views His Wilderness

Excerpts from the 1872 Diary of H. Martyn Hart

Edited by LOUISA WARD ARPS*

One of the most colorful and courageous characters in the history of Denver was an English clergyman by the name of H. Martyn Hart. In 1879 he came to take charge of Saint John's Church in the Wilderness. This was a small Episcopal church at the corner of 14th and Arapahoe Streets. Within two years after his arrival, the church moved to St. John's Cathedral at 20th and Welton where he was Dean. Largely through excellent music, he managed to give the services the dignity and beauty of an old-world cathedral. From its pulpit he preached continually against the evils that flourished in the sprouting town of Denver in the 1880's.

After forty years of an original and uncompromising life in Denver, Dean Hart lies buried outside the east wall of the present St. John's Cathedral at 14th and Clarkson.

Seven years before he settled in Denver he had seen the wilderness in which he was to serve. In 1872 he stopped here, quite by chance, on a trip around the world. Because of a health breakdown, he had a six-months' leave from his twin jobs at Blackheath, a prosperous London suburb. There he was rector of St. German's Church as well as headmaster of a boys' school where, "honestly teaching all day till five o'clock,"¹ his subjects were the exciting new sciences of geology and chemistry.

When the doctor ordered him to rest, the Providence in which Mr. Hart believed provided a passage around the world. This was in the person of a young man named White who had "made a wide excursion into the shady side of life,"² and whose father wanted to ship him around the world with a decent companion.

With this young man, in October, 1872, the Reverend Mr. Hart, aged thirty-four, leaving his wife and children in England, sailed for America. He saw New York, was not impressed with Beecher's preaching, and noted the geological aspects of Niagara Falls. In Chicago, he watched in relentless detail the operation of a packing house from squealing pig to ham. He and his companion hunted buffalo on the prairie, came to Denver because it was where the train went, spent Christmas in Salt Lake and New Year's in San Francisco, and then sailed for the Orient in a paddle steamer with a walking beam.

All this he recorded in a diary—"The Jottings of a Globe-Trotter." The notebook now belongs to his granddaughters, Mrs. E. A. Meyerhofer and Mrs. James Sykes. They have given permission to quote that part of the diary which deals with his buffalo hunt in Kansas and his visit to Denver in December, 1872.

*Louisa Ward Arps (Mrs. Elwyn A.) is a graduate of the University of Colorado and of the New York City Library School. For a number of years she was a librarian in the Denver Schools, was on the staff of the Western History Department of the Denver Public Library, and assisted in cataloguing the Western Range Cattle Industry Study for the State Historical Society of Colorado. In accompanying her husband, Elwyn A. Arps, on many mountain climbing ventures, on which they took many excellent photographs, Mrs. Arps intensified her interest in Colorado history. She is the author of a booklet entitled "Chalk Creek," now a collector's item. Her telecasts, "Denver Yesterdays," which she successfully presented recently on KRMA-TV, Channel 6, have been written into book form soon to appear under the title "Denver In Slices."—*Editor*.

¹ In 1917 Dean Hart published a small book called *Recollections and Reflections*, which supplements the diary. This quotation is from page 81.

² *Ibid*, p. 82.

The diary [reproduced here just as written] records that, in Chicago, young White evinced an interest in hunting buffalo. Mr. Hart, a good shot and expert fisherman, immediately found a Western Union Telegraph office and asked the operator to find out, by wire, where the buffalo herds were grazing. The answer was that a big herd was near Wallace, Kansas. So—

The night train carried us to Kansas City. Our Pullman was a very grand affair—an Harmonium with 2 rows of keys was built into it.

12 years ago this city was not. Now it has 30,000.³ It is built on the Bluffs at the corner of the bend of the Missouri, wh. is a small stream that can sweep out on every side as the wide sand & mud flats, or east side, testify. The Bluffs are mud hills & it is the object of the citizens to cut them down, so that frequently on each side a street is a wall some 15 feet high. It is as tho' one walked through a Ry:-cutting. The causeways are wood—most dangerous structures overlaying chasms & great unpaved gutters. There seems to be *no grass*. There are some trees but every breath of wind raises clouds of dust. A most dreary place is Kansas & yet because of its "location" being a great centre—the Kansas Pacific bringing to it all the produce of the West & the fact that the surrounding country is very fertile—make the city most prosperous, & a Judge told me that in 10 years there will be 100,000.⁴

Sunday Dec. 8th 2nd in Advent.

I am making up my diary in the middle of "The American desert" 300 miles from everywhere. The vast Prairie rolls round us on every side. I never thought the land could look so like the sea. In many places—just now for instance—the horizon is absolutely level. A herd of antelope has just passed us, but no Buffalo have as yet put in an appearance.

We are going at the regular 22 miles an hour, in a Pullman, of course, & I am writing on a table in a "drawing room car." Now I have often read that reading & writing were just as easy as in your study. Let this calligraphy be my comment on that reckless assertion. I give it up— . . .

[Here follows two pages about the church in Kansas City.]

We stopped at Wallace,⁵ an eating station in the Prairie.⁶

³ Kansas City was incorporated in 1853. Official census of 1870 was 32,266.

⁴ In 1880 there were 55,785 persons in Kansas City.

⁵ Wallace is a small town east of Sharon Springs, the county seat of Wallace County, Kansas. This was buffalo country, being on the great circle made by the Arkansas herd of buffaloes. The town of Wallace started in 1870 when the Kansas Pacific Railroad reached it en route to Denver.—Federal Work Projects Administration, *Kansas, a Guide to the Sun Flower State* (New York: Hastings, 1949.) A mile and a half from Wallace a military post had been established in 1865. Fort Wallace was on the southern Smoky Hill trail to Denver. . . . Fort Wallace furnished seventy-five horses to the hunting party of Grand Duke Alexis of Russia in January, 1872.—Mrs. Frank C. Montgomery, "Fort Wallace and its Relation to the Frontier," in *Collections of the Kansas State Historical Society* (Vol. 17, 1928), 189-283.

⁶ Had the Englishmen come two years later, in 1874, they might have eaten at a forerunner of the Harvey Houses. The first two towns in which Fred Harvey experimented with restaurants for railroad passengers were Hugo and Wallace, Kansas.—James Marshall, *Santa Fe, the Railroad that Built an Empire* (New York: Random House, 1945), p. 98.

12 houses compose the "Town." It looked precisely as if a child set out on a table its toy houses. Not a tree for 100 miles. "——" W—— inducements to plant. Yet Wallace is the hunters' rendezvous. Here they bring the Buffalo meat & send it to the packing houses in Kansas City & Chicago.

We agreed with Jerry Gardner⁷ for 40 dols. to take us out to his "camp" & bring us back on Thursday, giving us all the hunting possible in the time. Our provision box wh. we packed at Montreal—lest we should be blocked up by snows in any of our rail journeys,⁸ we took to camp.

No more magnificent day cd. be imagined. The sun shone from a cloudless sky, the breeze was just sufficiently wintry to be "fresh"—in fact it was a July day on the Alps. *Jerry was a hunter*—that is he possessed two teams, 2 wagons, & 4 mules. These cost £100 each. The hunters pitch a camp & hunt so many miles of country into wh. no other hunter trespasses.

Jerry, I'm grieved to say, was "fresh" & as the pure air blew upon him he became more fresh. All these fellows are desperadoes. Their language I cannot but think the very devils must shudder to hear. Nevertheless the fellow's communications were coherent enough. He was loud—violent—agst. the corruptions of the government. The election was just over & he declared that he had r'c'd 700 dols. for getting votes to the extent of 200 & he very naturally wanted to know if the government could do that in a bit of a place like Wallace, what must be the sum total of an election? No wonder poor Horace Greeley died!⁹

The fellows around there were no better than the government. They had no law—but a "vigilance comm.," & when any horses were stolen, some one was suspected, or if there was a man you did not like, you named him as the thief & he was found next morning strung up to a telegraph post "billed"—by the "Vigilance Comm." Lots of men were hung on suspicion.

"Swift"—you'll learn who Swift is after a while—told me that two hunters "just shot their man because they did not want to pay him—only last week!"¹⁰ Jerry had come there in consumption 3 yrs. ago & now was not only hale but made of iron.

⁷ Jerry Gardner had "come into the depot with his 'meat,' the hams of the buffalo wrapped in their skins, which he freighted to Chicago and received four dollars for each 'bundle.'"—Hart, *op. cit.*, p. 90.

⁸ Evidently they had heard of the snow blockade of the previous winter, when with five locomotives off the track near Ellis, Kansas, trains were held up for ten days. The towns were completely surrounded by buffalo herds, during the storm.—*Rocky Mountain News*, Dec. 3, 1871 and following days.

⁹ The election was that of U. S. Grant, for his second term as President, vs. Horace Greeley. Three weeks after his defeat, Greeley died on November 29, 1872.

¹⁰ "Jerry Gardner's hunt outfit killed some Mexicans down on the Blue who were hunting buffalo, because they were hunting on horseback and would run the buffalo out of the country. . . . This was a cold-blooded murder on the part of Jerry Gardner."—"Life of George W. Brown," *Collections of the Kansas State Historical Society* (Vol. 17, 1928), 125.

"Cemeteries! No, we've none of them there in this West, I guess." "Does nobody die here, then, Jerry?" "Yes, they die but it's always with *their boots on*"—i.e. hung or shot.

In about 20 miles we came to "Ladder Creek."

The Prairie was truly a wonderful sight, sometimes absolutely level to the horizon—not the slightest rise—just as if the tranquil sea had been solidified. It is covered with buffalo grass—short, *curly* grass, yellow at this time of year & also with a tall flowering weed whose seed lobes contain a bitter principle wh. Jerry declared would cure ague "as sure as the world." Occasionally we saw herds of Buffalo grazing but we came near only one herd who soon jogged off, cantering like fat pigs.

For many miles on each side of the railway the Prairie is burnt. Out in this country where the grass is so short it does little more than smoulder. The vast conflagrations which are "great views" for magic lanterns happen where the grass is long.

"The camp" was a small tent pitched by the side of a small stream over wh. hung some conglomerate rocks, the escarpment rising some 100 ft. The bed of the creek was filled with tall bushes.

As we approached, some ½ doz. dogs came out to welcome us. There was "The Skinner" & "Swift," a boy so nicknamed by Jerry. I doubt if he or anybody else knew his rightful name. "The Skinner" reminded me of a "wild man" who used to inhabit a cave in a wild part of Yorkshire. He had on a Billy-cock of a grey color tied under his chin with a blue scarf wh. was intended to keep his ears from the biting cold. No razor, nor other sharp instrument has touched either his hair or beard for many moons & at this time of the year at least, the inhabitants of a camp never touch any part of their persons saving their lips with water. A coat ragged & torn was held together by a belt in wh. was stuck one or two knives—the emblem & instruments of his vocation & calling. The skinner was a man of few words. According to Jerry he was the most expert of his kind in Colorado & also was particular as to the regularity of his meals. His drink was whiskey. He was partial to it!

"Swift" had handsome curly hair, a pleasant face & was willing to do anything. In good hands he might have become a respectable member of society, but with Jerry that would be impossible.

The mules were tied together with a long rope. The fire lit, an old frying pan, a battered tin pot & a camp oven were produced. "Swift" took a hatchet & broke the ice in the "creek," filled the pot & put it on the fire. Then he found the

"coffee mill"—a most primitive instrument—& filling the cup at the top he soon ground enough of the aromatic powder & poured it in the can. Some flour was now mixed with baking powder & etc. & the dough put into the oven. The lid was placed & covered with burning embers. The skinner produced a piece of Buffalo tenderloin & cut off the steaks into the frying pan. Some fat was added & the pan began to splutter and sizzle. In some 20 min. supper was pronounced ready! We sat on logs, powder boxes, anything. Swift exhibited his cake which was absolutely delicious. The steaks—nothing could be better & the coffee only wanted milk. One thing, however, spoiled it all. The hunters had no plates. A piece of hot cake served the purpose. With their knives they fished out of the pan bits of steak & eat them with their fingers. I had taken the precaution to bring two plates in our box of "provisions" or rather of liquor—wine—pot —water & a bottle of brandy.

The sun was already below the cliff & we now began to experience the cold of a "prairie night." Out of the sun the thermom. must have been very many degrees below freezing. I put down my coffee for a moment while I eat a piece of steak & when I took it again *it was ice!* & *the spoon frozen in it.* Yet I cannot say we were cold for of course the warm couch of air wh. always surrounds the body effectively preserved us.

There was little preparation for bed. A couple of blankets, very poor thin things were spread on the ground inside the tent. Another & a Buffalo skin above & my rug helped. We lay down in our clothes, fur cap & all. A sack of corn was our pillow! About 3 o'clock the intense cold awoke us, & we lay shivering, or rather aching, till dawn.

The hunters generally lay out on the open! but cover themselves entirely over. You may see two or three heaps covered with a waggon cover! It looks like some merchandise. It lies perfectly still. At length you hear "Buddy do you want to turn." "If you like" is the smothered reply. The heap convulses for a minute, then is merchandise again & so these fellows live.

Jerry said one night when he was left alone, the team had gone into town with "meat" & hides, he lay down to sleep. The stars were sparking thro' the frosty air. When he awoke next morning he found himself covered with snow. The wind was blowing hard, he knew it would only be death to rise, so he lay for 3 nights and 2 days till he was covered with 4 ft. of snow. At the end of that time he scooped a little hole, saw the sun and forced his way out. To say he was hungry was to say little. A prairie hen sat on a tree close to him. He took his rifle. "Never did I feel such a lot depending on a shot but luck

would have it I knocked over the bird!" After great trouble he made a fire & put on the pot. In went the bird but he could not wait till it was cooked. He had torn it limb from limb & eaten it before the flesh was warmed through.

