

Benjamin Woodbury

By VALERIE WHYMAN

Miss Valerie Whyman, 163 Lafayette Street, Denver, student at East High School, won the \$50 first prize in the Colorado Day True 1859 Episode Contest, part of the 1959 Central City Opera House Festivities last August 1.

Miss Whyman, daughter of Mr. and Mrs. Ainslee Whyman, wrote about her great-grandfather, Benjamin Woodbury (1831-1910), who followed the Rush to the Rockies to Gregory Gulch in 1859, and established a firm of millwrights and contractors.

Second prize in the contest went to Bonnie Bogue of Steamboat Springs, Colo., High School, whose essay was entitled, "Bloomer Girl on Pikes Peak." It was the story of the first white woman to climb the peak.

Judges of the entries which were submitted by contestants from Colorado colleges, high schools and junior high schools were: Miss Caroline Bancroft, Chairman of the Contest and Chairman of the Colorado Day Activities at Central City; Agnes Wright Spring, State Historian of Colorado; and Alan Swallow, publisher of Big Mountain Press and Sage Books.—*Editor.*

Dawn of March 12, 1859 was chill and gray. Mist enveloped Westport Landing as eight ox-drawn covered wagons climbed slowly up the muddy banks of the Missouri River and moved westward.

Swaying on one of the wagon seats was Benjamin Woodbury, a stocky young man of twenty-eight. The collar of his heavy jacket was turned up about a face framed in a sandy beard. The piercing blue eyes and the generous mouth and nose gave him a look of quiet strength.

He sat thinking that he'd come a long way from the family farm at Round Pond, Maine, and his dwindling work as a ship-builder at Bangor. He remembered the long trek to Milwaukee, but Great Lakes' shipping was also hard hit by the Panic. But if he hadn't found much work, he'd found a wonderful wife, a young widow with two little girls.

There he'd heard ever-mounting talk of gold in Kansas Territory. A compelling eagerness grew within him. Gold did not beckon, but rather an opportunity to find a pleasant and rewarding place to live.

* * * *

Fifty days passed in slow procession. Days along the Kansas River and past sun-baked Fort Riley. Days along the Smoky Hill River, its valley dotted with antelope and buffalo herds. Days of jolting agony over alkali-stained land broken by barren gullies. Days of freezing rain and wallowing mud. Days of biting wind and choking dust. And then that day when the Rockies reared their snow-crowned heads against the western horizon. The wagons wound their way among cottonwoods and chokecherry bushes into Denver City and Auraria on May 2.

The rival settlements sprawled along both banks of Cherry Creek—a scattering of log cabins and tents, and a forest of Arapahoe teepees. Ben enjoyed the sights and sounds of men

again. The Denver House Bar smelled cool and earthy, and the whiskey was raw and strong. He was young and friendly and soon was one of the vital, noisy crowd which talked endlessly about—GOLD! GOLD! GOLD!

He was caught up in the restless drive of these men with unknown destinations and in a great hurry to be on their way.



BENJAMIN WOODBURY
A Fifty-Niner

So two days later Ben was at the half-built Elephant Corral, where he felt he got the better of A. J. Williams—trading him a brace of foot-sore oxen and a rickety wagon for two stout mules and a well worn saddle.

With his blankets and tent behind him, his provisions and precious chest of carpenter's tools on the pack animal, he rode down to the ferry. The Platte River was wide and swift and deep, and the ferry was a sorry thing of rough planking with pole and rope railings. Ben paid his dollar fee and was happily

surprised when they landed on the opposite bank, instead of plunging off downstream.

In company with several other men, he started for Jackson's Diggings. They followed brawling, foaming Clear Creek for two days, arriving at the camp in a blinding snow storm.

With clearing weather the miners lost no time resuming their toil. The pick swinging, the shoveling of heavy dirt, the work in icy waters held no appeal for Ben, even when the pans showed gold. Instead he cut down trees and hand whipsawed the trunks into rough planks to make sluice boxes and rockers, which he sold at \$5.00 each. He was paid in dust and small nuggets and there was a comfortable heft to his poke at the end of the week.

One afternoon Will Byers and some friends rode into camp. The gathering that night around the campfire was mighty fine, for Will was a walking edition of his newspaper, *The Rocky Mountain News*.

The next morning a man rode in from Arapahoe with word that John Gregory had discovered GOLD on the north fork of Clear Creek! A stampede started to the Cherry Creek settlements for provisions before making a dash for the new gold field. That way was too long for Will Byers and his friends. They decided to risk the unknown direct route over the mountains. And Ben Woodbury went with them.

They literally hacked their way, foot by foot, up Virginia Creek Canyon, battling rocks and down timber. For three, back-breaking days they pushed across the wild hills before they saw the smoke of campfires in Gregory Gulch.

Twenty men were camped there, led by red-bearded, squint-eyed John Gregory. They knocked off work to show the newcomers the lodes, the claims staked out, the gold already recovered. The Byers party stayed several days staking out claims before they returned to Denver City.

Ben stayed on. He staked out a building claim in the lower end of Gregory Gulch, soon known as Black Hawk. He pitched his tent on his claim and started the foundations for the pillared home to which he would bring his family in 1862. He built sluices and rockers. Then he built log cabins. One complete with door, two windows and a roof guaranteed not to leak cost \$150. With a wooden floor it was \$160.

The first day of June lanky Green Russell, with his braided beard, led his large band of Georgians through the Gulch and higher into the hills. A week later Ben sat on the hillside with three thousand men to hear Horace Greeley tell of the gold camps he had just visited. The newspaper account of his trip started the rush of gold-crazed thousands to the Rockies.

Ben saw the flood tide of gold-seekers sweep up the gulches only to ebb with failures and the coming winter. But he stayed on to establish the firm of Woodbury & Norton, Millwrights and Contractors; to build homes and stamp mills; to sire two

children, to serve as mayor of Black Hawk and in that capacity to welcome President Grant.

Ben found his share of gold, working and building with his hands. Happiness was his. And that is above the price of gold. The End.

Reference Sources on Benjamin Woodbury: Most of this episode in the life of my great-grandfather, Benjamin Woodbury, is based on direct conversation with his daughter, Laura Woodbury Whyman, my grandmother. She loved nothing so much as to talk about "Papa"—his fifty days across the Plains by covered wagon; his impressions of early Denver; his trip to Idaho Springs and his arrival in the late spring blizzard.



Valerie Whyman, Winner of First Place, Receives \$50.00 Check from Davis W. Moore, Executive Vice President, Central City Opera House Association, Central City, Colorado.

Highlights of her narrations were his rugged trip with the Will Byers party into Gregory Gulch via Virginia Creek Canyon; and his decision to stay in Black Hawk. The Woodbury family lived there fifteen years, 1859 to 1874.

Benjamin Woodbury established the firm of Woodbury & Norton in 1862 and they built many homes, mills and the first penitentiary building erected at Canon City. Ben Woodbury was mayor of Black Hawk 1873-74.

He left in the summer of 1874 to build and reside briefly in the ornate house that was the first Sands Home building in north Denver. He built a home in Boulder and established the Fruit Vale Nurseries. He died in 1910.

Laura Woodbury was born in Black Hawk on April 29, 1866. She was baptized two months later by Rector Cortlandt Whitehead, of St. Mark's Episcopal Church, Black Hawk. Rev. Whitehead later became Bishop of the Diocese of Pittsburgh, Pennsylvania. Laura married Robert Whyman on June 22, 1892, and moved to Denver to live. Their son, Ainslie C. Whyman, is my father.

There are old letters and papers substantiating Laura Whyman's accounts. There is an engraved business card of Woodbury & Norton showing the pillared Woodbury house which still stands in lower Black Hawk.

There are oil portraits of Benjamin Woodbury and Laura Woodbury Whyman painted in 1876 by Charles St. George Stanley in the possession of the Whyman family.

I read the following books for exact dates and additional historical information: *The Smoky Hill Trail*, by Dr. Margaret Long; *The Gulch of Gold*, by Caroline Bancroft; *History of Denver*, by Jerome C. Smiley; and *Denver in Slices*, by Louisa Arps.—V. W.

* * * *

CAN ANYONE HELP?

Olan L. Hicks, Instructor in Religious Education at Freed-Hardeman College, Henderson, Tennessee, has written to ask if we have any information about a party of perhaps twenty-five to fifty Southern sympathizers who came west during the Civil War, including among its number: Jason S. Hicks, Jack Breedlove, Tom Martin, and Jim Reeves.

Mr. Hicks writes: "At the outbreak of the Civil War, my grandfather, Jason S. Hicks, was living in East St. Louis, Illinois. When the War Between the States suddenly developed to the point that enlistments were the order of the day, the North tried to conscript him into the Union Army; but he refused to enlist, and because he could not get out of the area to the South to join the Confederate forces with a number of his immediate friends who were also of Southern sympathies, he fled to the West. . . . The party traveled by boat and "kept near the rivers at all times."

If anyone can supply information about this party during its travels in the West, please contact Mr. Hicks.

Mt. Princeton Hot Springs: A Brief History

By GEORGE CHARLES ROCHE III

George Charles Roche III, who grew up in the old Mount Princeton Hotel on Chalk Creek, between towering Mt. Princeton and Mt. Antero, near Nathrop, Colorado, prepared the following article under the direction of Charles Melien, Instructor in Colorado History of the Salida High School. Cognizant of various inaccuracies in stories about the Mount Princeton Hotel and Hot Springs, which have been printed through the years, the author talked with persons who had much first-hand information, consulted legal papers and studied as many reliable sources as possible. He presents this article with a view to keeping the record straight.—*Editor.*

The Mt. Princeton Hot Springs property has played its role in Colorado history since the earliest days of the American immigration to this area in 1859. Indeed, even before the coming of the gold-seekers, Indian legends referred to the springs of the property as a common campground and watering place.

Situated on the eastern slope of the Rocky Mountains, the property is between Mt. Princeton (14,197 feet) and Mt. Antero (14,269 feet). The canyon, formed by Chalk Creek, takes its name from the stream. The Mt. Princeton side of the valley is formed at its lower end by the towering, broken limestone cliffs known as the Chalk Cliffs.

Ute Indians, attracted to this site by the healing qualities of the hot water which abounds in the lower valley, apparently were the earliest visitors to this place. Springs, running beneath the sandy soil, provided an area several hundred feet in length along one side of the stream on which snow never stood, melting as it fell. (This condition remains true today.) These features, together with the sheltered, wooded quality of the lower end of the canyon, made this area a favorite winter campground of the Indians.

The first white settlers to leave a permanent record of their presence in the gulch erected a structure in the early 1860's on the hillside overlooking the area in which the hot springs rose. The building, known as the Heywood Hot Springs House, became the stage station and hotel servicing the stage route over Tincup Pass, which led to Taylor Pass and on to Aspen, and Altman Pass Toll Road, which later led to Pitkin and Gunnison. The stage line became known as the Nathrop-Tincup stage, receiving its name from the town of Nathrop¹

¹A pioneer named Nachtrieb, reaching Colorado in 1859, had his fling at mining, and being a man of many resources, founded a grist mill on the banks of the Arkansas River near Chalk Creek in 1868. This same year, Nachtrieb was fortunate enough to secure the way station for the Bales Station (near the present site of Salida) to Leadville stage run, and the town of Nathrop (shortened from Nachtrieb by the natives who found the name easier to spell in everyday transactions) was on its way to solid growth. Nachtrieb, an ever enterprising promoter, opened a toll road over Poncha Pass two years later, and then settled down to store keeping in Nachtrieb. An argument with a cowboy over wages led to Nachtrieb's murder in 1881. But Nathrop, the town he founded, lived on to color the local history of the times, of which we are speaking.



HEYWOOD HOTEL AND STAGE STATION PRIOR TO 1875.

which had recently come into existence some five miles below Chalk Creek Gulch, near the junction of Chalk Creek and the Arkansas River.

The Heywood Hot Springs House was a two-story log and slab-board structure, built on government land, without the "squatters" first having made claim to the land. This was not an uncommon practice as the government land had not yet been surveyed, and hence it was impossible to pinpoint any one claim on the map.

Endeavoring to correct this situation as rapidly as possible, the government hired private surveyors to survey the land at their own pace. The private surveyor, working for the government in this area, was D. H. Heywood.

Mr. Heywood apparently was not only a surveyor, but an excellent business man. In addition to procuring a stake of groceries from the proprietor of the Nathrop store, he was soon acquiring the choicest of the newly-surveyed lands. Soon after the land was surveyed and was opened for homesteading, claims began to be filed for the choice land in the bottom of the valley, covering the hot springs and the stream bed. These claims were filed by various helpers of Heywood, and these same helpers immediately filed quitclaim deeds on the land in favor of Heywood's wife. The most interesting feature of these quitclaim deeds was that the date the land was deeded to Mrs. Heywood by the homesteader was invariably *earlier*, according to the abstract, than the date of the original grant by the government for each piece of land. Heywood surveyed the land, picked out and gathered a choice estate, arranging the deal with his helpers, then having his helpers go through the paper work with the government!

For example, L. T. Vernon filed a quitclaim deed on October 30, 1873, in favor of Mrs. Harriet E. P. Heywood (wife of D. H. Heywood), and yet Vernon did not receive the land from the government until April 20, 1874! Numerous agreements of this kind soon produced a large and valuable parcel of land covering the hot springs and lower gulch.

Closely allied to the history of the hot springs is that of the mining development nearby. The earliest definitely recorded strike in the gulch was made in July of 1872, by J. A. Merriam and E. W. Keyes. Their property, known as the Hortense mining claim, was far up on Mt. Princeton. To reach it a long burro path was made. Later a wagon road ran across the face of the mountain. This precarious trail, over which every ounce of ore and supplies had to travel, is still plainly visible today (1960).

By 1875, the Mary Murphy Mine, near Romley (then called Murphy's Switch), was discovered by John Royal and D. A. Wright. This mine was destined to become a great producer, the cause of railway expansion into the valley. There were many other producing mines in the gulch, including the huge

granite quarry near the Cascades, but the Mary Murphy, with 75 to 100 tons a day of \$125-a-ton ore in gold and silver, was easily the largest producer. It was the mine that played a hand in the construction of the second hotel on the Mt. Princeton Hot Springs property.

In 1879, a coalition of miners, using silver money from the Mary Murphy Mine, established the Mt. Princeton Hot Springs and Improvement Company, and began construction of a large hotel. This group, headed by Charles W. Price, had replaced Heywood and several subsequent owners, and had plans for a large scale hotel to dominate the area. The work on the hotel was completed by degrees over the next five years. A three-story masterpiece of the architecture of the times was the result.

Mining production had lured the railroad into running a line up into the gulch by this time, and on August 30, 1880, a right-of-way through the Mt. Princeton Hot Springs property was sold to the Denver, South Park, and Pacific Railroad Company. This supplied the new hotel with rail connections, as a landing was built behind the hotel, then under construction.

The railroad, a three-foot narrow gauge, pushed on rapidly, reaching the new town of St. Elmo² in 1881. Later that same year the famous Alpine Tunnel³ was completed, and the line extended its operation to Gunnison.

The St. Elmo *Mountaineer* on May 3, 1883, was "jubilant over the assurance that two smelters will be in full blast operation this summer on Chalk Creek."

Yes, this was the height of the mining boom in Chalk Creek. Fifty mines were running at peak production in 1883: the Stonewall, the Alliebell, the Florabell, the Pat and Mary Murphy, the Iron Chest, the Pioneer, the Tressie C., and many others were pouring out their bonanza. St. Elmo, Hancock, Romley, Iron City, and Alpine were thriving boom towns. St. Elmo, presided over by the genial bartender, Pat Hurley, was reaching 2,000 population at this time. Several mills and smelters dotted the hills. Through the Alpine Tunnel daily ran many trains from the western slope, sending ore and passengers down Chalk Creek to Nathrop and on their way elsewhere.

Nathrop, at the lower end of Chalk Creek, was also coming

² Named by Griffith Evans who had recently read a novel by that name. Early in 1880, Mr. Evans opened a store about two and a half miles from the Mary Murphy Mine, engaged an engineer, and laid out a town—in about six feet of snow. Because it had been necessary to cut down a heavy growth of pine and spruce timber before the town could be built, it was called Forest City. Postal authorities, however, would not accept the name as there was a Forest City in California.—"Place Names in Colorado," *The Colorado Magazine*, Vol. XIX, No. 6 (November, 1942), p. 219.

³ The tunnel, completed in 1881, at a cost of \$242,000, was run under Altman Pass (later called Alpine Pass), by the Denver, South Park and Pacific Railroad in its "race" with the Denver and Rio Grande to reach Gunnison. The tunnel, 1845 feet long, 12 feet wide and 17 feet high, was lined throughout with California redwood, thought to be unusually resistant to moisture. Though hard to keep open, as huge sections of ice froze in the tunnel from the drainage during many periods in the year, the Alpine Tunnel marked the heyday of railroading and mining in Chalk Creek Gulch.

of age. A railway depot, hotel, two stores, two saloons, and a population of 100 made Nathrop a thriving community. The school at that time was held in the same building still called the Nathrop school today. Two long-time area residents, Mrs. Ella Carson and Mr. Jack Cogan, were in attendance at the school at that time and described Nathrop as a "bustling community."

This valley of activity was just the place for the magnificent hotel being completed at Mt. Princeton Hot Springs in 1884. The property, however, was destined to change hands several times in an era of speculation and expansion.

The heyday of Mt. Princeton Hot Springs was yet to come, but by the time the hotel had reached the zenith of its career the mining and railroading and the boom towns that depended on the mining had all long since passed their peak. Many of the mines were of only a few years' duration. Only the principal producers, including the Mary Murphy, were still operating. This slump, of course, reduced Alpine, Hancock, and Iron City to little more than ghost towns. St. Elmo and Romley, through proximity to the Mary Murphy, continued to prosper.

The railroad, too, was having its troubles. The Alpine Tunnel was extremely difficult to maintain. It was almost impossible to keep the approaches to the tunnel open in winter. W. C. Rupley, chief train dispatcher for the Denver, South Park and Pacific from 1900 to 1909, recalls "One hundred and ten men digging snow between Hancock and the tunnel to keep the line open. I have photos of box cars in the deep snow cuts, a man standing on top of the cars reaching up as high as he could with a shovel extended above him and unable to reach the top. It wasn't railroading in the winter, it was just fighting snow. Slides on two occasions came down . . . and carried cars right out of the middle of the train down the hill."

These difficulties made the line operate at a loss, and forced foreclosure on the Denver, South Park and Pacific Railroad in 1889. The Denver, Leadville and Gunnison fought the winters for ten years before being foreclosed in 1899 by the Colorado, Southern and Pacific. The Alpine Tunnel proved too much for its new owners as well, and operation ceased through the tunnel in 1910. At first the line ran as far as Hancock, but when the turntable was completed at Romley, to service the Mary Murphy, service was cut back to that point. The "Gulf Siding," one mile east of Romley, served as the loading point for the Mary Murphy, the only major producer still left in the gulch.

Although our roaring gulch had now quieted down considerably, the *Mount Princeton Hotel had yet to have its first paying guest*. Even as the mines and railroading were dying, the hotel was about to come alive.

On November 15, 1913, the Mt. Princeton Hot Springs property was taken over by the Carlsbad Hot Springs Corpora-

tion, with an incorporation for \$500,000. E. E. Allen and C. Rohrer, and two other partners entered this ambitious undertaking. As usual in the affairs of the hotel up to this time, litigation ended this undertaking almost at the outset, with Mr. Rohrer emerging victorious. A new owner, one destined finally to utilize the big hotel, purchased the property on December 8, 1915.