After breakfast, wh. was a repetition of last night's supper, we set out to find Buffalo.

But while breakfast was preparing I saw a Bull feeding by himself a mile away. Taking W's Spencer—who was not "up"—I went to stalk the game. I had often had Jerry's instructions—first throw a little grass into the air to find the direction of the wind, then creep up against the wind for if you are on the windward side the Buffalo will scent you 2 miles off. "Aim, sir, at his foreleg, then raise gun sight $\frac{1}{2}$ way up his body. You see you get 4 chances—a little too high you break his back, a little too low you hit his heart, too much on one side you go thro' his neck, too much on the other you are thro' his lights." With this lucid explanation fresh in my memory off I went. Jumping down into the creek, I followed the frozen bed to the nearest point to the Bull. Then creeping out I crawled like a penitent along the Via Dolorosa until I came within some 200 yds. when the Bull looked up inquiringly. "Now Buffalo don't be inquisitive, just go on with your lawful occupation—dreadfully wrong thing to be so suspicious." Being quite still, he browsed again but it was no use. He evidently felt uneasy so I carefully raised my rifle & fired. To my utmost astonishment the great fellow fell down but I had heard enough stories of Buffalo's falling & then rising again so I hastened to get cartridge No. 2 into the barrel when most unfortunately the case of No. 1 stuck fast & while I was working with my pen knife to extract it the Bull rose up, as if he had only been amusing me by tumbling down & cantered off. Jerry said I hit him in the back & stunned him.¹¹

After breakfast we started. Jerry had an infant cannon & strapped round his waist a belt filled with his "carridges" copper bolts with sharp lead points. 50 of these things completely encircled his waist, looking as if some spikey dog collar had slipped over his shoulders & was doing its best to pass by his hips, for the machine wriggled as he walked. A white sombrero hat surmounted his figure. Then came the matted hair, next a tight brown shirt, then the spikey zone, then a new pair of greenish courderoys & finally a pair of jack boots into wh. the courderoys had $\frac{1}{2}$ a mind to creep but as there appeared to be some hesitation on their part they remained convulsed between his knee & his boot.

¹¹ This pre-breakfast adventure is not in Hart's *Recollections and Reflections*. Instead, there is an account (pp. 91-92) of how Mr. Hart stalked a buffalo calf in the afternoon, became lost, and was almost "plained."

"Stop" "down" "here they come" & we were flat on the grass, just on the edge of a very gentle slope wh. formed the side of the creek. "Who comes?" "A Bull first & 5 cows," sd. Jerry cautiously peering thro' a tuft of grass. "They'll walk right on to us if we lay still" wh. I mentally determined not to do!

"If a Bull's wounded, Jerry, will he likely to turn on you?" "Not if you don't crowd him—never crowd 'em." No, no fear of me! But now I could hear our victim browsing, nay I could hear his very breathing & presently there loomed above me a vast black mass. The effect of looking up so high when stretched full length, & what I saw well nigh made the view blottesque! But a moment or two focused the monster & I looked upon, or thought I did, a Tertiary Mammoth. His head & shoulders seemed gigantic, far out of all proportion to his legs & hindquarters. He was browsing so that his black square nose, bright eyes & short curled horns seemed in the very position for combining to toss the two pigmies who lay in his path.

To shoot at that mass of hair & horn & bone—you might as well have peppered a woosack with a pea-shooter. But Jerry knew the instincts of the beast & he was in no hurry. "Now sir, will you shoot lying down or kneeling or standing?" I inwardly thought I would like to shoot running (away). Nice position for a peaceable mortal like myself to be within 10 yards of a monster Bull behind a clump of grass. One might as well have hoped to have lain cached behind one's spread fingers, but just then Jerry moved slightly. The Bull saw him. The hunter's movement was so slight that the Bull cd. not conclude what kind of animal lay in his path or whether Jerry was an animal or not. As he lifted his face my fears vanished, for I saw a besotted inane expression wh. plainly told all lack of intelligence. Feeling his incapacity, he turned to consult his wives. He had 5 of them. Oh! how often have better gentlemen than he exposed their weak plans in looking after ladies! Jerry's cannon roared—my rifle cracked in chorus. The hunter's ball cracked thro' his shoulder, mine passed completely thro' his hump & out on the other side. Two unnatural bronchial apertures! What creature could exist—the next breath & the foam was blood—two more minutes he had rolled on his side dead.

Shall I ever forget that day? Not a cloud in the sky, the breeze just cool enough to remind you that winter had a domain & yet the Sun was Lord of all he surveyed & poured down a delicious warmth on everything on wh. he smiled. The boundless prairie on every side, the short crisp grass wh. sprang under your feet, the herds of Buffalo, everything spake

of Liberty & all that was within you responded to the call. Every muscle was unshackled, every vein was full, every function active to its highest power & I who wd. have thought a walk from _____ to Charing X almost an impossibility walked that day 10 times the distance & then was scarcely tired.

But as to shooting those animals, it is as much sport, that is there is as much excitement in it, wh. I presume is an essential element of "sport," as in shooting cows in a farm yard! The only apology for sport is in getting within range. The hunters do it for their living. The skinner follows his master. As soon as the Buffalo is shot he cuts off his head & commences to skin him. This occupies some 20 min. The horns are cut off & skin and horns are thrown into the waggon wh. Swift has near at hand. The rest, the carcass, is left on the Prairie. For this the hunter gets about 18/. Within 3 square miles 1300 carcasses were lying & 300 with their skins on—Buffaloes wh. were shot on a hot day. If they are not skinned the same day the sun so dries their hide that it tears & cracks in all directions.

The prairies may be boundless and the buffalo herds endless but the destruction wh. is now carried on by 500 hunters will in time make a decided impression. This the government perceives & a bill is now before Congress for making Buffalo "game." This will necessitate the hunter to use all the carcass & will put an embargo upon his restless waste.

Jerry looked at the question from another point of view.

Whenever a long line passes thro' unopened country, the government makes over to the Company the alternate sections of land wh. are contiguous to the line. These sections are some 25 miles square. It is the evident interest of both the line & the Govt. to induce settlers to "take up" the lots. The Govt. will give a man 160 acres if he will reside on it 5 yrs. If the man be a soldier his 3 yrs. of service count for 3 of the 5 yrs. of settlement, so that he has to occupy his lot two years to make it his own. Now these 500 hunters have all of these lots on the Kansas Pacific R. & all the 500 have only a nominal residence on their "claims" thus defeating the ends of the Government. Jerry argued the sooner the "game" was killed off the sooner the land would be tilled, therefore kill away. Acting up to this maxim, he & his partner had killed 1300 in 30 sq. miles in 3 months but most of the hunters had massacred far more.

There is little else on the Prairie. Herds of *wild horses* are still seen but rarely. One black fellow is noted & a gentleman has offered 10,000 dols. to any one who will bring him alive. His tail & mane sweep the ground but the mustangs are



DEAN HART A-FISHING

At St. John's Cathedral, Denver, when Dean Hart preached his annual sermon on the text "I go a-fishing," his congregation knew that the fishing season was about to open and that the next week their rector would be expertly whipping the waters of the Gunnison with a fly imported from Scotland.

so shy & keen scented that it is impossible to approach them.

We saw many *Prairie dogs*—curious little fellows—bigger than a squirrel, of a nut brown color & a little tail of bushy

hair. They sat at the top of their mole-hill burrows, curiosity often kept them there until you were within 50 yds. when with a rapid somersault they disappeared. Generally they live in colonies but we saw no "great towns."

Wolves abound & at night their long drawn howls echo over the Prairie & add much to the dismal solitude of the night.

Coyotes (cowcotey) are a smaller variety of wolf wh. have a sharp querulous bark. Jerry saw 4 skulking away in the day but we saw none.

We returned to Wallace on Thursday.¹² On same evening a Pullman's car took us to
DENVER. (Dec. 10, 1872)¹³

From Kansas City the incline had been regular. We now were 5300 feet above the sea at the foot of the Rocky Mtns. The range is some 15 miles from Denver & the snowy peaks still farther so that the mts. have none of that imposing appearance wh. the Alps possess. Pike's Peak, Grey's¹⁴ & Long's are all above 14,000 ft. yet considering that their base is already 6000 ft. high their visible height is only 5000 ft. But perhaps that wh. detracts more from the beauty of the range is the exceeding dryness of the atmosphere. On the prairie, there was no dew—neither is there here—our lips & the hunters' were all sufferers, swool & chapped with the utter dryness of the air. The Engadine is moist in comparison to this region. No wonder invalids who had bronchial affections are resuscitated here. Jerry had come to the prairie only 3 yrs. ago in a consumption or bad cough, weak & debilitated, worn to a shadow. All such symptoms had vanished & he was if not robust marvelously hardy. He drank hard when he could get it & lived out on "the open" & never "ailed a thing." A steamboat captain was at Wallace who had several times had haemorrhage of the lungs & to all appearances was in a consumption. The Prairie air had acted like magic upon him. He was here the other day looking like another man, & having a caravan built for Buffalo hunting.

Denver is a city of 10,000 or 12,000—I was told 40,000¹⁵—for all the effort here is for one "city" to outgrow another. They build recklessly & boast in proportion. However there are 47 doctors. The best of them is an English doctor who tells me that an invalid coming here is wonderfully restored except in tuberculosis disease.¹⁶ But on the other hand if a

¹² "We asked where the train went to and they told us a town called Denver, so we purchased our tickets to Denver."—Hart, *op. cit.*, p. 92.

¹³ They stayed at "The Delmonico of the West," Charriot's Hotel at 1540 Larimer Street.—Hart, *op. cit.*, p. 92.

¹⁴ The three 14,000-foot peaks visible from Denver are Pikes, Evans and Longs. In earlier days what is now named Mt. Evans was sometimes mistaken for Gray's Peak, which is not visible from the old part of Denver.

¹⁵ In 1874 a census of Denver showed 14,197.—W. B. Vickers, *History of Denver* (Chicago: Baskins, 1880) p. 230.

¹⁶ The climate did not cure what ailed this doctor. When, in 1879, Mr. Hart inquired about an English surgeon he had met in 1872, Charles D. Cobb, secretary of St. John's-in-the-Wilderness wrote on March 21, 1879, "The English surgeon died, I regret to say two years ago from extreme dissipation."

disease be contracted here in 3 days the patient is either well or dead. The doctor was noted as a surgeon—he had 19 cases of cuts—stabs—shots—in 10 days a couple of weeks ago but he has never known any flesh wound suppurate! Is it that the air is so pure that the spores wh. are said to produce suppuration are not found in it?

The lawlessness of Western life is proverbial. The newspapers just now are writing on the attempted assassination of Mr. Archibald, the Editor of a paper in Trinidad. He had made himself obnoxious to the opposite party in the late election. Now fancy this occurring in England. The *Judge of the Probate Court* with 6 friends assaulted him with the evident intention to do him grievously bodily harm or to kill him. They were not as successful as they could wish. The Judge & Co. gave themselves up for assault & by this move prevented U.S.A. from taking proceedings. Fined 5 dols. The Editor goes for rest to the Colorado Springs & they finding a man to whom Mr. A. owed a small bill, they laid an "attachment" on the office of the paper & thus suspended the issue till W. A. could return & pay the bill. The other day W. A. was walking down the street a man Smith, with whom he had been on good terms hitherto, deliberately fired two barrels loaded with buckshot at him. No one seems to doubt the fact that the Judge & Co. had hired Smith to assassinate W. A. Altho' severely wounded, Mr. A. will probably recover. Now see how Mr. Smith is dealt with. At first he is taken to the city jail. In a few hours he is bailed out & puts up at the best hotel in the place where he lives on the fat of the land.¹⁷

Geology of the Neighborhood of Denver, F. V. Hayden, U. S. Geologist:¹⁸ The Tertiary rocks here are covered thick with Superficial drift & contain coal beds wh. are worked at *Golden City*. The Rocky Mts. are metamorphic & the Tertiary beds lie horizontal to their very bases. Sometimes tho' the upturned older rocks occur between the foot of the Mts. & the Tertiary beds.

At a late period in Geol: history a vast quantity of igneous material flowed over these thick beds of Tertiary sandstones & all around the hills are capped with trap, sometimes 2 and

¹⁷ Mr. Hart read in the *Rocky Mountain News* for Dec. 17, 1872, a letter from Trinidad, signed "Quien Sabe." The letter differs from Hart's account but not in the essentials. The letter adds that A. W. Archibald was a Grant-man and his enemies were ex-Rebels, and therefore Democrats. Dean Hart would have been even more shocked had he seen the *News* for December 24, 1872, p. 4, in which Editor Byers reported that the ex-Rebels waited upon him, demanding to know the real name of Quien Sabe. Byers, with his usual bravery, refused to tell but agreed to publish their side of the story. This was that Smith had fired on Archibald in self-defense, and that Smith was housed in the hotel because it was safer than the jail.

¹⁸ When fresh from the University of Dublin, Mr. Hart had written the geological, mineralogical and chemical articles for Cassell's *Popular Educator*. He was, therefore, especially interested in Hayden's geological reports on Colorado.

3 terraces. Then came the glacial denudation & swept over the whole country leaving a few hills to tell of the thickness of the denuded state. The trap dykes are litterally marvellous—vast ragged walls running at right angles from the mts. over the plains.

At West Plum Creek is "Pleasant Park."¹⁹ At a distance it was difficult to persuade oneself that there was not a large town of red brick. The deception was produced by the exposure of a bed of bright red sandstone wh. had been slightly upheaved & had fractured in lines at right angles to the strike. Here & there were high square pillars capped with 6 or 8 ft. of white sandstone. The red rocks are "a coarse aggregate of feldspar & quartz colored with Fe." All these beds have been formed from the materials of the mts.