The new owner, J. C. Gafford, soon took a partner named Jewell. Gafford, a Kansas City millionaire, put up the money while Jewell's contribution seems to have been hard work. Under this combination, the hotel, so long neglected, became a show place worthy of description.

The building, more than 125 feet across the front and nearly as deep down the one side of its "L" shape, by this time had a fourth story and two towers, one at each end of the building, reaching more than 100 feet into the air. A two-story addition had been attached to the rear of the other end of the "L" as a kitchen and quarters for domestic help. The immense and majestic external appearance of the hotel was honest representation of its inner quality and appearance. The building contained more than 100 rooms of a size far larger than average hotel rooms today. A ballroom, eighty feet square, commanded one corner of the building. Fireplaces were in many rooms. There was a stage for amateur theatricals. A large dining room, connected to a kitchen equipped with a thirty-foot coal range, formed the first story of the section of the hotel whose second story consisted of an entire wing of servants' quarters. The guests ate from an exclusive hotel pattern called St. Elmo, and used monogrammed silver. Unusual maple tables and captains' chairs were common furnishings.

Hardwood floors, covered by long stretches of carpet, were in the halls. Carved, hardwood paneling was common throughout the building. Stained glass windows and solid oak stairways lent a touch of quality to the massive structure. A solid bank of windows offered a splendid view of the Chalk Cliffs, Mt. Princeton and Mt. Antero. Speaking tubes made possible a sort of pre-telephonic communication system between the rooms and the desk. An elevator shaft apparently was used for freight to quickly and silently meet guests' needs.

The railroad "landing" was about forty feet to the rear of the hotel. The grounds in front of the building were enclosed within a rock wall, still standing today, which ran approximately 175 feet along the road. The large enclosure between the hotel and the wall was filled with unusual rock displays and stone arches, as well as fish ponds, complete with fish. The tennis courts flanked the building on the west side. A nine-hole golf course was laid out immediately northwest of the hotel.

Guests arriving in Buena Vista were met by one of five of a fleet of Cadillac limousines, and rushed out to the hotel. If



MT. PRINCETON HOT SPRINGS HOTEL
With bathhouse in foreground. Late 1920's.

a guest should drive his own car, garage space was provided in the basement of the hotel.

A pool was constructed in the hollow of the "L" at the rear of the hotel, but was never filled with water.

To better utilize the hot springs, which rose on a lower level, several hundred feet east of the hotel, a smaller building was erected directly over the springs. Two enclosed pools were built as an integral part of the building.

Charles Thiele patterned the smaller building, containing fifteen rooms plus dressing rooms, baths and dining room, on the plan of a spa which he had visited in Heidelberg when a boy in Germany. He told many times of the problems involved in successfully laying cement over those warm, wet, shifting sands.

The dining room, patterned in a design of rock and logs, is preserved today as an example of high quality craftsmanship in architecture. This smaller building, being built on the sands of the hot springs, needs little or no heat the year around, and stands as a functioning example of radiant heating.

Still more expansion! The *Buena Vista Republican* on May 26, 1922, exclaimed, "Beautiful new outside pool to be thrown open to the public Memorial Day." This pool, larger than the rest, is more than 120 feet long, 12 feet deep in the deep end, and has a fifteen-foot diving tower. This pool was so constructed as to have the hot water only the thickness of the wall away from Chalk Creek, rushing down to the Arkansas.

Mt. Princeton Hot Springs comprise seven main springs and countless small springs which produce 175,000 gallons of water every twenty-four hours. This water, coming from the ground at 130 degrees, has neither the offensive taste nor smell usually connected with hot springs. A Buena Vista pamphlet of a vintage before 1910 remarks, "Marvelous cures have been affected through the means of these springs."

The land around the springs rarely holds snow because of the radiated warmth, and even Chalk Creek does not freeze below this point for many miles.

The addition of the fourth pool was still not enough for our energetic operators. Witness the *Buena Vista Republican*, in 1924, which exulted, "Sixteen-piece band, the Kansas City Jayhawkers, playing nightly for dinner and dancing."

But by that time Mt. Princeton Hot Springs had reached its peak of glory, and the road led downward for the hotel from then on. The turn of fortune was accompanied by the death rattle of near-by towns and mines.

On Friday, September 2, 1924, the *Buena Vista Republican* grimly reported, "The Colorado and Southern ceases operation . . . Mary Murphy at Romley and the Granite Quarry at Cascades close." These were the last mining operations in the valley. Even the magnificent Mary Murphy Mine, producer of an estimated 14 to 60 million dollars, had finally closed. No

more important mining, no more boom towns, no more railroad . . . the heyday had passed.

Nathrop, too, had become only a store by the edge of the road.

Gafford, in a promotional attempt, incorporated the hot springs property on January 15, 1925, calling the new corporation Mt. Princeton Hot Springs Company. In addition to the issuance of stock, the new company borrowed heavily from the Fidelity National Bank and Trust Company of Kansas City, Missouri. The stock issue was sold during a trip through Kansas under the name of "Mt. Princeton Gold Bonds."

Use of the property from this time on seems to have been promotional rather than operative. There was little interest in its successful operation, but much interest in the property's exploitation. Large quantities of land were sold off from the original property or were given away in payment for work done for the hotel company. In this way, the lands belonging to Charles Thiele, the Cowgills, and the Nafzigers came into existence at this time. These properties exist in much the same form today.

In 1926, the railway tracks in the valley were torn up. The right-of-way reverted to the hotel property on August 20, 1929. Shortly after this, on November 19, 1929, the policy of exploitation had its inevitable result; the Fidelity National Bank foreclosed on the property.

The bank then attempted to run the property through agreements with various local citizens. In 1930, the season was opened under a new name—the Buena Vista Park Hotel—as any reference to the old name would have precluded a landslide of claims from the holders of the "Mt. Princeton Gold Bonds." Mr. Lamb, proprietor at this time, attempted an all out return to the days of full-time operation, and had moderate success. The depression and resultant slack times, however, soon led to a new manager, Dr. J. Outland, a bank director.

Dr. Outland ran the property for two seasons. During this time a sale of the property was pending with the Baker Hotel Chain, a chain comprising twelve hotels throughout the United States.

On May 29, 1931, the Buena Vista *Republican* mentioned that "a Bellanca Pacemaker Airplane, powered by a 300 h.p. Pratt and Whitney Wasp Junior motor, brought Mr. Baker, head of the Baker Hotel Chain, Dr. J. Outland and Pilot H. D. Young to visit the property." The article also said, "Mr. Baker left yesterday for Wichita, soon to return, bringing Mrs. Baker and their son to look over the hotel."

The return visit was ill-fated for all concerned. While the Bakers were staying at the hotel negotiating for the property, their five-year-old son was bitten by a rabid dog, and was perilously near death before he finally recovered. Baker, losing all interest in the property, dropped his option and left, never

to return.

Grace Thiele took over operation of the property for the bank at this time; and also served as postmistress of Mt. Princeton Hot Springs post office. The next season Mrs. Thiele took on a junior partner, Mrs. Cole, who within a year became sole manager for the bank.

Under Mrs. Cole the property was renamed the Antero Hotel and continued to operate during the 1930's.

Mrs. Cole deserves mention as a personality. While she met with only moderate success as a hotel operator, she showed outstanding human relations ability. By her own public admission, she had married three times, once for the sake of art (Mr. Morton, a dancing teacher), once for a child (Mr. Benedict, a fine athlete, especially as a swimmer), and once for love (Mr. Cole, her current husband). While this may seem unusual, the real rarity connected with this was that *all three husbands* lived simultaneously at the Antero Hotel during the time of Mrs. Cole's management. Most cordial relations prevailed as all worked on the property together, and not infrequently enjoyed outings as a group.

By 1940, operation of the hotel had ceased except for spasmodic operation of the pool by the caretaker for the bank, Bill Benedict, the second of Mrs. Cole's three husbands. The bank, finding that no real return had ever accrued from its investment, offered the property for sale in 1944.

On May 19, 1944, George C. Roche, Jr. and his father, George C. Roche, Sr., purchased the property and began rebuilding the property.

At the invitation of the Roches, Charles and Dessamary Black, their sister and brother-in-law, opened a school, using the big hotel and the pool facilities free of charge. From 1946 through 1949, the school, Mt. Princeton Commonweal, worked with many children; but financial obstacles proved insurmountable, and the school ceased operation in 1949.

In 1950, the large hotel was sold to John Crowe of Abilene, Texas, who razed the structure, taking out more than one million board feet of lumber which he used to construct a housing development in Abilene.

The property has been run as a bathhouse, featuring pool and pit baths since 1944. The present sole owner, George C. Roche, Jr., still constantly strives to improve the appearance and condition of the property, and runs the cleanest possible pool and bathing facilities.

There have been many changes. Nathrop stands as a lonely store by the edge of the road; the few remaining ties of the old railroad rot on the grass-covered roadbed. The mines and mills of yesteryear stand vacant and rusting. The boom towns which grew up with the mining are now ghost towns or nearly so. Only the foundation shows where the proud hotel once stood at Mt. Princeton.

Cripple Creek Memories

By WILLIAM W. WARDELL*

In 1895 my father, John B. Wardell, left Aspen for Cripple Creek, where he purchased the grocery store of E. C. Simmons, on Third Street, between Bennett and Myers Avenues. Shortly afterward my mother, my sister Lulu, and I took the horse-drawn omnibus from our house to the Colorado Midland train bound for Denver. There Lulu and I attended Whittier School that winter.

As soon as school closed in the spring, my father came to Denver and took me to Cripple Creek. We had a small room over a restaurant on Masonic Avenue, not far from the store. This was one of the few brick buildings left standing after the disastrous fires of April, 1896, and rooms were at a premium. Many persons were living in tents and board shacks which they had erected hurriedly.

The first of the fires had started at the Portland Hotel, located near Second and Masonic, and had stopped on Third Street, just across from my father's store. When it seemed as though the store would go, father moved all his stock of goods up the hill to the warehouse, which was on Golden Street near the Catholic Church and Miners' Hospital. The second fire destroyed most of "Old Town" and the area where the warehouse was located, so he lost his merchandise anyway.

After the big fires, Cripple Creek organized a splendid fire department. One of the fire stations was located between Third and Fourth Streets on the high side of Bennett Avenue, this street being divided by a stone wall so that one side was many feet higher than the other. The station had some beautiful horses that pulled the fire engine and they had fire drill three times daily. As the large doors were always open, we boys liked to stand in the doorway and watch the men slide down a pole from the second floor, while the horses would rush out of their stalls and get in place for the harness to drop down on them.

This was most interesting until one of the firemen conceived the idea of hitching up an electric magneto like those in use on telephones. He then ran a wire from the magneto to the iron chain which hung across the doorway. As soon as he would see from the second story window that we boys had caught hold of the chain, he would start grinding the magneto. As he had arranged that the ground in front of the chain was wet down we would get a terrific shock. We yelled and screamed and sometimes we were unable to let loose of the chain.

*William W. Wardell of Denver, Colo., a Registered Accountant, who was with the U. S. Internal Revenue Department for thirty years, is the author of "Memories of Aspen, Colorado," in *The Colorado Magazine*, Vol. XXXV, No. 2 (April, 1958). These recollections of Cripple Creek were written by Mr. Wardell more than a year and a half ago, before the publication of various recent books and articles on Cripple Creek.—*Editor*.



CRIPPLE CREEK, AFTER FIRE, 1896

The electric light plant had a very loud and shrill siren which it would blow for quite some time whenever there was a fire in town, and the people would all come running out of their homes because the memory of conflagration wrought by the two big fires in 1896 still made them nervous when they heard the siren blow.

The "New Town," which was rebuilt over the embers of the previous fires, was made up largely of frame buildings and shacks hastily constructed. There were a few small gardens, but no lawns or trees, for the ground was very rocky and any rich soil had to be brought into town.

Larry Marony had the main lumber yard in town and was doing a land office business. A Mr. Greer was his office manager and bookkeeper. It was a common sight to see a load of lumber driven up in the morning to a vacant piece of ground and unloaded. Soon the carpenters would erect a car-shaped cabin of one or two rooms, and in no time at all the family would be living in the shack, which a few days later they would cover with black tar roofing paper, and fasten it to the sides with tacks driven through large round tin buttons. This was also the way the woodsheds and outhouses were constructed.

Except in the National Hotel and store buildings there was very little plumbing in town. Bathrooms were few and residents had to buy water by the bucket. The water wagon would come around once a day. People would fill their water barrel in the kitchen, paying five cents or so a bucket. The Saturday-night bath was usually taken in the kitchen in a washtub with water that was heated in a reservoir on the back of the kitchen stove. Wood and coal were used in the stove. The house usually was heated with a base burner that took hard coal, dumped from the top into a large funnel-shaped cast-iron pipe, which let the coal spread into the firebox or grate as the fire burned. These burners had isinglass in the doors on all three sides so that the flames showed through and gave warmth to the room. They would be lighted in the fall and would run all through the winter and spring until warm weather arrived. Hard coal had considerable iron in it and at intervals it was necessary to dig out the clinkers that accumulated in the firebox or grate.

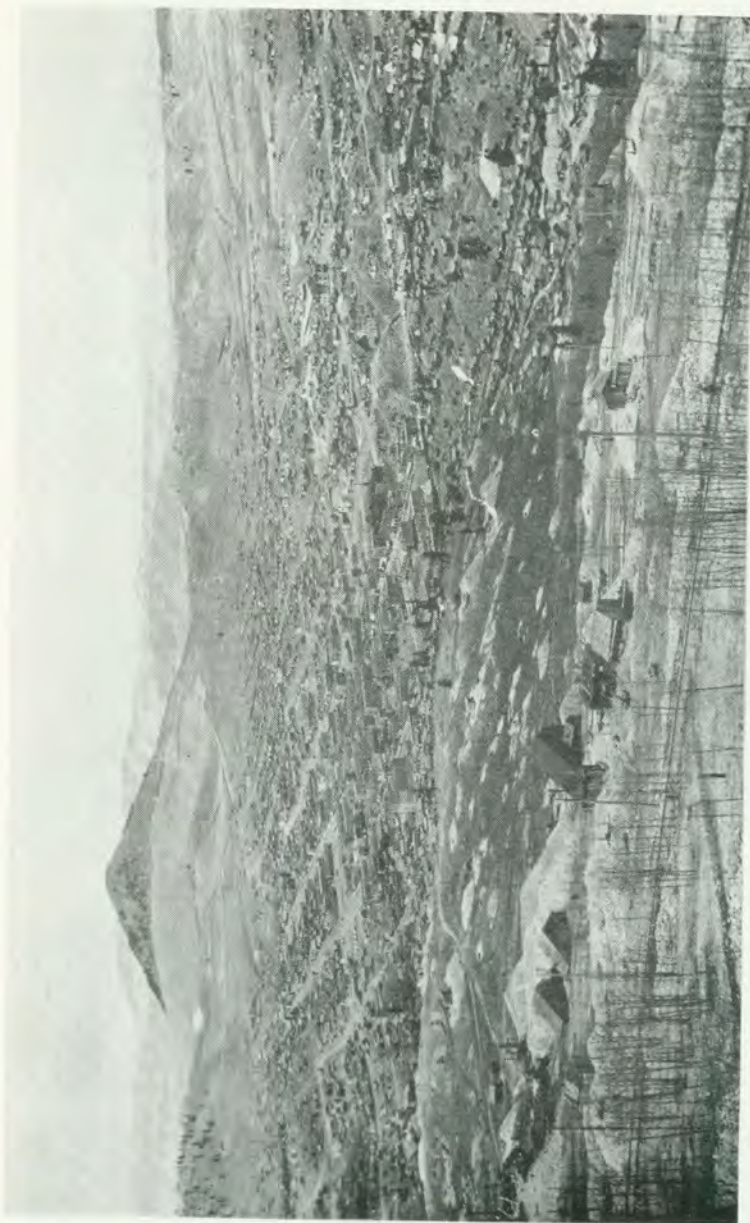
Farley Brothers and Lampton had the principal undertaking parlors and these were located in their two-story brick building on the corner of Third and Bennett, just a short distance from my father's store. Their morgue was in a shack across the small alley from the store, and I often would see the bodies laid out as they were prepared for burial. Owing to the large number of mine accidents and the many drunken brawls in the red-light district, to say nothing of the deaths from disease and natural causes, this was a busy place. There were no ambulances then as we know them now, and people who were sick and had to go to the hospital were taken in

wagons drawn by horses. Express wagons were often used both as ambulances or hearses.

When I first went to Cripple Creek I carried Special Delivery letters. Business was so brisk in town and goods were moving so rapidly that merchants wanted their mail by Special Delivery. As the post office building had burned in the fires, its affairs were conducted in a small building back of Johnny Nolan's saloon and gambling parlors, at the corner of Third and Bennett. There were no postmen or letter carriers, and people had to come to the post office to get the mail at the General Delivery window or from a box. The number of boxes was limited, so people would form a long line several times a day when the mail came in. This would require standing in line quite some time. They often paid boys to do this for them. Eight or ten of us boys had the privilege of carrying Special Delivery letters. We would help take the sacks off the wagon when it arrived at the post office. The clerks would dump the sacks on the floor or on a large sorting table, and we would grab for the bundles that had Special Delivery mail. We would then hurry and enter the letters in our book and run down the street. We got eight cents for each letter delivered, and as the business men would have a number of letters with invoices and important mail each day, we would often make eighty cents to a dollar at each place. This is where I became acquainted with Danny Sullivan, who was a clerk in the post office and later became postmaster. He succeeded Postmaster Kennedy, who died in office and whose daughter held the position temporarily until Sullivan was appointed by President McKinley.

In those days the Cripple Creek District was in El Paso County. Many more people lived in the district than around Colorado Springs. Hence, all important offices, such as Sheriff, County Superintendent of Schools, etc., had to be run by deputies or assistants. Teller County, of which Cripple Creek is now the seat, was not created until 1899.

Cripple Creek was made up of a different class of people, especially the men, from those who lived in Aspen, my former home. Most of the miners in Aspen were experienced, but a great many in Cripple Creek were attracted from agricultural states, as they heard of the fabulous fortunes being made from gold discovered near the surface. The result was that Gold Hill looked from a distance as though it had smallpox, with shallow shafts all over the face of the mountain. Some of the big producers were at the bottom of the mountain or on its side; these included the Abe Lincoln, C.O.D., and Gold King, all at the head of Poverty Gulch; farther up the side of Gold Hill was the Moon Anchor and the Anchoria Leland. The last-named mine produced a good deal of the fortune of the Howbert family; the older brother, Irving Howbert, was president of the First National Bank in Colorado Springs and was instrumental



CRIPPLE CREEK
May 20, 1898

in getting the Cripple Creek Short Line constructed between 1900 and 1902.

Before that there were two other railroads, known as the Midland Terminal, and the Florence and Cripple Creek. The former came in from Colorado Springs and Manitou via Divide, and the latter by Phantom Canon from Canon City and Florence. The Florence and Cripple Creek Railroad had the first train that I had ever seen that had an electric headlight, and we often went up on Reservoir Hill, just back of our house, to watch the train come in and to observe the reflection of the electric light on the sky and rocks as it came around the mountains into town.

When the Short Line was completed, the Midland Terminal tried to put it out of business by reducing the round-trip fare between Colorado Springs and Cripple Creek to forty cents. My recollection is that the Short Line never reduced its fare to less than forty cents each way. It was quite a lark for the Colorado Springs folk to go to Cripple Creek and return every week end while the railroad fight was on.