The long grassy slopes, the ridges of the escarpments, the trap dykes, the hills crowned with castellated rocks or long walls of mighty fortifications made the scene fairy-like.

"The land wants climating," said Jerry. "Why J. you talk as if you had the same power of settling the weather as you have of the prairie." "& so we have." It is a common opinion with the Indians & Mexicans that the Americans bring rain.

Hayden: "On the whole eastern flanks of the Rocky Mtns. the streams are gradually becoming more copious. Streams bearing down heavier volumes of water than formerly, others becoming constant runners & springs bursting out at points where there were none. 'Acequias' allowed to go to decay because they have not been needed. Even the Arkansas as late as '63 was dry from Pawnee to the Cimarron Crossing but not since." So with many thus. Altho' in so vast a country the population is sparse & the work of cultivation but little, yet here is the fact—more moisture regularly comes.

At Wallace it was not nearly so dry, as far out in the Prairie. The lips of the hunters & our own were swollen & cracked, I suppose from the rapid evaporation, whereas the people of Wallace were not affected.

The rapid changes of temperature are very unaccountable. The universal story is "you cannot forecast the weather for two hours." I hear on Sat. 21, Dec. the therm: was 22 below zero at Chicago, 36—not far from Cheyenne, whereas at Golden City a warm south wind blew & on Sunday morning it was more like a June day than anything else.

Dec. 16th. We went to Golden City & on to Central C. the mining district. *Golden City* is in the first valley of the mts. some 18 miles from Denver. Like the rest of these mushroom cities it is built of wooden houses dotted here & there. The hills are capped with basalt wh. has a columnar structure.

¹⁹ Pleasant Park is known today (1959) as Perry Park, on West Plum Creek, west of Larkspur. (See Note 26.)

The little railway wh. is only 3 ft. gauge will take from Golden all its gilt & then it will drop its pretentious name & collapse. The only things of permanence are "*Jarvis Hall*" & a coal mine wh. has 2 beds about 4 ft. each separated by a shale bed some 1½ thick, but at present it is by no means vigorously worked.

Jarvis Hall & *Wolfe Hall* are two schools fostered by Bp. Randall of Denver where the latter institution is. *Jarvis* for boys, 400 dols. a yr. a very rough place indeed, even more rough than the Yeoman School at York where the charge is £25. *Wolfe Hall* is on a par.²⁰

I lectured at Denver & Golden, both places a failure.²¹

Central City. The railway runs up the narrowest gorges—cañons—and follows the mountain stream.²² The rocks are very bare & metamorphic.

The ore contains Au, Ag, Cu, & Pb, & Fe S.²³ The ore is broken in a "stamping mill." Hg is in the trough, 60% of the Au amalgamates with the Hg & this amalgam sticks to Cu

²⁰ *Wolfe Hall* was opened in 1868 at 17th and Champa, the site of the present Boston Building. It later moved to 14th and Clarkson, where Morey Junior High School stands (1959), across from the present St. John's Cathedral.

Jarvis Hall opened in Golden in 1870 and burned in 1878. It was later built on the Cathedral Close, at 20th and Welton, and then moved to Montclair where it again burned. In Golden in 1872 "the school was comprised of three buildings . . . facing north toward Golden. . . . The School of Mines was the first building . . . had earth floors, on the ground floor. . . . The second building was two stories high, oblong, with a mansard roof. This was the dormitory. A long hall extended the length of the building with partitions forming box-stalls like a stable, all along either side. A blue cotton curtain hung in front of each of these sleeping rooms. There was no heat except what was obtained from two chimneys on each end of the hall. . . . This building was called *Jarvis Hall*.

"The third building was the Divinity School, known as *Matthews Hall*. . . ." As told by William Russell Collins, "Recollections of Pioneer Life in Colorado," *The Colorado Magazine*, Vol. XV III, No. 6 (November, 1941), 224. The buildings stood on the site of the present State Industrial School for Boys, south of Golden.

²¹ It was typical of Dean Hart that he was not only outspoken in his criticism of the two schools but also tried to help them. His two lectures were given for the benefit of the schools. The one in Denver was held at the Denver Theater on Friday evening, December 20, 1872, admission 50c; the one in Golden, at Jefferson Hall the next night, admission 25c. The subject was "Life in the Sea." Mr. Hart had translated a book by Monquin Tandon called *Monde de la Mer*. Someone saw a copy of the translation in Chain & Hardy's bookstore on Larimer Street and in this way Denver found out about Mr. Hart's scientific interests.—Hart, *op. cit.*, p. 93.

The review of the lecture in the *Rocky Mountain News*, Dec. 21, 1872, p. 4, col. 3, was headed "In The Depths." and said that "the audience though small was very appreciative and had the weather not been so intensely cold, it is probable that the house would have been densely filled. At the outset the speaker stated he did not suppose that his audience would be able to retain much of what he said as the knowledge he possessed which enabled him to treat of the subjects had cost him many years of hard labor but he felt that his words would awaken an interest in the subject which had hitherto been neglected or very lightly passed over . . ." and he hoped the audience would read books. By drawing diagrams on a blackboard, in one hour, he explained everything from the influence of the moon on tides to how the microscope revealed what made the Red Sea red.

²² Persons interested in the history of Colorado railroads will find it hard to forgive Dean Hart for not telling about the brand-new Colorado Central on which he rode to Gilpin County. Just four days before he made his trip the road had been opened to passengers from Golden to the end-of-track. And on Sunday, December 14, two days before his trip, it steamed into Fitz John Porter's huge stone station in Black Hawk.

²³ As H. Martyn Hart must have explained in his book on elementary chemistry: Au—gold; Ag—silver; Cu—copper; Pb—lead; Fe S—Iron sulphide; Hg—Mercury.

plates previously amalgamated. From these every 3 days it is scraped, the mercury driven off in a crucible & condensed, the gold thus secured. The pounded ore wh. contains 40% of the gold is called "Tailings!" Is sold for 5 dols. a ton to "Hill's Smelting Works." Here the Cu is calcined & worked with as usual until the "copper mat" is produced. This is sent to Swansea [Wales] where the Au and Cu are reduced. An English engineer²⁴ told me that the country wd. never "look up" until they erected works where the Pb could be extracted. This would save the Ag & the Pb would pay the expenses of the working.

For an account of this country, see *Harper's Dec.*²⁵

Our excursion to Perry's Ranch.

Denver is not hospitable! Mr. Perry, altho' we had ridden 8 miles from Larkspur, asked us if we had blankets to sleep out!!!²⁶

I preached 4 times in Denver, never to large congregations & I must bear them witness not even my own congregation was more attentive, which is saying a great deal.

* * *

Here ends the Colorado portion of the 1872 diary. That the Denver congregation (the church held 300) was especially attentive may have been due to the fact that it was looking for a clergyman to head its church. Mr. Hart must have known this, for on December 20, 1872, St. John's held a special intercessory service to the end "that the Lord of the Harvest will be pleased to send forth laborers into His Harvest."²⁷

After Bishop Randall's death in 1873, Saint John's Church in the Wilderness asked Mr. Hart to come to Denver; and again, in 1879. This time he accepted, bringing his wife and six children. "The coming of Dean Hart was an event for the Diocese, for Denver and for Colorado. He was a great Churchman, as great as Colorado has ever known. For forty years as Dean of St. John's his commanding figure held attention for originality, independence and courage. Strong friendships and strong enmities were his lot. To the last he remained an Englishman. His home was an English home, his Cathedral an English Cathedral."²⁸

And all this set down on the plains, "in the wilderness," six hundred miles from the nearest big city!

²⁴ One wonders if the "English Engineer" might have been the brilliant Dr. Richard Pearce, "who came to America as a metallurgist for the Boston and Colorado Smelting Company, in 1872, and brought a group of men who had worked with him in Swansea and in Cornwall. It was largely upon the suggestion of Dr. Pearce that the German process being used in Swansea for the separation of the silver from the matte, was put into effect in Black Hawk."—See "Nathaniel P. Hill Takes Ore to Swansea, Wales," *The Colorado Magazine*, Vol. XXXIV, No. 3 (July, 1957), footnote, p. 200.

²⁵ Verplanck Colvin, "The Dome of the Continent," *Harper's New Monthly* (December, 1872), pp. 20-37.

²⁶ John D. Perry of St. Louis, president of the Kansas Pacific Railroad, had built an eight-room house on his ranch at Pleasant Park in the early 1870's. When Isabella Bird knocked on the door on a snowy October night in 1873, she was welcomed by Mr. Perry's charming daughter and waited on by five Negro servants. "It was so odd and novel to have a beautiful bedroom, hot water, and other luxuries," she wrote, in *A Lady's Life in the Rocky Mountains* (London: Murray, 1910), p. 164. The Messrs. Hart and White were evidently not so warmly welcomed when they got off the Denver & Rio Grande at Larkspur and rode horseback to Perry Park to view the red rocks.

²⁷ *Rocky Mountain News*, Dec. 20, 1872.

²⁸ Edward Ring, "The Episcopal Diocese of Colorado," *The Colorado Magazine*, Vol. XIV, No. 4 (July, 1936), 126.

Origins of the Royal Gorge Railroad War

By ROBERT G. ATHEARN*

In the bonanza years of western railroad building the rush to transportation riches was so rapid and was played for such high stakes that contests over lucrative trade sources were inevitable. One of the most bitterly fought of these "railroad wars" took place in Colorado between the narrow gauge Denver and Rio Grande, a North-South line running along the mountain base, and the Atchison, Topeka and Santa Fe whose southwesterly course brought it into collision with the local road. The Rio Grande, headed by General William Jackson Palmer, was built with the idea of at once tapping the mountain resources and trading with any major trans-continental line that should bisect it. The approach of the Atchison Road, as it was then generally known, caused the Rio Grande managers no real concern, for they felt that it would complement, rather than oppose them. To their dismay the newcomer turned out to be a traffic raider more than a feeder. And then, early in 1878, the Atchison company, inspired by the aggressiveness of its new General Manager, William B. Strong, abandoned the guise of friendship, and made clear its intention to invade Rio Grande country. With no hesitation Palmer took up the challenge and the war was on.

As late as 1877 Palmer and his associates seemed convinced that their railroad had such a grasp upon southern Colorado and the New Mexican trade that successful competition was unlikely. The San Luis Valley was theirs by virtue of an extension across La Veta pass to Fort Garland, and in early 1878 construction toward Alamosa was under way. Santa Fe merchants watched with mounting interest as two narrow gauge tendrils reached out like forceps from the North to catch their trade. The nearest, that which now approached Alamosa, would swing down along the Rio Grande River, while a second, poking its way southward from El Moro toward Raton Pass, promised to cut through northeastern New Mexico along the old Santa Fe trail route. To a casual observer the road that the *Railroad Gazette* called the "longest narrow gauge in the world"—302 miles of it—appeared to be in command. Actually, the Colorado company

*For a background history of the early Denver and Rio Grande Railway see Robert G. Athearn, "The Denver and Rio Grande Railway: Colorado's 'Baby Road,'" *The Colorado Magazine*, Vol. XXXV, No. 1 (January, 1958) and its companion piece, "The Denver and Rio Grande and the Panic of 1873," *The Colorado Magazine*, Vol. XXXV, No. 2 (April, 1958). Dr. Athearn, Professor of History, University of Colorado, is the author of the following books: *William Tecumseh Sherman and the Settlement of the West*, *Westward the Briton*; and numerous historical articles. He is a member of the Executive Committee of the Mississippi Valley Historical Association.—*Editor*.

was in serious trouble. It had reached the limit of its financial abilities and was unable to lay practical claim to the numerous extensions it wanted and needed to build. It was unable to conduct a two-front war, should the need arise, and when it headed west, to capture the San Juan trade of southwestern Colorado, so necessary to its existence, the Raton route had to be set aside for future development. So far as its plans for reaching Santa Fe at an early date were concerned, that delay proved fatal.