In Aspen people seldom bought less than a dime's worth of merchandise, but customers in Cripple Creek thought nothing of asking for a nickel's worth. I remember standing alongside my father one day in Cripple Creek when a man came into his store and asked for a nickel cut of chewing tobacco. My father cut off a dime's worth and told him to "keep the change." Tobacco came in one-pound plugs, with twelve or twenty-four plugs to a butt or carton. The plugs were marked with five spaces on one side and six on the other, so that if you sold the tobacco by the ten-cent cut, you would use the side with the six spaces, and if you sold the whole plug it could be cut into five pieces.

One little urchin would come into my father's store almost every noon and get five cents' worth of dill pickles, which were two for a nickel. One day my father asked him why his mother did not buy a pint or quart of pickles at a time. His answer was, "Mother says we get more when we only get five cents' worth at a time." This was true, because the clerk usually picked out two large pickles for the money and they never got any small ones.

One of the many jobs I had while a boy in Cripple Creek was doing the janitor work in a small cigar store which had the agency for the Denver newspapers. One of the little newsboys would come in daily and get a dollar's worth of nickels for a silver dollar. Then he would come back later and get the nickels changed into one silver dollar. I asked him why he did this all the time, and he answered, "Sometime someone will make a mistake and it will not be me!"

In February, 1898, when the report came over the wires that the battleship *Maine* had been blown up in Havana harbor, I was in the eighth grade at the Golden School, located

at Golden and Fourth. "Professor" Card was one of the teachers of the eighth grade and he held class in a small room right under the belfry. The large rope which was used to ring the school bell was in this room and often Professor Card, who was also the principal, would have to stop the class while he administered some corporal punishment with the bell rope to some unruly youngster who had been sent up to him for correction by the teacher.

As soon as war was declared the miners streamed down to town and volunteered their services. Captain Davis, who later took a regiment to the Philippines, would drill the men at the armory every evening, and we boys would go to watch them.

During the war a traveling bartender-artist named Archie Harder had the wall of one of the main saloons on Bennett Avenue between Second and Third Streets painted black, like a huge blackboard. This wall ran from the front of the building back to the alley, and every day the artist would have pictures in colored chalk of the happenings in the war as he got them from the newspapers. On one part of the wall he had maps of North and South America, and he would show the position of the battleship *Oregon*, which was headed "around the Horn" at the southern tip of South America. He also showed the picture of the naval battle conducted by Commodore W. S. Schley and Rear Admiral W. T. Sampson, when Cervera's fleet was bottled up in Santiago Harbor. There R. P. Hobson piloted a ship into the bay under the Spanish fire and sank it in the narrow passageway, after which he swam back to the fleet. Hobson later toured the country as a war hero and made a great hit with the ladies.

The great Klondike discovery was made in 1898, and there was a general exodus of people from the Cripple Creek District; among them was Jack Dalton, a dealer in a gambling house, and his wife,¹ as well as many gamblers, bartenders, and kings and queens of the underworld, to say nothing of the many miners and business men. Many of these returned broke after suffering untold hardships in the Yukon. Jack Dalton and "Soapy" Smith—one of the men who controlled gambling in Denver and Creede before going to Alaska—went to Skagway. "Soapy" Smith was killed there and Jack Dalton later returned to Colorado.

My father was killed in June, 1898, while operating a lease on the Anchor Number Two, of the Anchoria Leland property, which was just above the Moon Anchor Mine on Gold Hill, overlooking Cripple Creek.

A good deal of the rich gold ore was found near the surface. Not far from the shaft house on the Gold King property, which

¹Mrs. Dalton befriended me after my father's death by helping me find work. The elevator in the Denver Museum of Natural History was her gift of many years later. Jack Dalton died in Leadville in 1921 and his wife had to pay for his burial, although they had been separated for eight years. In 1913, Mrs. Dalton moved to the Metropole Hotel in Denver where she lived with Mrs. Joseph Standley.

was located at the upper end of "Poverty Gulch," at the base of Gold Hill, there was a large stone on which the men would sit while eating their lunches. One day one of the men got curious and turned the rock over, to discover that it contained a great deal of sylvanite, which when roasted turned to metallic gold. I doubt whether the Gold King Company got the proceeds from this find. There was considerable high-grading going on, and it was the money that was received from the sale of stolen ore that kept the gambling tables going.

The District was wide open and a great deal of gambling went on day and night. Of course, there were many dance halls, parlor houses, and cribs. One of the principal places for gambling was over John Nolan's saloon at the corner of Third and Bennett. There Jack Dalton and the father of Herbert Collins, one of my school mates, held forth as dealers every day and night. As I sold newspapers on the street. I was often in Johnny Nolan's saloon where I sometimes sold all my papers. It was not an uncommon sight to see ten- and twenty-dollar gold pieces piled high in the center of the round, green cloth-covered tables. Of course, there were many stacks of silver dollars. Hard money was always used when the games of chance were in vogue.

One day the man for whom I had been employed a number of times to deliver handbills asked me if I would like to work that night in stuffing some pieces of paper into little tubes. He said he would give me and another boy five dollars apiece if we would work most of the night. We, of course, jumped at the chance, for that was a considerable amount of money in those days. It turned out that the pellets were for a lottery that he was conducting. We were working in a back room at the rear of a saloon that was next to the fire station, City Hall, and jail. Early the next morning when I had not returned home, my mother became extremely worried about me and got in touch with my uncle, Dexter Reynolds, who, with a man named Berbower, had a real estate office only a few doors away from where I was working. The result was that my uncle had most of the town looking for me, including the chief of police, but no one ever found me until I had walked into the house after breakfast displaying a nice, new five dollar bill.

In addition to selling newspapers, I carried three paper routes—the Cripple Creek *Times* in the early morning; the *Denver News or Republican*, which would come in on the train from Denver about noon; and the Cripple Creek *Evening Star*, which came out about four o'clock in the afternoon. In this way I would carry all three routes and not miss more than one hour of school. I would wait at school until I heard the train whistle and then go down and get my papers that came in from Denver. I would then get back off the route in time to attend the afternoon school session. I did this regularly until after my father's death in June, 1898, after which we went to

St. Louis, Missouri, and I attended school there the next fall and spring. When we returned to Cripple Creek in the spring of 1899, I went to school for a few months in the new high school located on Fourth Street, across from the National Hotel. In my second year of high school I left to take the job of collector for the entire district for the *Denver Republican*. I worked under Harry Newton, who was a newspaper man and later became a mining promoter.

I had been working for Mr. Newton only a few days when I hired a horse and went to collect for the paper around Victor, Independence, and Goldfield. As it was necessary to catch the miners after supper, I found most of them in the saloons. By the time I had made my collections, it was late at night and I did not arrive back in town until after midnight. There I found Mr. Newton and his wife and Mrs. Dalton (who was instrumental in getting me the job) very worried. Mrs. Newton had only a few days before lost her pocket book with a tidy sum of money in it, and Harry was afraid that he might have to make good any money that I might have lost or had stolen from me.

I really had no trouble except with one man named McNamara, a prospector who lived alone in a cabin. When I called at the cabin and asked for the amount of the bill he owed for the paper, he chased me off with a shotgun. I cleared the rail fence around his property in one leap.

Once I called on an old prospector at his cabin away off the beaten path and he handed me a bright, new twenty dollar gold certificate. I looked at it for several moments. Since he only owed about \$1.50, I would have had to give him a lot of change. While I was debating with myself, he said, "I just made that this morning." I was certain it was counterfeit, and he had to go to considerable lengths to convince me that it was genuine currency.

The Cripple Creek *Times* had the first gasoline engine I had ever seen. About 1898 it was being used to run their press, but it had only one cylinder and often it would quit running entirely. They would work on it for hours, but when it did start again, they did not know what they had done to make it run. The paper was often late because of this.

The first automobile I ever saw was one bought by a mining man by the name of Johnson. He had made a large strike on the mine he was working on the top of Gold Hill. He went to Chicago and bought this one-cylinder auto which had a tiller for a steering wheel and wheels like a small buggy. It would run down hill nicely, but it had a terrible time trying to climb the steep grades used by the ore wagons, and usually it caused two or three runaways, as the horses were scared of such a contraption.

Cripple Creek was probably the first mining camp in the world where the miners rode to and from work in electric



CRIPPLE CREEK
Bennett Avenue about 1901

trolley cars. These ran over two routes between Cripple Creek and Victor, known as the "High Line" and the "Low Line." The High Line went over Gold Hill via Midway or Wild Horse Junction and into Victor, and the other went around by Anaconda.

About 1898 the High Line had a bad accident. These were very large cars, on the order of a railroad passenger car, and were like the interurban cars that ran between Denver and Boulder some years ago. It seems that the brakes went bad on the car coming down from the top of Gold Hill and it hurled down the mountain until it hit the car coming up from town. This knocked the brakes loose on the latter car and it went roaring back down the hill at about one hundred miles per hour. It came down through Poverty Gulch and down Myers and Masonic Avenues until it reached Second Street, when it jumped the track at a curve and went flying into the air nearly as high as a telegraph pole. We boys were sitting on the sidewalk in front of the *Evening Star* office waiting for the paper to come out when the car passed us at terrific speed. The only person badly hurt was a man who jumped off the car right after the collision. Those who stayed with the car were injured, but not seriously.

In 1900, I moved from Cripple Creek to Colorado Springs, making the trip on the stagecoach drawn by four horses. These stages would leave Cripple Creek and Colorado Springs each morning around eight o'clock and arrive at their destination in the late afternoon. They did considerable business as it was shorter than going to the Cripple Creek district via Divide as the railroads did, and the fare was less. These stages were discontinued soon after the Cripple Creek Short Line was completed, but the old stage road coming into Colorado Springs may still be seen on the north end of Cheyenne Mountain.

Captivity of the Denver and Rio Grande

By ROBERT G. ATHEARN*

During the later years of the nineteenth century, as the post-Civil War land rush reached climactic heights, there were numerous clashes among the contestants who struggled for ascendancy in the quest for economic gain. Among the corporate treasure hunters were the western railroads, large and small, whose managers sought priority in marking off domains they hoped to call their own. From time to time there were collisions of interests that resulted in open warfare, with the smaller lines frequently being gobbled up by their larger opponents. In the late 1870's national attention was focused upon the spectacular battle between the Denver and Rio Grande and the Atchison, Topeka & Santa Fe, as the latter sought to crush or absorb the little mountain narrow gauge company. By the end of 1878 the Atchison road had, by the threat of competition, lawsuits, and open warfare that involved physical conflict, so battered its opponent that the bondholders of the Colorado road concluded to lease their equipment and trackage to the invading forces. The lease was signed on October 19 and on December 13 the railroad's President, William Jackson Palmer, reluctantly transferred the property to the lessees.

The Rio Grande's relationship with the Atchison company under the lease was, from the outset, an unhappy marriage. It had to be, for it was performed under what amounted to duress. General Palmer and his associates were not in sympathy with the railroad's nervous bondholders who had insisted upon capitulation, and their conduct was unswervingly antagonistic to their new masters. No sooner had the change been effected than the Palmer men, like unruly urchins, commenced their efforts to sabotage the arrangement. While Palmer wrote testy letters to William B. Strong, vice president and general manager of the Atchison line, David C. Dodge, a loyal Palmer man who had been kept on as general superintendent of the leased line, openly charged violation of the agreement. Newspapers in Denver and Colorado Springs egged them on, for these cities were suddenly aware that the Atchison people were using the Rio Grande as a weapon against its larger enemies, the Kansas Pacific and the Union Pacific. In any rate war the leased line, and consequently the territory it served, was bound to suffer the most. Residents of central Colorado did not want to become the victims of such strife.

During the winter months of 1878-1879, the Colorado air was thick with accusations against the Atchison road. When it talked of leasing the Denver, South Park and Pacific, to

* The companion piece to this article, "The Origins of the Royal Gorge War," was published in the *Colorado Magazine*, Vol. XXVI, No. 1 (January, 1959), 37-57.

prevent that small rival from competing in the Leadville trade, Dodge loudly denounced the move as a violation of the Rio Grande agreement. His argument was that since there was no provision for terminating the South Park road at Leadville, it could well proceed to Alamosa, and that would mean paralleling Palmer's route, strictly forbidden in the lease.¹ There was, at the same time, a good deal of furor over Atchison rate policies. When it raised freight rates sharply, and ordered Rio Grande passenger train conductors not to honor any through tickets along its line *via* Denver, revenues fell off, and since the rental paid by the Atchison line was based upon the income of the D. & R. G., it meant that there was not enough money for the Rio Grande to meet its interest payments. Newspapers friendly to Palmer made the most of the situation, jeering at the supporters of the rival road who had once talked of the Rio Grande's "robbery rates." The *Gazette*, of Colorado Springs, cited the case of a local merchant who recently had paid more to bring goods from Denver to his city than it cost to ship them from New York to Denver. The result of such discriminatory rates was to force any eastbound traffic to go by way of Pueblo, and the A. T. & S. F.

At the same time coal shipments from El Moro and Canon City to Denver (where they might have reached the Kansas Pacific or Union Pacific) practically ceased. When the Atchison road forced its northern rivals into a pooling agreement, by denying them the needed coal, the rebates it earned in the pool were listed as A. T. & S. F. earnings and were not divided with the Rio Grande. The effect of exorbitant rates on Palmer's line, and of the pool, meant that Rio Grande earnings declined close to a thousand dollars a day while Atchison profits swelled. Clearly, this was prejudicial to the best interests of the leased line and a violation of the agreement.²

In February, 1879, the Atchison people tried a maneuver that provoked howls of indignation from Rio Grande supporters. During the legislative session one of the directors of the Pueblo & Arkansas Valley Railroad, an A. T. & S. F. subsidiary, had a rider attached to a minor bill concerning religious denominations that would empower the majority of the stockholders of any corporation to override the decisions of the com-

¹ *Daily Rocky Mountain News* (Denver), January 23, 1879. "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 that the Rio Grande would be extended to both the San Juan silver mines and to Leadville." Robert G. Athearn, "Origins of the Royal Gorge War," *The Colorado Magazine*, Vol. XXXVI, No. 1 (January, 1959), 54-55.

² *The Weekly Gazette* (Colorado Springs), January 4, 1879; Owen Meredith Wilson, *A History of the Denver and Rio Grande Project, 1870-1901*. (Unpublished doctoral dissertation, University of California, 1942), 97.

pany's trustees. The *Weekly Gazette*, of Colorado Springs, charged that the amendment was pasted onto the printed bill and that it went through the legislature, unnoticed by the bill's managers in both houses. The paper was scandalized to think that a major company would stoop to "a wilfull falsification of the public records," in an attempt to supersede the wishes of the Rio Grande's trustees. The only explanation, said the editor, was that the A. T. & S. F. had given up any hope of winning the pending Royal Gorge suit and sought this means of quashing the proceeding, through a vote of the stock it controlled. As further proof of the Atchison Company's desperation he pointed out that in recent days the trust stock and bonds of the Rio Grande had advanced in price which "shows that the stock operators have no faith in the success of the Atchison legislative trick."³

During the same month the A. T. & S. F. tried to pay the treasurer of the Rio Grande, Robert F. Weitbrec, a sum just over thirty-two thousand dollars for the January rental of the road, but it was refused on the ground that the manner in which it was tendered would affect the legal rights of the lessor in the disputed questions between the two companies. Toward the end of March a similar attempt was made, in which about thirty thousand dollars to cover the February rent, was offered. "I declined to receive it as I did when Wilder [E. Wilder, A. T. & S. F. treasurer] made me tender for Jany on the 28th day of Feby," Weitbrec reported. Palmer's Chief Engineer, J. A. McMurtrie, was present during the discussion, as a witness.⁴

During the early spring months of 1879 tensions heightened. The Atchison people worked desperately to complete as much of their line as possible on the contested route between Canon City and Leadville, presumably on the assumption that it would strengthen their arguments in court. McMurtrie made a trip up the Arkansas River in February to see what he could learn and reported to Palmer that the opposition had around a thousand men and a hundred teams at work, grading. He estimated that this phase of the work would be completed by the first of May.⁵

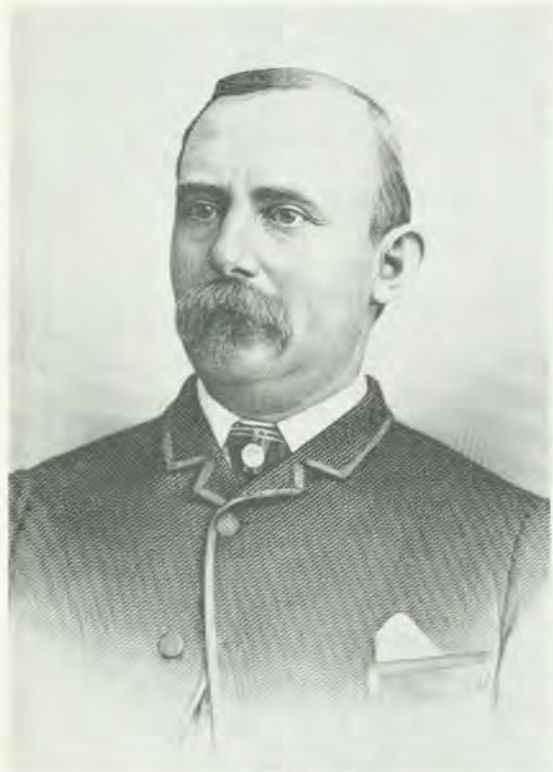
The Colorado Springs *Gazette* watched the proceedings and noted that the home railroad meanwhile was pushing its fight in the courts, hopeful of a favorable Supreme Court decision that would save the day. The paper agreed with the *Denver Tribune's* statement that "The curse of railway traffic in Colorado has been the swallowing up of the local roads by the trunk lines," and pointed to the present jeopardy of the Rio

³ *The Weekly Gazette* (Colorado Springs), February 15, 22, 1879.

⁴ Memoranda of February 28 and March 31 in Robert F. Weitbrec Papers, Notebook No. 5 (1879). Library, State Historical Society of Colorado, Denver.

⁵ J. A. McMurtrie to W. J. Palmer, February (date illegible), 1879, McMurtrie Letter Book "D". Denver and Rio Grande Archives, Library, State Historical Society of Colorado, Denver.

Grande as an example of this undesirable trend. "These trunk lines will try to make this entire state simply a suburb of Kansas City, Chicago, or St. Louis," warned the Colorado Springs editor. Even Pueblo, once so enamored by the A. T. & S. F. that it regarded that line as a kind of philanthropy, was



J. A. McMURTRIE

now beginning to see the light, as its merchants found themselves completely at the mercy of the big road. "From the very nature of things it is disastrous to the business of any state to have its local lines manipulated in the interest of large trunk lines," said the *Gazette*, in arguing that the most desirable situation was one in which home roads were operated by those who lived in the vicinity and had both a knowledge of and an interest in the enterprise.⁶ It was a thesis that Palmer had followed since the inception of the Rio Grande and one that its management would pursue in the mid-Twentieth century. To carry out effectively such a policy was to be one of the major headaches of the "Baby Road." During the winter of 1878-1879 it looked almost impossible.