While the Rio Grande floundered, straining every resource to capture as much territory as it could under the circumstances, officials of the Atchison road hovered about like vultures, waiting for a chance to swoop down upon its weakened rival. Palmer, an expert at playing for high stakes, tried to give the impression that he was dealing from a position of strength and was an equal in the game of grab. His real, and only, advantage arose from the fact that he held a temporary balance of power between the great Union Pacific-Kansas Pacific combine on one hand, and the on-coming Atchison road on the other, each of whom sought control of northern Colorado traffic. Referring to the A. T. & S. F., Palmer told David Dodge, "I think it just as well they should understand that we are the only parties now who they can trust to increase their Colorado traffic. . . ." His attitude toward Thomas Nickerson, President of the Atchison company, was friendly, but crisp and independent. He discussed freely the possibility of pooling efforts on the part of the larger roads and declined, before he was invited, to join any such arrangement. Carefully Palmer tried to keep aloof from the pending collision of the larger roads, trying not to offend Nickerson while avoiding any corporate intimacies. He told his general manager, Dodge, that the best course to pursue was to keep the Atchison people, the only ones who were likely to build competitively, "comparatively satisfied while our plans are so inchoate."¹

During September 1877, he took his young chief engineer, John A. McMurtrie, and one of the company directors, Dr. William A. Bell, on an eight-day tour of inspection up the Arkansas and into South Park. They visited the area which later became Leadville. There Palmer talked with mining men. The Doctor bought a clump of dates at a little grocery store operated by the then unknown and unheralded H. A. W. Tabor. Palmer returned, quite enthusiastic about transportation possibilities, and determined to build into the boom town as soon

¹ Palmer to Dodge, August 20, 1877, enclosing copy of letter from Palmer to Nickerson, same date; Palmer to Dodge, August 21, 1877. Denver and Rio Grande Archives, Division of State Archives, State Historical Society of Colorado, Denver.

as possible. He wrote an extremely long letter to his Treasurer, Charles B. Lamborn, in which he fully described the freight potential of the area. In addition to the new traffic offered, he pointed out that his company was threatened in this part of Colorado by the Atchison, Topeka and Santa Fe to the south and by the Denver, South Park and Pacific to the north. "One line built up the Arkansas Valley should keep both off most effectually," he wrote. For less than a million dollars Palmer thought he could build the necessary extension which would thus drive off his enemies, gain new revenue for the Rio Grande and put the terminus of the new branch within 350 or 400 miles of Salt Lake City, a further extension that he estimated would cost about \$3,000,000.²

Toward the end of 1877 relations between the Rio Grande and the A. T. & S. F. became somewhat strained as representatives of the latter road began to complain over the treatment they received at the hands of the narrow gauge company. When Nickerson himself wrote of the matter to Palmer, the General was forthright in his answer. He said it was his understanding that the A. T. & S. F. was about to appoint a new general manager and he hoped that when this was accomplished "Such a manager might conclude to offer his only western connection the same price for all trade that it would obtain anywhere else, instead of relying upon treaties with competitors which they are sure to be broken in time. . . ." He pointed out that the Atchison company was carrying a very large traffic over Rio Grande tracks but was reciprocating to a very small degree. So far as any charge of favoritism was concerned, Palmer pointed out to Nickerson that "You have a pooling contract with the K.P. under which you are acting. We have to act very discreetly, surrounded by two such powerful allies & rivals. Although we gather up & distribute so large a traffic, our share of the results is comparatively small."³

The Atchison's new manager was William B. Strong, a forty-two year old railroader of some twenty years experience, whose rapid rise in the A. T. & S. F. organization would soon see him in the president's chair. The selection of a man with such an aggressive nature and one of so many ambitions promised early action on the Colorado railroad scene. Shortly after his appointment Strong came to Palmer, at Colorado Springs, and in a disarming fashion blandly stated that the

² Palmer to Thomas Nickerson, October 10, 1877. Denver and Rio Grande Archives, Division of State Archives, State Historical Society of Colorado, Denver.

³ W. J. Palmer to Charles Lamborn, September 15, 1877, in Carlyle C. Davis, *Olden Times in Colorado* (Los Angeles, 1916), pp. 85-99; "Leadville and Oro," a confidential pamphlet (New York, 1878), pp. 6-19. Denver and Rio Grande Archives, Division of State Archives, State Historical Society of Colorado, Denver.

Atchison company desired only to connect with the Southern Pacific and even that hope was faint, for the present, because of the enormous amount of money involved. The new manager then proposed that the Rio Grande and his line enter into some profitable, non-competitive arrangement. He suggested consolidation, or if that was not agreeable, the leasing of the Denver and Rio Grande by the Atchison company. Other alternatives included sufficient stock purchase to assure control, or at least an arrangement for exclusive trade with the narrow gauge. Loftily Palmer demurred, saying that the fourth idea was the only one his road would consider and not even that, for the moment. He seemed to feel that he was in no danger from invasion. "I think Strong appreciates what I told him as to their losing more than they would gain by building to any one of our districts," he confided to D. C. Dodge.

The conversation then drifted to the threat posed by John Evans' South Park and Pacific as it moved steadily toward the lucrative trade of that booming mineral center soon to be named Leadville. The men agreed to refuse any of the South Park's freight and to join in controlling the stripling company if it should become dangerous to them. Palmer volunteered the solution. "I remarked the surest & best way of controlling that trade is for us to join in building up to South Arks or Oro [Leadville]," he told Dodge. "Each to put up ½ of the money. He was much interested in this."

Strong agreed to recommend the joint effort up the Arkansas Valley to Leadville, but Palmer, after himself making the suggestion, began to entertain doubts. He was afraid that such a branch might interfere with the Lake City and Gunnison trade. This line of thinking took him to the notion of leasing all Denver and Rio Grande extensions at thirty per cent of the gross earnings. This way no single part of the road would be hurt by the partnership. He knew also that he was running a risk by such a venture. "Even joining on one short Extension would antagonize of course U. P. and K. P. & lose perhaps more than we would gain," he admitted. But if the Atchison people would put up \$1,250,000 to help build the extensions, the risk of generating antagonism from Jay Gould's interests was worth while. The upshot of the conversation with Strong was a series of instructions from Palmer to David Dodge to continue negotiations and wait for the Atchison company to make concrete proposals. "Keep this carefully & confidential or destroy it," he warned his general manager.⁴

While Palmer waited for a definite offer from Strong, he continued to investigate the possibilities of that new and interesting place, Leadville. Now, early in 1878, he pursued

his interest in the Leadville region. David Dodge, Robert F. Weitbrec, the new Treasurer, and Charles B. Lamborn, Vice President, were asked to make further studies of the prospects for a move in that direction. Toward the end of March, Dodge brought in some startling news. Mr. E. Harrison, a mine owner at Leadville, who was then in a position to ship twenty-five tons of ore daily, was on his way East on the invitation of Strong. "They are determined to get his shipments of ore if possible," Dodge warned. "Mr. Strong is getting all the information he can with regard to that section, and, I believe, intends to make a move in that direction." And, added Dodge, the game was getting interesting, for Harrison had told him that if a railroad came into Leadville, the ore traffic out of that place would amount to at least seventy-five tons a day. Harrison himself would promise at least fifty tons a day at a rate not to exceed \$10 a ton. "His business alone would almost pay to build the road," Dodge concluded.⁵

Both Weitbrec and Lamborn were enthusiastic about Leadville's freight potential. Weitbrec wrote that the Harrison Reduction Works would make a contract to move as much as 24,000 tons of ore a year from Leadville to Colorado Springs if rail service was available. This, he said, would exceed the New Mexico and San Juan trade combined.⁶ Lamborn reported that the Harrison people planned to ship around 100,000 pounds of ore a day during the coming summer, by freight wagon, and they expected to pay eighteen dollars a ton to Colorado Springs and Canon City.⁷ These were figures that would excite any railroad entrepreneur and it was just the kind of traffic for which the Rio Grande had been conceived.

While Rio Grande officers contemplated the future of the Leadville branch trade, and watched their main line lying south of that country move westward from Fort Garland toward Alamosa from which point it was within striking distance of Santa Fe, there was cause for concern from another direction. On February 26, 1878, President Thomas Nickerson, of the A. T. & S. F., authorized William Strong to go ahead with construction toward Santa Fe. Strong at once directed his chief engineer, A. A. Robinson, to get hold of some men and lay claim to the vital Raton Pass. Robinson promptly boarded a Rio Grande train at Pueblo and headed for El Moro where, late at night, he got a horse and pushed on to the

⁴ Palmer's conversation with Strong is found in a long letter marked "Private," and dated February 1, 1878. Denver and Rio Grande Archives, File No. 343, Division of State Archives, State Historical Society of Colorado, Denver.

⁵ D. C. Dodge to W. J. Palmer, March 23, 1878. In "Leadville and Oro." Denver and Rio Grande Archives, Division of State Archives, State Historical Society of Colorado, Denver.

⁶ R. F. Weitbrec, to W. J. Palmer, March 28, 1878. *Ibid.*

⁷ Charles B. Lamborn to W. J. Palmer, April 1, 1878. *Ibid.*

home of "Uncle Dick" Wootton near the Pass. John A. McMurtrie, Chief Engineer for the Rio Grande, was on the same train, and carried the same instructions, but unlike Robinson, he stayed over night at El Moro, unaware of the urgency of the situation. When McMurtrie and his men arrived at the scene of his proposed endeavors, on the morning of February 28, he was greeted by Robinson and a group of transients pressed into service, all busily engaged in what they said was railroad building. The little "armies" of Robinson and McMurtrie, about equal in strength, eyed each other for a while and after some exchange of threats the Rio Grande men moved and began to work on an alternative, but much less desirable crossing, at Chicken Creek. McMurtrie had lost the game by about thirty minutes. To clinch its title to the ground the Atchison company asked for and received an injunction prohibiting its rival from interfering with construction.⁸

Although Denver papers fretted over the possibility that both the A. T. & S. F. and the Rio Grande would build into Leadville, thus giving Pueblo, not Denver, all that trade, there did not seem to be any widespread belief that the Atchison people were so inclined, especially now that they had made their move at Raton Pass. A Pueblo paper stated positively that their proposed line up the Arkansas had been abandoned in favor of continuing the transcontinental line southwestward.⁹ Outwardly there seemed to be no emergency over the route to Leadville, so far as Palmer was concerned. The *Chicago Railway Review* said that the Rio Grande would complete that branch sooner or later, and certainly not before the mines were more fully developed than at present.¹⁰

Palmer may have agreed with a Denver paper that the Atchison people were taking advantage of cheap Mexican labor "to play a game of bluff" at Raton, but his chief engineer, McMurtrie, did not believe it. He strongly advised the Rio Grande President either to build across Raton at once, or to head south from Alamosa toward New Mexico with all speed.

⁸ The story of the seizing of Raton Pass and the subsequent conflict near Canon City has been told in a number of works. For further details see: L. L. Waters, *Steel Trails to Santa Fe* (Lawrence, Kansas, 1950), George D. Bradley, *The Story of the Santa Fe* (Boston, 1920), or George L. Anderson, *General William J. Palmer: A Decade of Railroad Building, 1870-1880* (Colorado Springs, 1936). James Marshall's *Santa Fe: The Railroad That Built an Empire* (New York, 1945) is a popularized dramatization. Cy Warman, in his *The Story of the Railroad* (New York, 1906), devotes a chapter to the Royal Gorge War. Unpublished sources include: Owen Meredith Wilson, *A History of the Denver and Rio Grande Project, 1870-1901* (a doctoral dissertation, University of California, 1942), Samuel Donald Mock, *Railroad Development in the Colorado Region to 1880* (a doctoral dissertation, University of Nebraska, 1938), and Paul Stewart Logan, *The History of the Denver and Rio Grande Railway, 1871-1881* (a master's thesis, University of Colorado, 1931). See also the *Railroad Gazette*, April 26, 1878; *The Colorado Chieftain* (Pueblo), February 28, March 7, 1878; *The Weekly Gazette* (Colorado Springs), May 5, 1878.

⁹ *The Colorado Chieftain* (Pueblo), March 7, 1878.

¹⁰ The *Chicago Railway Review*, quoted in the *Denver Daily Times*, March 15, 1878.

He was convinced that the A. T. & S. F. would be across Raton Pass and down to Las Vegas within twelve months.¹¹ That the Rio Grande was taking no chances on the possibility of a bluff is seen in articles of incorporation that were filed in Denver for the Colorado and New Mexico Railway Company, whose object it was to operate a railroad between El Moro and the New Mexican line where it would connect with a road to be built across Raton Pass by the Denver and Rio Grande. Among the incorporators were Robert F. Weitbrec, Hanson Risley (General Solicitor of the Rio Grande's Land Department), and William W. Borst, the railroad's superintendent.¹² This move, on Palmer's part, came to nothing, for within three weeks he concluded to call off the game and concentrate his efforts elsewhere.

The decision to abandon Raton Pass stemmed from a realization on Palmer's part that he could not finance a traffic war with his larger foe and from the hope that negotiation could be substituted for fighting. There was no sense, as McMurtrie later put it, of pursuing a "cutthroat policy of building two roads into the same country when there was hardly business enough to support one."¹³ Another reason for pulling back was the mounting fear that the A. T. & S. F. might strike at the Leadville trade by building up the Arkansas, past Canon City. The directness of William Strong's methods was beginning to cause worry in the Palmer camp. On April 14 Weitbrec requested McMurtrie join him for a trip into that part of the country, but the engineer did not want to go. "I will try to avoid going if possible," he told Palmer, "as all my movements are watched, and should I go I am afraid Atchison will know of it and take it that we mean to move in that direction and to stop us, jump into the Canon and commence work at once. If there could be a small pool raised at once, say \$50,000, we could then jump into the canon and I think hold it, although if they were to come in they could trouble us."¹⁴

McMurtrie's fears were not long in being realized. Two days later, as he began to withdraw his men from their labors along Chicken Creek, A. A. Robinson telegraphed to Strong that this was more than a mere cessation of work. Strong at once replied, telling his engineer to "see to it that we do not 'get left' in occupying the Grand Canyon." Robinson respond-

¹¹ McMurtrie to Palmer, April 14, 1878. McMurtrie Letter Book, Denver and Rio Grande Archives, Division of State Archives, State Historical Society of Colorado, Denver.

¹² The road was incorporated March 25, 1878. *Denver Daily Times*, March 26, 1878.

¹³ McMurtrie to Palmer, April 1, 1881. McMurtrie Letter Book, Denver and Rio Grande Archives, Division of State Archives, State Historical Society of Colorado, Denver.

¹⁴ McMurtrie to Palmer, April 14, 1878. *Ibid.*

ed by selecting his assistant engineer, W. R. Morley, "as the man most likely not 'to get left' to go to Canon City and look out for the A. T. & S. F. interests."¹⁵ It was a logical choice, for Morley had accompanied H. R. Holbrook, of the A. T. & S. F., a year earlier when the men made a survey through the Royal Gorge, and beyond.¹⁶ He knew the terrain well.