As long as there was a glimmer of hope Palmer clung to it, determined somehow to triumph over his powerful adversaries. Then in January, the United States Supreme Court handed down a decision in a case between the Missouri, Kansas and Texas Railway Company and the Kansas Pacific Railway Company so nearly covering the point of argument in the Royal Gorge litigation, that the Rio Grande people became quite excited about their prospects. "It so clearly showed that

⁶ *The Weekly Gazette* (Colorado Springs), March 15, 1879.

the Rio Grande would win that for the first time, the Santa Fe people awoke to the fact that they had been badly advised," Robert Weitbrec later recalled. "Thereupon they reinforced their legal staff with the best talent they could find and endeavored to have the Grand Canon [Royal Gorge] suit dismissed on the ground that it was a moot case."⁷ Palmer's home town paper jeered at the Atchison road's efforts, saying that before the Supreme Court decision, the Atchison line had pressed for a decision on the merits of the case, but now it was making every effort to delay the judicial proceedings "until it gains by chicanery what it cannot gain in a court of law."⁸

As the time of judicial decision neared, friends of the Rio Grande intensified their verbal campaign against the A. T. & S. F. The *Gazette*, of Colorado Springs, was particularly vituperative, charging that the opposition had armed men in the Royal Gorge, had broken the terms of the lease upon innumerable occasions, had charged ruinous freight rates by means of its new monopoly, had manipulated the market to cause D. and R. G. bonds to fluctuate, had tried to wear out the physical equipment of the narrow gauge, and had tried to gain all the advantages of consolidation without incurring any of the liabilities.⁹ Even the *Times* of Denver, not always in full sympathy with the Rio Grande, admitted that under present conditions Denver was caught in between the major transcontinental groups and neither could enter the other's territory without paying a heavy penalty. "Nothing but the cancellation of existing contracts between the A. T. & S. F. and the Rio Grande, and the restoration of the latter's independence will break this condition," said that journal. But, it decided, "This is not likely to occur."¹⁰

The Atchison management strenuously objected to charges that it had broken the lease. It declared that all provisions had been carried out faithfully and that if the Rio Grande had complaints the agreement provided for arbitration, but this had not yet been requested. Moreover, said the A. T. & S. F., it had deposited in trust more than enough to guarantee payment for the materials it acquired, even though the Rio Grande was withholding the inventory of the appraisers. To charges that the Atchison Company was not paying its rent, William Strong answered that it was paid the first month but the receipt given was not in proper form and since then the Rio

⁷ "Mr. R. F. Weitbree's Contribution," January, 1920, a typescript, in Robert F. Weitbrec Papers, Library, State Historical Society of Colorado, Denver. In this case, Missouri, Kansas and Texas Railway Company vs. Kansas Pacific Railway Company (United States Supreme Court Reports: 97 U.S., 491), the Court held that "The rights of the contesting corporations to the disputed tracts are determined by the dates of their respective grants, and not by the dates of the location of the routes of their respective roads."

⁸ *The Weekly Gazette* (Colorado Springs), March 22, 1879.

⁹ *Ibid.*, March 29, April 5, 12, 19, 1879.

¹⁰ *Denver Weekly Times*, March 19, 1879.

Grande had refused the proffered rental because a "proper" receipt was requested. The money was then deposited in trust, in a Pueblo bank. Furthermore, argued the company, it made no difference whether or not Sebastian Schlesinger, who held the lease, delivered it to the A. T. & S. F. because, if the terms were complied with, it was still binding.¹¹ Palmer promptly denied all these allegations. Rio Grande officials were determined that the lease should not be delivered. On March 3, his Board of Directors authorized Dr. William Bell, Vice President of the Rio Grande, to go east and institute suits against the lessees to set aside the agreement and to enjoin Schlesinger from delivering it.¹²

Closer to home, there was considerable excitement in Denver, in early April, over rumors that the Rio Grande proposed to take back its line by force. Although no attempt had as yet been made, it was freely reported that such was Palmer's intention and, as evidence that the Atchison company was apprehensive, armed guards were posted at all trains, shops, and depots as well as along the route being graded between Canon City and Leadville. On April 10 a *quo warranto* was filed against the A. T. & S. F. by the Attorney General of Colorado on behalf of the state, the writ being returnable on April 22. The suit, brought by the Rio Grande, proposed to inquire into the right of the Atchison company to operate leased lines in Colorado, as a corporation existing only under the laws of Kansas.¹³

On April 21, at the very climax of the renewed struggle, the United States Supreme Court rendered a decision that reversed the Circuit Court of Colorado and advanced the opinion that, under the Act of June 8, 1872, the Rio Grande had priority in the Royal Gorge. The high court, rather than denying the A. T. & S. F. any right-of-way privileges, simply set aside the injunction against the Rio Grande and instructed the Circuit Court to make legal provision for joint trackage in the canyon at points where it was too narrow for more than one set of rails. In other words, Palmer's franchise privileges were recognized, but he was not given the right of exclusive occupation. The decision nevertheless was regarded in Colorado as a great victory for the Rio Grande and it occasioned a good deal of joy in that camp. Chase Mellen wrote that when the news came to Colorado Springs, people there put on a wild celebration, blowing the steam whistle at the sawmill until the steam gave out. In Denver the decision "created a sensation," and there was much speculation whether a termination of the lease would follow. There were some who

¹¹ *Ibid.*, April 16, 1879.

¹² Minutes of a Meeting of the Board of Directors of the Denver and Rio Grande Railway, March 3, 1879 in Denver and Rio Grande Western Railroad Archives, D. and R. G. W. Offices, Denver. Sebastian Schlesinger and James D. Potts represented the D. & R. G. bondholders and were signatories of the lease between the D. & R. G. and the A. T. & S. F.

¹³ *Railroad Gazette*, April 18, 1879, p. 217.

feared that this would kill the Rio Grande "deader than a door-nail" because the Atchison company would then carry out its earlier threat to parallel all of the narrow-gauge's line.¹⁴ This was of no immediate concern to Palmer. At the moment what he wanted most was to have back his railroad.

While the legal reversal drew attention to such physical problems as the contest in the Royal Gorge there were financial ramifications that presented some embarrassing complications to the Atchison company. It had negotiated around a million dollars worth of bonds and a million and a half dollars of stock, based upon the supposed right of way. The *New York Tribune* guessed that much of the stock was given away as a means of inducing the sale of bonds and "question may now arise as to the equitable claim of the bondholders upon the stockholders." That journal thought "the decision promises to raise a multiplicity of nice points."¹⁵ The Court's action must have at least raised some doubts in Boston investment circles, a main source of the Atchison's financial support, as to how well the Colorado situation was in hand. The *Advertiser*, of that city, openly challenged the decision, alleging that the high court had made a mistake in its ruling and it hinted broadly that the jurists might see fit to reverse themselves at a later date.¹⁶ Meanwhile, Palmer's attorneys continued their legal attack in the Massachusetts courts, insisting that the lease, which had never been delivered, was not valid, and requesting that it be declared null and void.¹⁷

Out in Colorado, Palmer prepared for more direct action. During the last days of May and in early June he and other Rio Grande officials laid plans to take back the road by force. The railroad's archives contain a number of letters and telegrams indicating a build-up in arms, leaving no doubt that the management was willing to engage in violence if necessary. On May 28 Weitbrec inquired of McMurtrie how many carbines, shotguns, and pistols he had at South Pueblo and learned that there was available one box of rifles and thirteen pistols. An employee named Engle informed Weitbrec that he had six rifles and six pistols at the El Moro coke ovens and added, "I also have on hand & undistributed six Colts revolvers. At [the] mine we have two boxes arms said by the deliverer to contain ten rifles & ten pistols with ammunition." From Walsenburg came word that ten rifles and six .45 calibre revolvers, belonging to the company, were ready. On June 5, Palmer

¹⁴ Chase Mellen, *Sketches of Pioneer Life and Settlement of the Great West* (New York, 1935), 27; *Denver Daily Times*, April 22, 23, 1879; *The Denver and Rio Grande Railway Company vs. C. T. Allings, &c., and the Denver and Rio Grande Railway Company vs. the Canon City and San Juan Railway Company*, Cases 811 and 812, United States Supreme Court (October Term, 1878). Copy in Denver and Rio Grande Archives (Item 405), Library, State Historical Society of Colorado, Denver. See also *Railroad Gazette*, April 25, 1879, p. 230.

¹⁵ *New York Tribune*, May 6, 1879; *The Weekly Gazette* (Colorado Springs), May 17, 1879.

¹⁶ Quoted in the *Railroad Gazette*, May 30, 1879, p. 302.

¹⁷ *Railroad Gazette*, April 25, 1879, p. 230.

telegraphed to McMurtrie that additional guns were on their way to Pueblo by wagon. The engineer was told he could expect thirty pistols, twenty carbines with ammunition enough for them and for the twenty-five pistols David Dodge had sent on the day before. The next day McMurtrie flashed back a coded message: "New page flesh affable calibre. No bemoan



IN THE ROYAL GORGE

W. H. Jackson

wad tempest," which, decoded, read: "New pistols forty-four calibre. No ammunition with them." The Rio Grande was on a war footing, with all the secrecy and security measures employed by a military organization. An inventory of June 6, written on the President's own stationery, showed that there were 207 pistols and 259 "guns" (presumably rifles) located along the line at strategic points. The General was ready for action.¹⁸

Dr. William Bell, Palmer's trusted lieutenant, reported "all ready" from the southern front. On June 8, he wrote from Canon City: "The Silver Cliff contingent duly arrived at Spike buck [a railroading siding on the Arkansas River, above the Royal Gorge] as also the rifles sent for them to the Coal Banks. We went to the Coal Banks in the morning. The operator has been dealt with as you directed by wire. He succeeded in destroying the dispatches & then cut the wire but was unable to communicate the fact that he had been relieved. He is being watched by two guards. We have proof enough to convict him." With reference to coming moves, the Doctor wrote, "We now propose 40 of the miners as deputies here & 28 to start on the train here & be dropped along the line. Others are to go direct to the 3 bridges & enough to remain at the banks to load 10 cars daily. A splendid body of 16 mounted men came in tonight . . . 4 more come tomorrow. The enemy watch our every movement & send armed men after DeRemer & myself to see what we were about."¹⁹

There is ample evidence to support Bell's statements that "the enemy" was well aware of an impending clash of arms. Records of the Pueblo and Arkansas Valley Railroad show that during the months from April to June there were a number of expenditures for war supplies. Such items as "Colts Revolvers and Ammunition, \$112.30," "Arms and Ammunition in April, 1879, \$94.50," and "Payroll for May, W. R. Morley's Gang, \$6,018," appear in certified copies later reproduced in court records.²⁰

During the first week of June, 1879, the situation became extremely tense. The *quo warranto* proceedings, commenced earlier at the instance of the Rio Grande, came up for a hearing before Judge Thomas M. Bowen of Colorado's Fourth Judicial District and both sides prepared for a show-down. On the 9th, Palmer told David Dodge that there were rumors afloat to the effect that the expected injunction against the Atchison company had been issued, but that the County Clerk at Alamosa, where the proceedings were being held, could not be

¹⁸ Weitbrec to McMurtrie, May 28, 1879, Item 411; Engle to Weitbrec, May 29, 1879, Item 412; Anderson to Weitbrec (from Walsenburg), May 30, 1879, Item 413; Palmer to McMurtrie, June 5, 1879, Item 418; McMurtrie to Weitbrec, June 6, 1879, Item 421, and Palmer Inventory of June 6, 1879, Item 419. Denver and Rio Grande Archives, Library, State Historical Society of Colorado, Denver.