Morley managed to get to Pueblo on a special A. T. & S. F. engine but when he tried to charter one from the Rio Grande, to complete the trip to Canon City, he was refused. George S. Van Law, an Atchison company employee, later related: "We reached Pueblo and boarded the train for Canon City. It wouldn't go. We stayed until the middle of the afternoon and still the conductor held the train. Then wagons were secured to take our party to Canon City. As soon as we were away from the railroad platform the train pulled out."¹⁷ Morley did not wait for his men. He hired a horse and made a trip to Canon City that the Pueblo paper compared to Phil Sheridan's famous Winchester ride. After a frantic dash through the night, one that killed the animal, he arrived at his destination and commenced to organize a crew with the help of officials from the Canon City and San Juan Railway. This little line, shortly revealed as a subsidiary of the A. T. & S. F., had been organized in 1877, presumably at the behest of Canon City residents who not only hated the Rio Grande for its highhandedness in the past, but who also thought the parent road would push rails into Leadville and give the village at the mouth of the Royal Gorge a place in the transportation world. On the morning of April 19, Morley and a host of enthusiastic volunteers from Canon City, approached the canyon's entrance and commenced grading operations.

This time the Rio Grande men were on hand, with a well-equipped crew of engineers and workmen. McMurtrie was there, along with his assistant, J. R. DeRemer, and two members of the contracting firm of Carlile, Orman and Crook, an organization that already held a contract to build the road from Alamosa to Santa Fe. A newspaper reporter described the excitement, telling how "McMurtrie and his forces made a rapid march from the depot through the city, chaining the ground from the end of the narrow gauge track to the canyon. But by the time his forces arrived on the ground, Morley's party had graded at least one hundred feet of the road." The *Colorado Chieftain*, of Pueblo, was delighted to think that

¹⁵ Waters, *Steel Trails to Santa Fe*, p. 106.

¹⁶ The term "Royal Gorge" is usually thought of as being relatively modern, and it is true that it was not generally used at the time of the "War," but the United States Supreme Court used it in the case of *The Denver and Rio Grande Railway Company vs. C. T. Alling, &c.* in its October Term, 1878.

¹⁷ George S. Van Law "Four Years on Santa Fe Railroad Surveys." A typed manuscript, written in 1931, Item 340 of Denver and Rio Grande Archives, Division of State Archives, State Historical Society of Colorado, Denver.



ONE OF THE FORTIFICATIONS IN ROYAL GORGE "WAR"

the Rio Grande had been again outfoxed and it triumphantly titled its story of the contest, "Catching Weasels Asleep, Or How Morley Outflanked McMurtrie."¹⁸ Actually the working parties of both railroads were in the canon about the same time, at different locations, and while accounts of the affair vary in detail, there is no evidence to show that either group could lay claim to prior occupancy. Both did, of course, and both had their day in court, for the United States Circuit Court for the District of Colorado was to decide in favor of the Canon City and San Juan while the United States Supreme Court would state that the Rio Grande was there first.¹⁹

None of the Rio Grande officials ever entertained any doubts that their right to the Arkansas Valley route to Leadville was entirely valid. Palmer had included it in his original certification of incorporation of the railroad; he had ordered it surveyed in 1871 and 1872; again, in 1873, along with Alexander Hunt, he conducted further surveys in the direction of what was yet known as California Gulch; he had built into Canon City in 1875, showing what he regarded as intent to proceed farther westward. The important thing he neglected to do was to file a plat of the projected line with the General Land Office, in accordance with the act of Congress dated March 3, 1875.²⁰

Meanwhile, in 1877, the Atchison company quietly had ordered Holbrook to make the already mentioned survey for the dummy Canon City and San Juan company, following along the line of stakes McMurtrie had set out for Palmer in 1871. McMurtrie later complained that so scrupulously had Holbrook's party adhered to the earlier line that it had "in a number of places . . . taken up my stakes, cut my numbers off and put theirs on."²¹ Strong, of the A. T. & S. F., apparently felt that since Palmer had not fully complied with the letter of the law, the route was fair game and he was not going to overlook any opportunities to gain traffic for his company. He would have agreed with one of his employees, who later wrote, "The Denver and Rio Grande scouting engineers put lines of stakes to every part of this mountain region where business was likely to develop. That cocky and resolute—but none too rich—railroad company claimed this territory as its own. It believed in a future life and believed in setting its stakes in the beyond and doing it first."²² The A. T. & S. F., bound for the West Coast, and itself in financial difficulty

²⁰ *Colorado Chieftain* (Pueblo), April 20, 1878. The paper was violently opposed to the Rio Grande and all its stories on the railroad contest were heavily slanted in favor of the Santa Fe. Correspondent B. E. Rockafellow of the *Chieftain*, who was a resident of Canon City, and one of the organizers of the C. C. and S. J. railroad later said that he wrote the colorful articles "just to tickle the fancy of the public." (*The Weekly Gazette*, of Colorado Springs, July 27, 1878.) Denver papers took a much less emotional approach and gave the matter less space.

²¹ *The Denver and Rio Grande Railway Company vs. C. T. Allings, & Co., and the Denver and Rio Grande Railway Company vs. the Canon City and San Juan Railway Company*. Cases 811 and 812, October Term, United States Supreme Court, 1878. Item 405 of Denver and Rio Grande Archives, Division of State Archives, State Historical Society of Colorado, Denver.

²² The law of 1872 did not require the filing of a plat, but the amendment of March 3, 1875, which denied any single company the right solely to occupy the right of way through a canyon or defile, also specified that any road wishing to secure the benefits of the amended law had to file with the register of the land office a profile of the road within twelve months of the location of the route. The core of this law can be found in the *Congressional Record*, Volume 3, Part I, January 12, 1875, p. 404, at which time the proposal was being debated. The Rio Grande maintained that its rights dated from 1872.

²¹ Letter from McMurtrie to Robert Weitbrec, April 22, 1878. In Robert F. Weitbrec Papers, Notebook 4 (1878), Library, State Historical Society of Colorado, Denver.

²² George S. Van Law, *op. cit.*



CAMP OF "ARMED FORCES" IN ROYAL GORGE

from time to time, refused to recognize the little upstart narrow gauge whose engineers were so free with their survey stakes. In a game as big as that of transcontinental railroad building the promise of rich trade from fabulous Leadville was too great to ignore, and any barrier to the prize had to be ridden over, roughshod.

The fiction that the Canon City and San Juan Railway was independent and of local origin was short-lived. By the time the A. T. & S. F. made ready to invade Leadville it became abundantly clear who owned the little road with a big name. As late as April 10, 1878, when that company's board of directors met, there was no provision for any con-

struction. It was not until Morley, a virtual stranger, turned up in a state of excited determination that the Canon City company had any inkling of an immediate building prospect, and it was this newcomer who took charge of the impromptu crew, swept up from the town's streets, that was to do the work. The president of the small road probably was less acquainted with the situation than even Morley, for he did not know how many directors his company had, where his funds came from, or who were the bidders for construction. Several of the road's board members later testified that they held stock, for which they had paid no cash, but other than that they had only the vaguest notion of the corporation's workings or history. For any information the directors and the president had to look to Strong who was elected to the board on April 10, or to Robinson, who had no connection at all until the day the work commenced.²³ By the morning of April 19 no one in Colorado had any doubts about the parentage of the Canon City and San Juan.

During the first few days of the "railroad war" the greatest excitement prevailed in and around Canon City. According to newspaper reports from Pueblo the Rio Grande was charged with cutting the Western Union telegraph wire between that place and Canon City to destroy the enemy's means of communication, and of trying to stop the United States mail for the same purpose. Both sides rushed in re-enforcements, each trying to buy off the other's men with offers of higher wages. On the morning of Saturday, April 20, engineer DeRemer took a small party of men up the canyon to occupy the Royal Gorge, circled around the Atchison company's camp at the mouth of that defile, swam the river to the north bank, and laid claim to the vital entrance. The brilliant tactical maneuver was nullified when, that same day, the Canon City company obtained an injunction forbidding the Rio Grande to continue its work in the canyon. Writs were served at once on Robert F. Weitbrec, John A. McMurtrie and others who were holding the disputed territory. Trial was held immediately, after which McMurtrie was put under a \$2,000 bond and Weitbrec under a \$5,000 bond for violating the injunction.²⁴ With that the fight shifted to the courts which McMurtrie bitterly remarked were probably owned and controlled by the opposition.²⁵ As a parting shot, said the *Rocky Mountain News*, the

²³ Owen Meredith Wilson, *op. cit.*, p. 73; *Weekly Gazette* (Colorado Springs), July 27, 1878. Hundreds of pages of testimony can be found in the court records, copies of which are assembled in volumes entitled "D. & R. G. Ry. Co. and Associate Enterprises," Western History Department, Denver Public Library. See particularly volumes 3 through 6.

²⁴ *Daily Rocky Mountain News* (Denver), April 24, 1878.

²⁵ McMurtrie to Palmer, April 1, 1881. McMurtrie Letter Book, *op. cit.*



BLOCKADE IN ROYAL GORGE "WAR"

Rio Grande men attacked the Atchison workers, drove them from the grade and threw their tools into the river.²⁶

The real question was not so much that of whose construction crews were in the canyon first, but which law of the federal government was applicable. By the act of June 8, 1872, the Rio Grande was granted a general right of way over the public domain provided that the road should reach Santa Fe within five years. In March 1877, upon application by the management this period was lengthened to a total of ten years. The Atchison company's main claim was based on the

²⁶ *Daily Rocky Mountain News* (Denver), April 24, 1878.

Right of Way Act, of March 3, 1875, passed to protect railroads in general against the monopolization of strategic mountain passes by any one line. Under this law the Canon City and San Juan had surveyed the first twenty miles of its road, through the canyon, and the profile was accepted by the Secretary of the Interior June 22, 1877. Palmer got at the root of the matter when he said, "The question at issue really struck at the foundation upon which the Denver and Rio Grande system of railways rested; and the practical value of the right of way granted it by Congress in 1872 was now put to the test."²⁷

The days that followed the initial collision in the canyon saw the Rio Grande forces, barred from that location by injunction, fruitlessly try to locate an alternate route by way of Grape Creek and Texas Creek. The Atchison company's subsidiary also was prevented from working in the narrow defile and the sheriff's deputies were sent out to see that the court's wishes were obeyed. The Rio Grande, defeated in Judge John W. Henry's court, contended in somewhat less direct language than McMurtrie had used, that the local courts were biased, and asked to have the case removed to a federal court. Judge Henry refused, remarking that the railroad was already in contempt of his court, but after Robert Weitbrec appeared before him and satisfied the crochety jurist with regard to the technicalities of the matter, the case was taken before Judge Moses Hallett of the United States Circuit Court. On May 8 Hallett decided that for the time being neither company could continue construction in the canyon. Until, however, the case was finally decided, the Rio Grande was not restrained from working above that point. Three weeks later, on June 1, Hallett and Judge Dillon, of St. Louis, who was called into the case, issued a ruling. They based their decision upon the act of March 3, 1875, holding that each company had the right to construct a line through the canyon where there was sufficient room, neither to obstruct the other, and since they believed that the Canon City railroad had the prior right it was given permission to proceed with grading but it was not to lay any rails until it received permission from the court. It was the intention of the judges to see to it that the Rio Grande would be permitted to use the other road's tracks where the defile was too narrow for more than one line.²⁸

²⁷ Report of the Board of Directors of the Denver and Rio Grande Railway Company, 1880, p. 7.

²⁸ *Weekly Gazette* (Colorado Springs), June 15, 1878. Two cases were here involved: No. 154, The Denver and Rio Grande Railway Co. vs. Ebenezer T. Alling, et al. and No. 155, The Canon City & San Juan Railway Co. vs. The Denver and Rio Grande Railway Co. They can be found in "D. & R. G. Ry. Co. and Associate Enterprises," Western History Department, Denver Public Library.

Upon receiving the May 8 decision both sides mustered out the larger part of their "armies." The A. T. & S. F. in discharging three hundred men, offered them \$1.50 a day for their services, but since it had promised them \$2.00 a day and \$3.00 a night for "enlisting," there was a violent reaction to this offer. A. A. Robinson, who was reported as trying to make an escape from Canon City, was cornered in an office by the angry, threatening mob of newly created veterans. Meanwhile, the locally much-hated Rio Grande made some amends by promptly paying off its men and offering them free transportation to points of hiring.²⁹ Local papers reported that the turn of events encouraged Rio Grande attorneys, who saw further avenues of legal pursuit in the decision, but Palmer, in writing of it, called the development an "overwhelming defeat." The reason for the President's gloom lay in the fact that "The contest for the Grand Canyon was in reality a fight for the gateway, not to Leadville only, but to the far more important, because infinitely larger, mineral fields of the Gunnison country, the Blue and Eagle Rivers and Utah."³⁰ To be shut out of a major portion of what he regarded as his own domain was discouraging indeed.

The conflict now entered a "cold war" stage with opposing lawyers training their legal guns at each other while the remaining "troops" engaged in a holding action. D. & R. G. assistant chief engineer, James R. DeRemer painted "Dead-Line" on a tie and laid it across the grade at the twentieth mile post above Canon City as a warning to the enemy. Four miles farther up he and his men constructed a stone fortress, and at the thirty-seventh mile post they built another. Years later a Rio Grande employee recalled that "Arsenals were maintained by both sides and the siege kept up for months; it was a noisy but bloodless war, most of the warriors using blanks."³¹ With the "front" thus defended the Rio Grande sought every other means at its disposal to harass the Atchison company. In June it refused to sell any tickets to the East by way of the A. T. & S. F., trying to cut off that line from Denver. It also tried to block the other road's entrance to Canon City. The Central Colorado Improvement Company, a Rio Grande subsidiary, owned the approaches to that place and the Atchison people were obliged to condemn under eminent domain to gain access, a process that kept it in court until October of 1878.³²

²⁹ *Colorado Chieftain* (Pueblo), May 16, 1878.

³⁰ Report of the Board of Directors, 1880, *op. cit.*, pp. 7, 12.

³¹ Mr. and Mrs. James Rose Harvey, "Engineer Walk of the Denver and Rio Grande," *The Colorado Magazine*, Vol. XXIV, No. 6 (November, 1947), 243.

³² Owen Meredith Wilson, *op. cit.*, p. 76; *Railroad Gazette*, June 21, 1878, p. 313.

During the summer of 1878 the Rio Grande pressed its case in the federal courts. In an opinion rendered on August 23, Judge Moses Hallett again stated that both companies were entitled to proceed, with equal rights, under the protection of the court. Neither was to obstruct the other in any manner, but once again the Judge held that where the question of priority appeared, the Canon City and San Juan line had preference because it had complied with the act of March 3, 1875, whereas the Rio Grande had not. Palmer's road at once appealed the decision to the Supreme Court of the United States, determined to win a clear cut decision. Its President publicly warned the Atchison people that he intended to come out on top, and that any work they did on the first twenty miles, or anywhere else between Canon City and Leadville, would be at the risk of later confiscation.

Not content to sit and wait for the high court to make up its mind about the width of the Royal Gorge, Palmer, always the fighter, began further suits against the A. T. & S. F. The origin of this latest litigation stemmed from the fact that the Atchison company had formed a second subsidiary, known as the Pueblo and Arkansas Valley Railroad, whose intent it was to build a line between the twentieth mile post and Leadville. The shoe was now on the other foot, for here the Denver and Rio Grande had complied with all the necessary legalities, but the P. and A. V. had this time failed to file its plat with the General Land Office, as required by law. Asserting that there were a number of places on the Upper Arkansas canyon wide enough for but one right of way, Palmer threw his crews into the newly contested area on the assumption he could win any court fight that might arise here. "If this [plan] succeeds the Atchison Company would not be likely to enter the Canon at the Royal Gorge below, because they would not be able to get out *above*," he theorized.³³

General Palmer, a man of unbounded enthusiasm and never-ending optimism, continued to feel that his organization could successfully do battle with any and all of the major roads who crossed swords with it. In mid-August he wrote to David Dodge, from New York, telling his colleague that there was a move afoot, not connected with the major transcontinental companies, "to rid us of our floating debt and to establish such credit for the Co. that we may build independently." He added that "there seems to be so many obstacles, uncer-

³³ The foregoing material, on the August 23 decision and the suit against the P. and A. V. can be found in the *Railroad Gazette*, August 30, 1878, p. 429. For a history of the P. and A. V. suit see Brief for the Plaintiff, In the Circuit Court of the United States for the District of Colorado, The Denver and Rio Grande Railway Company vs. The Pueblo and Arkansas Valley Railroad Company, Denver and Rio Grande Archives, Item 406, State Archives, State Historical Society of Colorado, Denver.

tainties, and objections to any alliance that really the risks of independence seem after all to be the least." Earlier in the summer he had said to Dodge that there were rumors of a row between Jay Gould and the bondholders of the Kansas Pacific that would imperil a pledge made by the Union Pacific and Kansas Pacific to aid the Rio Grande. Now, he wrote, if the suit over the Royal Gorge route developed favorably, "I think we can go it alone better than with either of our troublesome partners."³⁴

Accordingly, he went ahead. On September 7 Charles F. Woerishoffer and Company, New York financiers, agreed to loan the Rio Grande close to \$400,000 to proceed with construction and to meet its November bond interest. Part of the price paid was the agreement that the road's board of directors would be enlarged, admitting new members mutually satisfactory to the bankers and the railroad, and that an executive committee was to be formed, the majority of whose members lived in or about New York and who had the power to make policy decisions at intervals between board meetings.³⁵ At once the Union Contract Company, builder of so much of the earlier road, advertised for bids to grade between Canon City to the mouth of the South Arkansas, right alongside the Atchison company's branch. At the same time that rival organization announced that it would build a standard gauge line into Leadville, under the Pueblo and Arkansas Valley Railroad name.³⁶

The resurgence of the Rio Grande was short-lived. The Atchison company answered the suit against its Pueblo and Arkansas Valley road by merging it with the Canon City and San Juan and setting up headquarters for the new company in Pueblo with a capital stock said to exceed six million dollars. This latest subsidiary announced that it proposed to build at once a whole series of lines, all of which significantly paralleled those of the Rio Grande, not only up the Arkansas Valley but throughout the San Luis and San Juan Valleys, and into the mining country northwest of Denver. It also brought immediate suit against the Rio Grande, alleging that it was interfering with construction of the line above the twentieth mile post on the route to Leadville. Both sides rushed in re-enforcements and again the much-contested right-of-way was in the headlines, with the erection of new

³⁴ Palmer to Dodge, from London, England, June 29, 1878, and from New York, August 17, 1878. Items 365 and 368 in Denver and Rio Grande Archives, Division of State Archives, State Historical Society of Colorado, Denver.

³⁵ Meeting of the Board of Directors, October 5, 1878. Denver and Rio Grande Western Railroad Archives, Denver and Rio Grande Offices, Denver.

³⁶ *Railroad Gazette*, September 20, 1878, p. 465; Circular Number 44, Atchison, Topeka & Santa Fe Railroad, September 17, 1878. Item 377 in Denver and Rio Grande Archives, State Archives, State Historical Society of Colorado, Denver.

stone forts, patrols of armed men, threats and counter-threats, being reported.³⁷

By October Palmer yielded to the bondholders' insistence that the odds were too great. His organization had tried to continue its expansion in the face of depression and hostility from a major rail line, and now its resources were exhausted to the point of danger. On October 19 Colorado's "Baby Road," as it was affectionately known at home, was put out for adoption. On that day Sebastian B. Schlesinger and James D. Potts, representing the Rio Grande bondholders, signed an agreement with Thomas and Joseph Nickerson of the A. T. & S. F. to lease the narrow gauge for a period of thirty years. It had taken the transcontinental line just eight months, after Strong had made his proposals of January, 1878, to force compliance and now the "Royal Gorge War" appeared to be over. Robert F. Weitbrec, the Rio Grande's Treasurer, later explained Palmer's position: "The money subscribed and paid in had been very largely on the personal solicitation of General Palmer and his associates. The bonds had fallen much below the price paid for them and they were largely held by the original purchasers. There was a moral responsibility which could not and should not be disregarded. If there was any way in which the security of the investment could be increased it was entitled to serious consideration. This was an underlying thought in [the] negotiation." The immediate hopes of the management, in this regard, were realized for a Denver paper reported that in the matter of a few days after the lease was signed Denver and Rio Grande stock rose from eight to twenty, and its bonds went up from seventy-four to ninety-four.³⁸

The lease provided that the Rio Grande turn over its 337 miles of track, rolling stock and other equipment at a rental that was to commence at forty-three per cent of gross receipts, to be scaled down to thirty-seven, and finally thirty-six per cent. The Atchison company agreed not to build or encourage any parallel or competing lines, and any construction beyond Denver and Rio Grande terminal points was to be of a three-foot gauge. The lessee promised that there would be no discrimination in freight or other charges and that rent would be paid by the month. No provisions of the lease could be cancelled or modified without the formal written consent of the trustees of the Rio Grande's mortgages. It was finally agreed that all litigation between the roads should cease and

³⁷ Anderson, *op. cit.*, pp. 101, 102.

³⁸ Robert F. Weitbrec, "A Sketch of the Early History of the Denver & Rio Grande Railroad," *The Trail*, Vol. XVI, No. 4 (September, 1924), 6, 7; *Denver Daily Times*, October 22, 1878.

that the Rio Grande would be extended to both the San Juan silver mines and to Leadville.³⁹

News that the Rio Grande had been leased caused concern in Denver and jubilation at Pueblo. The *Daily Times* of Denver twitted one of its rivals for seeming "to regard it as a sort of double-barreled suction tube, whereby Denver is to be transferred in sections to Kansas City," but the paper admitted "There's no mistaking the uneasiness of the Gould monopoly under the proposed innovation. It is the wedge which is to split its power over the commerce of the north." Pueblo, on the other hand, thought that the lease was a good thing because it could now come abreast with the capital city and no longer would the metropolitans boast that "Denver is the state." Specifically, the Pueblo *Chieftain* saw the new development as a form of emancipation from the "bullheadedness and blindness" of Rio Grande management that had tried to throttle the A. T. & S. F., and incidentally, Pueblo, by charging ruinous rates on through traffic as a means of retaliation against its rival.⁴⁰ Actually, as a leading railroad journal pointed out, there was not much prospect that great benefits would accrue to the users, no matter in whose hands the management lay, for Rio Grande rates were high and probably would remain so under the new arrangement. It was the only way anyone could make any money over a line whose traffic was so light. Moreover, for a railroad so cheaply built, its debt of about \$20,000 a mile was high and in order to pay even the interest rather high transportation rates were necessary.⁴¹

While the agreement to lease was generally regarded as the end of warfare between the two lines, it was merely an armistice. Palmer, who bitterly opposed the bondholders' desire to consolidate with, or lease to, the A. T. & S. F., did everything in his power to delay the day when the agreement became effective. At the time of the lease negotiations President Nickerson, of the Atchison company, had tried to get Palmer to drop the litigation over the right-of-way above the twentieth mile post, promising to take over the contracts and to help the Rio Grande out of its obligations as much as possible, but he got nowhere. Palmer was afraid that if he acceded to this demand he would prejudice the case pending

³⁹ Copy of the lease in the Minutes of a Board of Directors Meeting at Colorado Springs, November 5, 1878. Denver and Rio Grande Archives, Denver and Rio Grande Western Railroad Offices, Denver. See also *Railroad Gazette*, October 25, 1878, pp. 520-521 and *Commercial and Financial Chronicle* and *Hunt's Merchant's Magazine*, Vol. XXVII (October 12, 1878), 382. The so-called Potts-Schlesinger agreement that preceded the lease can be found in D. & R. G. Ry. Co. and Associate Enterprises, Volume 3, Western History Department, Denver Public Library.

⁴⁰ *The Denver Daily Times*, October 22, 1878; *The Colorado Chieftain* (Pueblo), October 24, November 7, 1878.

⁴¹ *Railroad Gazette*, October 25, 1878, p. 516.

in the courts and a favorable decision here was his last, feeble hope. Nickerson bitterly responded to this conduct, saying, "I did not think that after making peace we should still have war," but Palmer was not moved by the complaint.⁴²

The day set for the transfer to the A. T. & S. F., December 1, 1878, came and passed, with the road still undelivered. On December 4, Palmer wrote a personal letter to Dodge, in which he talked of the "arrogant demand of possession before complying with the plain terms" on the part of Strong and Nickerson. "I have declined, of course, point blank & expressed amazement at the demand," he reassured his general manager. Nickerson also had delayed on the question of the railroad's valuation and the matter of an Umpire, giving Palmer the impression, at one point in the negotiations, that the Atchison company was about to throw up the whole proposition. But, as Palmer pointed out, Boston financiers had continued to buy Rio Grande bonds until they had, at the time of writing, about half of the mainline bonds, which convinced him that there would be no backing down now. He guessed that Nickerson had counted "on our yielding to their demand of possession, and offer to deposit security," but he insisted hotly that "If they were to put up Boston itself now, it would not avail. The actual provision of the papers must be carried out or they lose the lease." It angered him that the Atchison people were "insolent & arbitrary and more so at Boston recently" and concluded that things were now "in a thoroughly antagonistic shape."⁴³

Thoroughly angered, and deeply distrustful of Nickerson, Palmer tried every means at his disposal to delay the actual transfer. But the tide was against him. On November 29, at a general meeting of the stockholders in Colorado Springs, he warned that the terms of the lease might not be fulfilled and was answered by a vote of ratification for the agreement. The President, however, was directed to give possession when he saw fit, a bit of leeway he quickly used by charging that the A. T. & S. F. had not paid for tools, ties and other materials on the line, as agreed. Alexander C. Hunt, his representative, even was accused of deliberately neglecting to make the necessary inventory with the hope that enough snow would fall to make such a check impracticable. Again the bondholders stepped in, unwilling to see their plans sabotaged, and made a compromise arrangement whereby the Atchison company would put up \$150,000 as a guarantee that the materials would be paid for. The lessee agreed, provided that the transfer was made no later than December 14.⁴⁴ Palmer

had played his last card; there was no further avenue of delay open to him. Shortly he and Strong met at Colorado Springs, where the necessary deposit was made, and the General reluctantly turned over his "Baby Road" to the enemy. He telegraphed instructions to his subordinates that at midnight the Atchison people would take command. It was Friday, December 13.

The transfer took place quietly. Denver merchants were gloomy, some of them feeling that their city would now be caught in between the cross-fire of a bigger railroad battle between the Union Pacific and Kansas Pacific on one side, and the Atchison, Topeka & Santa Fe on the other, causing them to suffer. The more optimistic took refuge in the thought that perhaps such a war of transportation would result in cut-throat competition and a resultant lowering of rates. Pueblo was happy, convinced that *its* railroad—the A. T. & S. F.—was now "master of the situation" and all manner of good things would result in that city. The *Chieftain* reported that when the appointed time came that midnight, the change was effected peacefully, and that while "A good deal of 'chaff' was indulged in by the employees of the Atchison, Topeka and Santa Fe at the expense of the Denver and Rio Grande brethren, . . . everyone was good natured over it."⁴⁵

The joviality did not penetrate the country very far north of Pueblo. Five days after the new management took over, Denver learned that rates between that point and Colorado Springs, Pueblo and Canon City had been raised variously from twenty-five to sixty cents a hundredweight. The gloom of the capital city merchants deepened. D. C. Dodge, retained as General Manager of the Rio Grande portion of the line by the Atchison company, complained that on the very first day the lessees had violated the agreement, and he continued to make such charges until he was removed from his position.⁴⁶ Palmer watched the developments quietly, waiting for his chance to pounce upon the interlopers and to wrest away the prize they had taken. There were two possibilities for him to win: first, that a clear violation of the lease could be shown; secondly, that the suit over the canyon route, still pending, would result favorably to the Rio Grande. If either, preferably both, of these things happened, the doughty young railroad entrepreneur would get a second chance at running the narrow gauge line that, only a few years since, had been his brain child. Like a good gambler that he was, he stayed at the table and awaited the turn of the next card.

⁴² Owen Meredith Wilson, *op. cit.*, p. 91.

⁴³ Palmer to Dodge, from Colorado Springs, December 4, 1878. Item 396 in Denver and Rio Grande Western Railroad Archives, Division of State Archives, State Historical Society of Colorado, Denver.

⁴⁴ Owen Meredith Wilson, *op. cit.*, p. 93; *The Weekly Gazette* (Colorado Springs), December 7, 1878.

⁴⁵ *Denver Daily Times*, December 14, 17, 23, 1878; *Daily Rocky Mountain News* (Denver), December 13, 1878; *Colorado Chieftain* (Pueblo), December 19, 1878.

⁴⁶ Owen Meredith Wilson, *op. cit.*, p. 94; *Denver Daily Times*, December 19, 1878.

Charles Autobees

By JANET LECOMPTE*

Chapter X

In the summer of 1868, the Plains Indians, enraged by the approach of the railroad, were making attacks upon settlements and wagon trains near Fort Lyon.¹ Acting-Governor of Colorado Frank Hall wired Generals Sheridan and Sherman for troops, but his request was denied and he was told to raise his own militia.² According to a newspaper account that has proved its unreliability in other cases, Charles Autobees took an active part in quelling the Indian outbreak of 1868. He was well off at one time, and when the Indians broke out in '68 he had perhaps a hundred Indian and Mexican scouts living on his ranch, and he at once formed a company, marched to headquarters and the company was mustered into the service and Charlie was installed as captain, his son Mariano being second in command. He performed noble work in that campaign, but it was the last work he ever did for the government.³

A recent monograph on this Indian war shows, however, that the volunteer company was organized by Mariano instead of Charley, and that it never materialized anyway. At the end of August, Allen A. Bradford telegraphed Governor Hall for permission to raise a company of volunteers under "Lieutenant Autibee." Hall wired back, "Is he all right. Do you endorse him?" Bradford answered that Autobees had been in Baxter's company at Sand Creek and was a good man to fight Indians. But there were not enough horses to mount the men, and on September 3, Governor Hall acknowledged that the Pueblo volunteer company was a failure.⁴

The Indians ceased their attacks at the first sign of cold weather, and went as usual to their winter camps in what is now Oklahoma. But that year they were not to be safe there, for General Sheridan was organizing a winter campaign to surprise them and drive them once and for all onto reservations. General Sheridan's plan was to send troops from Fort Dodge, Kansas, who would establish Camp Supply on the North Fork of the Canadian and range south, while troops from Fort Lyon, Colorado, and Fort Bascom, New Mexico, would drive the Indians eastward into the trap prepared by the Fort Dodge troops. The Fort Dodge troops performed

brilliantly. General Custer attacked Black Kettle's village on the Washita on November 27, 1868, killing the old chief and most of his people; a Kiowa village was captured on December 16; and before the end of December, Little Raven had given up his Arapahoes, Little Robe had surrendered the remainder of the Southern Cheyennes, and Satanta and Lone Wolf had surrendered the Kiowas. Even the column from Fort Bascom, which, in Sheridan's words, was "not expected to accomplish much," managed to harass some Comanches until they too gave up.⁵ But the Fort Lyon troops, after three miserable months in the field, lost at least six men, two hundred animals, and saw not a sign of an Indian from beginning to end.

Charles Autobees, his sons Mariano and José, James ("Wild Bill") Hickok, and Jesse Nelson were scouts for the first of two columns which left Fort Lyon.⁶ The first column consisted of five cavalry companies under General W. H. Penrose, who had orders to establish a supply camp on the North Fork of the Canadian, scout south to Antelope Hills on the Canadian, and further south to the headwaters of Red River, driving the Indians ever eastward. General Penrose started out on November 10, 1863, with forty-three days' rations, but on November 23, after he had established his supply camp on Palo Duro Creek in the Oklahoma panhandle, he ran out of food (an error for which the official report offers no explanation).⁷

On November 29, General Eugene A. Carr arrived at Fort Lyon with instructions to find General Penrose, replenish his supplies and, as ranking general, take over Penrose's command and his orders. General Carr started south on December 2, with a train of 130 wagons and seven companies of Fifth Cavalry. On the third night out, while Carr's command was camped on a tributary of Two Butte Creek (henceforth known as Freeze-out Canon) in southeastern Colorado, a violent snow storm forced the command to lay over a day.⁸ According to Sergeant Luke Cahill, the storm also caused the death of four pickets, 36 animals, and a whole herd of beef cattle,⁹ but General Carr's official report, a meager document that appears sometimes to be covering up blunders of the two generals, mentions only one mule and no men lost.¹⁰

For many days snow covered General Penrose's tracks, upon which General Carr was dependent to lead him to the supply camp, for (as Carr complained) Penrose had taken

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¹ Gen. P. H. Sheridan, *Record of Engagements With Hostile Indians Within the Military Division of the Missouri from 1868-1882* (Wash., D. C., 1882), pp. 9-14.

² Robert G. Athearn, "Colorado and the Indian War of 1868," *The Colorado Magazine*, Vol. XXXIII, No. 1 (January, 1956), 45-46.

³ *Pueblo Chieftain* (Weekly), June 22, 1882, p. 4, c. 2. See Chapter I, note 37, for other errors committed in this obituary.

⁴ Athearn, *loc. cit.*

⁵ Sheridan, *op. cit.*, pp. 14-18.

⁶ Luke Cahill, "Recollections of a Plainsman," MS, Library, Colorado State Historical Society, Denver. This was published as "An Indian Campaign and Buffalo Hunting with 'Buffalo Bill'" in *The Colorado Magazine*, Vol. IV, No. 4 (August, 1927), but since the published version is somewhat altered in wording, I have used the original for this article.

⁷ Report of Brevet Major General E. A. Carr, Commanding, Headquarters, Expedition from Fort Lyon, C. T., April 7, 1869, War Department Records, National Archives.

⁸ *Ibid.*

⁹ Cahill, "Recollections . . .," *op. cit.*

¹⁰ Carr, "Report," *op. cit.*

all the available "guides" with him, leaving Carr with "scouts" only—William F. (Buffalo Bill) Cody, Edmond Guerrier (Geary or Gerry), and Cogswell.¹¹ On December 16, while Carr was camped on San Francisco (Coldwater) creek, a tributary of the North Canadian, Mariano Autobees and three others of Penrose's scouts arrived in camp and announced that the supply camp on the Palo Duro was only twenty miles east. Carr sent nineteen wagons of provisions ahead to relieve Penrose's hungry men, and the rest of the wagons he sent back to Fort Lyon for more supplies, under the direction of Mariano Autobees.¹² Mariano reached Fort Lyon on December 30, loaded up the wagons, and returned to the North Canadian.¹³

On December 21, General Penrose himself arrived at Carr's camp and invited Carr to move to Palo Duro creek, which Penrose represented as having plenty of wood, water and grass. But Carr found Penrose's camp in deplorable condition; carcasses of dead mules littering the frozen ground, picketed mules eating their own dung, horses tottering under the weight of their riders, and men half-famished from two weeks on quarter-rations. Carr located a slightly better camp site, moved the men there, and then, on Christmas Day, left with 500 mounted men for the Canadian. Whether Charles Autobees remained at the supply camp or accompanied Carr south we cannot say. Carr mentions only one guide, "Wild Bill" Hickok, by name¹⁴; in his autobiography, "Buffalo Bill" mentions himself, "Wild Bill," and "Little Geary," as scouts with Carr, and also "a half-breed and three other scouts."¹⁵

By the time Carr arrived on the Canadian, he had provisions enough to last only five days—another shortage of rations he leaves unexplained in his official report. For a few days he camped on the Canadian and his men made sallies up and down the river looking for Indians, but in spite of his specific orders, he never reached Antelope Hills on the Canadian, let alone the Red River, fifty miles further south. From the Canadian he sent "Wild Bill" and other scouts to Camp Supply with dispatches for General Sheridan, and with orders to return as soon as possible. Then, being out of rations and having seen no Indians, Carr returned to the North Canadian, arriving at the Palo Duro supply camp on January 8. On January 9, Mariano Autobees and the provision train arrived from Fort Lyon, and with the wagons Carr moved camp back to his original location on San Francisco creek. For a month the soldiers camped there in a wretched state. Two men died of

¹¹ *Ibid.*

¹² *Ibid.*

¹³ *Colorado Chieftain* (Pueblo), Jan. 7, 1869, p. 2, c. 1.

¹⁴ Carr, "Report," *op. cit.*

¹⁵ *An Autobiography of Buffalo Bill* (Colonel W. F. Cody), (N. Y., 1928), p. 164.

fever¹⁶; almost all the rest suffered from scurvy until near the end of their ordeal "Buffalo Bill" brought in some fresh meat.¹⁷ In spite of the cold, fire was a luxury; wood was exhausted and had to be hauled from Palo Duro creek, a three-day round trip, and buffalo chips were too wet to burn. The animals were all starving, for where grass was not scanty, it was covered with snow. And "Wild Bill" and his scouts returned from Camp Supply empty-handed, having lost on the way all the dispatches, maps and letters from General Sheridan.¹⁸

Still there were no Indians; the only conflict, other than the constant battle with the elements, occurred when "Wild Bill" and Mariano Autobees "had a slight misunderstanding which led to blows, and terminating by "Wild Bill" knocking down Mariano Autobees and administering a severe castigation."¹⁹ "Buffalo Bill" remembers this altercation as a general fracas, perhaps involving not only Mariano but Charles Autobees as well:

Among the scouts in Penrose's command were fifteen Mexicans. Among them and the Americans a bitter feud existed. When Carr united Penrose's command with his own, and I was made chief of scouts, this feud grew more intense than ever. The Mexicans often threatened to "clean us out," but they postponed the execution of the threat from time to time. At last, however, when we were all in the sutler's store, the long-expected fight took place, with the result that the Mexicans were severely beaten.²⁰

"Wild Bill" and "Buffalo Bill" had been drinking heavily, and they were hauled up before General Carr, but when the General heard their side of the story he decided the "Mexicans" were as much to blame as the "Americans," and the incident was dismissed.²¹

On January 19, Carr sent another party of scouts to Camp Supply under Cogswell; on January 22, he sent a party to Fort Dodge under Mariano Autobees. By February 8, neither of these parties had returned. The animals continued to die; thirty or forty teamsters quit and forfeited their pay rather than endure any longer the miseries of camp; and, having heard somehow that the Indian campaign was over anyway (as indeed it had been, for a month and a half), Carr determined to return to Fort Lyon. The weary men arrived at the post on February 19,²² having walked all the way back through ankle-deep mud and sloughs, the mules being too

¹⁶ Carr, "Report," *op. cit.*

¹⁷ Cody says he shot antelope (*Autobiography*, p. 165) and buffalo (*The Colorado Magazine*, Vol. IV, No. 4, August, 1927, 135) for the command. Cahill mentions only buffalo ("Recollections").

¹⁸ Carr, "Report," *op. cit.*

¹⁹ *Colorado Chieftain* (Pueblo), Jan. 28, 1869, p. 3, c. 2.

²⁰ *An Autobiography of Buffalo Bill . . .*, *op. cit.*, p. 165.

²¹ *Ibid.*

²² Carr, "Report," *op. cit.*

weak to carry them.²³ If any particular services were rendered by Charles Autobees during the campaign, they were overlooked by the chroniclers.

The winter campaign of 1868-69, however unimpressive was General Carr's part in it, nearly stopped Indian attacks upon settlers and travellers on the Upper Arkansas. In 1869 there was hardly a hostile plains Indian in Colorado Territory. As the Kansas Pacific Railroad approached from the east, towns of tents and shacks began to spring up on the Indians' old buffalo range, where the track would be laid. By the middle of December, 1869, the town of Kit Carson, Colorado (five shacks, twenty tents, twenty dug-outs), had been established, although the track was not expected to reach it for several months. The town's future was supposed to be very bright, and on this assumption some Pueblo businessmen surveyed a road from Pueblo to Kit Carson,²⁴ while Capt. H. B. Bristol, commander of Fort Reynolds, opened another 80-mile road from the Fort to the new town, with the help of "Charles Autobees (an old mountaineer) & his two sons Jose & Manuel who kindly volunteered to go along with me, their service was of value in looking for water & supplying the party with antelope." Bristol remarked that no one in the country was acquainted with the ground for more than twenty miles at a stretch, and that it was the finest grass range he had ever seen, teeming with game—Charley and his boys killed twenty-nine antelope in three days.²⁵

The country opened up by the new road became a source of sport and relaxation for the inhabitants of Autobees town:

A small party from Autobees' ranch went out last week on the new road from Reynolds to Carson, as far as Antelope Springs, and after a most exciting chase managed to lariat eight young mustang colts.²⁶

The dispute between Charley and various commanders of Fort Reynolds over Charley's saloon and the land at the mouth of the Huerfano was forgotten by 1870, when Charley was employed by the Fort to run its ferry:

Our readers and the public generally will be glad to learn that Charles Autobees has now in operation one of the finest ferry boats in the country running across the Arkansas, at Fort Reynolds. The road to it on the north bank is at Mr. Foslick's ranch. The boat is a fine one capable of carry[ing] a six mule army wagon loaded. It was built by the Q. M. Department at Reynolds, but Charlie has made arrangements to run it for the fort.²⁷

²³ Cahill, "Recollections . . ." *op. cit.* Luke Cahill states that the troops arrived at Fort Lyon "on or about the last days of March, 1869." Also, he goes into some detail regarding a battle with the Indians, but he is almost surely incorporating someone else's experiences into his narrative, for neither General Carr nor "Buffalo Bill" mentions such an encounter, and Carr states explicitly that he saw no Indians.

²⁴ E. O. Davis, *The First Five Years of the Railroad Era in Colorado* (Denver, 1948), pp. 54-55.

²⁵ Report of Capt. H. B. Bristol, Dec. 17, 1869, "Letters Sent, 1867-1872," Fort Reynolds, C. T., U. S. Army Commands, War Department Records, National Archives.

²⁶ *Colorado Chieftain* (Pueblo), June 2, 1870, p. 3, c. 2.

²⁷ *Ibid.*, p. 3, c. 3.

On one of the rare occasions when Indians were still troublesome, Charley acted as guide for the troops. In April, 1870, just after the Kansas Pacific reached Kit Carson, men working on the railroad, "distributed with as much heedlessness of danger as if employed in the streets of St. Louis," in the words of General Pope, were attacked by Indians thought to be Sioux. Ten or twelve workers were killed and several hundred head of stock were run off. Four companies of Seventh Cavalry under Major Reno, with Charley as guide, were sent out from Fort Lyon after the Indians, but after a long chase the Indians slipped across the South Platte to safety, and the troops returned without a fight.²⁸

In July, 1870, Charley was employed as guide at Fort Reynolds, but still he found time to help a neighbor:

George Haas had twelve head of horses stolen and driven off about two weeks ago from his ranch on the Chico. He trailed them to Big Bent [sic] on the Sandy, and by the aid of old Charley Autobees and his boys, who are under employ by the government as military guides, the horses were found to have been driven off by a squad of straggling soldiers belonging to the camp at Big Bent, and who pretend they took the herd to be wild horses. After a deal of trouble, Mr. Haas has succeeded in recovering the whole lot.²⁹

By May, 1872, the settlers were so rarely bothered by Indians that Fort Reynolds was abandoned,³⁰ and from that time on Charley had no steady employment. At first he probably did not feel the loss of income. On April 27, 1872, he had been paid the extravagant sum of \$1,000 for a quit claim to his share of the Cebolla grant by the English promoter William Blackmore and his partner John Graham, through the agency of Wilbur F. Stone, attorney for both parties.³¹ Furthermore, the abandonment of the Fort Reynolds Military Reservation and its reversion to the lessor, Ceran St. Vrain, might mean that Charley would now regain the land at the mouth of the Huerfano. Ceran St. Vrain had died on October 28, 1870, but his son and administrator, Vicente, was as anxious as his father had been that justice be done to all those to whom his father had promised land.³² Charley and

²⁸ General Pope, Report, *H. Exec. Doc. 1*, 41st Cong., 3d Sess. (Ser. 1446), pp. 6-7; *Denver Tribune*, Feb. 9, 1879, p. 4, c. 2.

²⁹ *Colorado Chieftain* (Pueblo), Aug. 11, 1870, p. 3, c. 2.

³⁰ Fort Reynolds, Abandoned Military Reservation File, General Land Office Records, National Archives.

³¹ Blackmore papers No. 0573, New Mexico Historical Society, Santa Fe. The deed was done in Pueblo by "Carlos Ortibis" and witnessed by Theodore A. Sloan, Jose Maria Antobes (his mark) and Wilbur F. Stone. Much background material on the buying up of shares of the Cebolla grant by these speculators may be found in Herbert O. Brayer, *William Blackmore: The Spanish Mexican Land Grants of New Mexico and Colorado 1863-1878*, Vol. I (Denver, 1949), 154 f.

³² Early in 1873 Vicente spent four months in Colorado seeing about his father's interest in the grant and testifying for derivative claimants. (Appeals of George F. Streeter, Felix St. Vrain, Romalda Rite, Antonio Sotello Pino, etc., Colorado Private Land Claim No. 17, Records, General Land Office, National Archives.) Vicente also published a notice in the newspapers to inhabitants of town sites on the grant that "these town sites will be inviolably respected, such was always the expressed wish of my deceased father." *Colorado Chieftain*, Pueblo, Feb. 6, 1873.

many others were to be disappointed, however, and none more sorely than the heirs of Ceran St. Vrain, who would soon own not a square inch of the great land that had dominated so many years of their father's life.

The Vigil and St. Vrain, or Las Animas Grant was manipulated by stupid or corrupt officers from the lowest to the highest—from the *alcalde* of Taos to the Governor of New Mexico; from the Register and Receiver of the land office at Pueblo, Colorado, to some in authority at Washington, D. C. It began as an *empresario* grant, more or less in conformity with the National Colonization laws of the Mexican Republic. Mexico encouraged either citizens or foreigners to establish colonies in her frontier areas, for which the *empresario*, or contractor, should be rewarded with land for his own use not to exceed eleven square leagues (48,825.48 acres).³³ On December 8, 1843, Cornelio Vigil and Ceran St. Vrain, both citizens living in Taos, petitioned Governor Manuel Armijo to "grant to each one of us a tract of land" in the locality embraced within the Huerfano, Apishapa and Cucharas rivers, and the next day the Governor directed, by means of a marginal note on the petition, that the *alcalde* of the proper jurisdiction give the petitioners possession of the land referred to.³⁴ According to the law, Vigil and St. Vrain had no right to demand their two tracts of land until they had established a settlement, but their failure to do this was a trifling irregularity compared with the enormity of subsequent errors.

Between December 9, 1843, when Governor Armijo made the grant, and January 2, 1844, when José Miguel Sanchez, Taos *alcalde*, certified that he marked the boundaries of the grant and put the grantees into possession of the land, the grant had enlarged over forty-fold. Instead of giving Vigil and St. Vrain two tracts within the large area, the *alcalde* gave them the large area itself,³⁵ amounting to over 4,000,000 acres. The grant was remote and uninhabited, and the people of New Mexico took no notice of it. Whether the *alcalde's* action was legal or illegal, the result of innocent error or of collusion, was not investigated; nor was it questioned whether the act of possession was approved by Armijo or the papers sent by him, as the law required, for approval to the territorial deputation and then to the supreme government.³⁶ As the U. S. Surveyor General was to decide later, it was not the fault of the grantees if the grant was illegal, but of the

³³ National Colonization law of Jan. 4, 1823; Decree of Aug. 18, 1824; and Colonization Law of Nov. 21, 1828, quoted by Elias Brevoort, *New Mexico. Her Natural Resources and Attractions, being a Collection of Facts, mainly concerning her Geography, Climate . . . and Spanish and Mexican Land Grants* (Santa Fe, 1874). Blackmore papers No. 0893, Museum of New Mexico, Santa Fe.

³⁴ "Land Claims in New Mexico," *H. Report 457*, 35th Cong., 1st Sess. (Ser. 967), p. 269 f. The original document is now in the Bureau of Land Management, Post Office, Denver.

³⁵ *Ibid.*

³⁶ Brevoort, *op. cit.*

governor who made it and allowed it to convey the public domain into private hands. And the governor's motive becomes clear when we remember that one pair of the private hands belonged to the governor himself. (See Chapter IV, p. 289.)

In 1854 William Pelham was sent to the Territory of New Mexico as U. S. Surveyor General, with instructions to locate and determine the validity of over a thousand land claims.³⁷ In 1857 Pelham examined the Vigil and St. Vrain grant papers and sent them on to Washington with the recommendation that Congress confirm the grant.³⁸ He gave as his reasons the grant's continuous occupation, "whenever the condition of the Indians would allow it"; the extraordinary and absolute power of the governor at the time the grant was made (an admittance that Pelham knew the grant was illegal); the 1848 Treaty of Guadalupe Hidalgo guaranteeing United States' recognition of ownership of lands formerly held under the Republic of Mexico; and the fact that no one had ever protested or filed claim against the grant.³⁹ But Congress was not so lenient as Pelham. The Act of June 21, 1860, confirmed the grant, but only to the extent of 22 square leagues, and it specified that land already sold or given away should be subtracted from the 22 square leagues, leaving St. Vrain and the heirs of Vigil only the remainder.⁴⁰

There was no remainder. St. Vrain and his agents had already sold more than 300,000 acres of the grant, or three times the 22 square leagues allowed not only St. Vrain but Vigil as well. Now St. Vrain could do nothing but ignore the Act of June 21, 1860. His lawyers assured him that his right to the entire 4,000,000 acres would sooner or later be recognized, and he continued to sell off tracts within the large area. In 1862 he appointed William Craig his agent,⁴¹ and Craig also sold the land, sometimes turning the money he received over to St. Vrain, sometimes putting it in his own pocket.⁴²

³⁷ *H. Exec. Doc. 1*, 33d Cong., 2d Sess. (Ser. 777), p. 87.

³⁸ "Land Claims in New Mexico," *op. cit.*, 277 f. It is interesting that Kit Carson and William Branford testified to Hatcher's 1847 farm and Wootton's Huerfano village, both short-lived, but that neither one mentioned Charles Autopees' farm and permanent settlement.

³⁹ *Ibid.*

⁴⁰ U. S. Statutes, Vol. XII, 71.

⁴¹ Pueblo Co. (Colo.) Records, Book I, 495.

⁴² Appeal of H. M. Fosdick and A. J. Hollis, Pueblo, April 11, 1874, to GLO. "Correspondence, 1868-1874," Colo. Private Land Claim No. 17, *loc. cit.*; "Col. Ceran St. Vrain in Acc't with W. Craig, Acc't Las Animas Grant," *ibid.* Exactly a month before St. Vrain died on October 28, 1870, he revoked Craig's power of attorney and published its revocation in many newspapers. (Las Animas Co., Colo., Records, Book IV, 91; Pueblo Co., Colo., Records, Book III, 782.) In the October term of the Las Animas county probate court, Craig filed an account against St. Vrain's estate for \$50,000, but Vicente St. Vrain presented his bill against Craig, and in final judgment the ruling was in favor of the estate for \$23,507.70, and Craig was ordered to turn over all papers, etc. (*Colorado Chieftain*, Oct. 17, 1871, p. 1, c. 2.) The Mora Co. (N. M.) Records, Book B, 360, give the amount of the judgment against Craig as \$21,000. The present Las Animas County Clerk was unable to locate any record of the above, and perhaps these records were among those taken from the court house and burned by persons unknown in the spring of 1874. (Testimony of Samuel A. Hutchins, Denver, July 14, 1877, U. S. v. David H. Moffat, Jr. *et al*, Circuit Court No. 9, District of Colorado.)

The Homestead Act was passed in 1862,⁴³ and, informed by land officers that St. Vrain's grant was public domain, homesteaders began to build their shanties there. By 1869 the homesteaders were numerous enough to demand that their rights to the land be clarified, for they had been continually threatened by St. Vrain's agents. Consequently, Congress passed another act, approved February 25, 1869, providing for a public survey of the whole 4,000,000 acre grant, and then within a year after completion of the survey, both homesteaders ("actual settlers") and claimants who had bought their land from St. Vrain or the heirs of Vigil ("derivative claimants") were to prove up their claims to the satisfaction of the Register and Receiver of the proper land district—and the decision of these land officers was to be final and without appeal. Upon the recommendation of the Register and Receiver, the Surveyor General would issue plats to successful claimants, which should be evidence of their title.⁴⁴

In May, 1869, the land office at Denver published a notice in the *Colorado Chieftain*, a Pueblo newspaper, addressed to claimants of the Las Animas Grant (as the Vigil and St. Vrain grant was now called), advising them to furnish the Colorado Surveyor General with a description of their claims within three months. Charles Autobees had Allen A. Bradford present his claim:

To the Hon. Wm. H. Lessig, Surveyor General of Colorado

Sir In compliance with your notice of May 3d 1869 to the original claimants, derivative claimants and actual settlers on the St. Vrain and Vigil or Las Animas Grant, I hereby give Notice that I claim as derivative claimant by virtue of a purchase from the original grantees and *actual settlement* upon the same the following described tract of land being within the original grant made to said St. Vrain and Vigil to wit "A certain tract of land and lying in the Huerfano River [sic] and commencing about a mile and a quarter from the junction of the Huerfano River with the Arkansas River thence running up the valley of said Huerfano river one and one half miles, so as to embrace all the *irrigable* lands in the valley of the said River Huerfano and known as Sec. no. 12 and No. 13 of Lower Huerfano on the survey and field notes made by Thomas Means."

Given under my hand this 19th day of July 1869

Charles Autobees
by A A Bradford Atty

In his letter of transmittal, Bradford explained to Lessig that the "old man had lived on this land for more than 12 years."⁴⁵

(To Be Continued)

⁴³ H. Exec. Doc. 1, 39th Cong., 1st Sess. (Ser. 1248), p. 23.

⁴⁴ U. S. Statutes, Vol. XV, 275.

⁴⁵ A typewritten copy of Autobees' claim and Bradford's letter are in the Library of The State Historical Society of Colorado, Denver. The originals seem to have disappeared; at least, they are not among the body of Vigil and St. Vrain Grant material sent to Washington, nor with the records of the Colorado Surveyor General, now in the Bureau of Land Management, Denver.