¹⁹ Bell to Palmer, June 8, 1879, Item 423 in Denver and Rio Grande Archives, Library, State Historical Society of Colorado, Denver.

²⁰ George L. Anderson, *General William J. Palmer: A Decade of Colorado Railroad Building, 1870-1880* (Colorado Springs, 1936), 105.

located to affix his seal to the document. Palmer said he was inclined to believe both stories because the clerk was known to have been purchased by the opposition. Unfortunately, he continued, the whole state was out of communication with "the South" because the Atchison employees had cut the telegraph wires. "They have chopped down the telegraph poles between Florence & our coal mines," he complained.²¹ Rio Grande men were furious at the interruption of communications and argued that it was up to Governor Frederick W. Pitkin to prevent such stoppages of public information. "We think it best that Denver papers should talk square up to the Governor," one of the Rio Grande lawyers advised D. C. Dodge. "Give it to him right between the eyes. He is a hypocrite, and nothing but fright and plain talking will keep him straight. . . . Call upon him to stop the interference daily practiced with the telegraph and trains by the Atchison minions."²²

During the communication blackout, lawyers fought it out at Alamosa. The A. T. & S. F. management charged that Judge Bowen had, by subterfuge, prevented the case from being transferred to a federal court, and its attorneys launched a violent personal attack upon him outside the courtroom. The *Gazette*, of Colorado Springs, shrilled that attempts were afoot to kidnap Bowen to prevent justice from being carried out and it intimated darkly that there were no lengths to which the Atchison minions would not go. Despite tumultuous proceedings that frequently strained the court's decorum, Bowen handed down his opinion on June 10. He ordered the Atchison company to cease operating the Rio Grande's lines and to refrain from any interference with its operation by the rightful owners.

The next problem was to get the Atchison management to obey the Court. All through the conflict, dating back to April of 1878, both sides had tended to ignore such rulings and to hold their positions by force as long as possible while attorneys appealed such decisions. Now the A. T. & S. F. took the case to the United States District Court of Judge Moses Hallett, hoping to overturn what the *Chieftain*, of Pueblo, called "Bowen's Infamy."

Palmer was fearful that Hallett would rule adversely, as he had a year earlier, so he decided to regain control while Judge Bowen's order was still valid. Apparently the General was not alone in his suspicions, for the June 12 *Rocky Mountain News* brazenly stated that "The *News* has no confidence in the honesty and justice of Judge Hallett's intentions." Meanwhile, on the 11th, as the sheriffs of various counties undertook to carry out Bowen's order, excitement mounted all along the line. At 6:30 in the morning Colorado Springs watched its

²¹ Palmer to Dodge, June 9, 1879. Item 432 in Denver and Rio Grande Archives, Library, State Historical Society of Colorado, Denver.

²² Theodore F. H. Meyer to D. C. Dodge, June 9, 1879. Item 425 in Denver and Rio Grande Archives, Library, State Historical Society of Colorado, Denver.

local sheriff, backed by a dozen deputies and Company B of the First Colorado Cavalry, do his duty. When the men approached the depot they found it locked and occupied by an armed force. Unwilling to launch an immediate attack, the sheriff looked around for stray A. T. & S. F. employees upon which he might serve his warrants and after having found a few he then returned to the depot where he and his men faced a bristling array of gun muzzles. "I don't want any of your foolishness," he said. "Open that door and come out or I'll break it down." After a few tense moments the door opened and the Atchison "troops" shamefacedly emerged to be arrested at once. By 9:30 the Colorado Springs passenger depot was back in the hands of the Rio Grande and shortly after noon a victory dinner was served to the conquering warriors.

There was more excitement at Pueblo, the stronghold of the A. T. & S. F. There the local sheriff opened negotiations early in the day for the return of the property but his eloquence was not sufficiently convincing. He was backed by about 150 deputized residents, but the opposition had a force estimated at 400, composed of "roughs from Texas and green countrymen from Kansas," as the *Gazette* put it. By three o'clock the sheriff resolved to use force and headed for the roundhouse where the main "enemy" body was barricaded. Before reaching it he was obliged to capture the telegraph office, used by the opposition as an outpost. This required a rush for the door in which several shots were fired. An imported gunman from Dodge City, named Harry Jenkins, was reported killed in the melee, but the only other casualties came from fist fights and headaches made by the liberal use of gun stocks.

The much-written about battle at the roundhouse has nearly as many versions as there were participants. Pueblo and Colorado Springs papers represent the most divergent views, with the deputies being heroes in the eyes of the Colorado Springs *Gazette* and a drunken, armed mob to the Pueblo *Chieftain*. The A. T. & S. F. defenders were led by a Texas tough named Thompson who cravenly submitted, blubbering for mercy, according to the *Gazette*. The *Chieftain* agreed, with regard to the man's name, but differed in its account of the surrender. According to the *Democrat* of Pueblo, the roundhouse forces were commanded by "Mr. Thomas, the city marshal of Dodge City."²³ Cy Warman, in his book *The Story of the Railroad*, has a highly dramatized account of the battle, in which he says the Rio Grande men tried to steal a cannon from the militia to batter down the roundhouse, but found that the Atchison men had already stolen it. In this version, the famed Bat Masterson of Dodge City was in command for the temporary fortress. L. L. Waters, in his railroad volume, also

²³ *The Weekly Gazette* (Colorado Springs), June 14, 1879, quoting the Pueblo *Democrat*.

names the fabled "Bat" as the roundhouse leader.²⁴ Whatever the leadership, the result was quiet surrender and Pueblo "fell" without a fight.

Some violence was reported on other parts of the line. Rumor had it that a sheriff's posse had collided with a group of Atchison guards near Cucharas resulting in one or two casualties in each party but aside from that the transfer was made peaceably at places like Denver, Canon City, Alamosa and other points. Governor Pitkin got back into the good graces of the home railroad by telling the Atchison people, in answer to their complaint that the writs being served were illegal: "I have no more authority to review the proceedings of the district court than those of the supreme court. My duty is to sustain the officers in enforcing the process of the courts." The *Gazette* contentedly purred, "This put the entire matter right."²⁵

Palmer's haste and willingness to risk violence may have appeared to some as precipitous, but this was a game in which the stakes were high, and the General must have felt that even if possession proved not to be nine points of the law it was a move that provided some opportunities. Three days after the "capture" of June 11 he sought to insure his gain by turning over the road to a receiver, fearing an unfavorable decision at the hands of Judge Hallett, before whose court the case would soon appear. On June 14 Hanson A. Risley, general solicitor for the Rio Grande and a boyhood friend of Palmer's father-in-law, William P. Mellen, took possession. On the 23rd the expected reverse came when Hallett ordered the road returned to the Atchison company and now the Rio Grande pleaded for delay on the ground that the line was in the pos-

²⁴The statement that the famous Dodge City sheriff actually participated in the roundhouse fight apparently comes from Glenn D. Bradley, *The Story of the Santa Fe* (Boston, 1920), where on page 191 he merely said "it was rumored" that Masterson was on his way to Pueblo. L. L. Waters, *Steel Trails to Santa Fe* (Lawrence, Kansas, 1950) says "The roundhouse was held by Bat Masterson and his followers," (page 123) and O. M. Wilson, *op. cit.*, apparently accepted Bradley's statement as one of fact (page 107). J. M. Meade, an eye witness to much of the railroad war, but who does not say he was in Pueblo in June, 1879, makes no mention of Masterson at all. His work is entitled *D. & R. G. War with Santa Fe. Compiled by or under the direction of J. M. Meade, Engineer, Eastern Lines*. There exists some doubt that Meade was the real author. The manuscript itself has an added note, attesting to this doubt. Waters, who relied upon it, quotes Joseph Wiedel, Valuation Engineer of the A. T. & S. F. and a leading authority on the road's early history, who was convinced that Meade was not the author, but who thought it was nevertheless an accurate account of the war. (See page 493). A typescript of the manuscript is in the Denver and Rio Grande Archives (Item 401), Library, State Historical Society of Colorado, Denver. General descriptions of the excitement of June, 1879, are found also in the *Weekly Gazette* (Colorado Springs), June 14, 1879; *Colorado Chieftain* (Pueblo), June 19, 1879; *Daily Rocky Mountain News* (Denver), June 12, 1879, and Cy Warman, *The Story of the Railroad* (New York, 1906), 153. Some years later Ernest Ingersoll, a writer well-known to late-Nineteenth century Americans, and one who was on the scene, referred to the roundhouse fight in a story he wrote for young America. He made no mention of "Bat" being present. *Youth's Companion*, February 9, 1888.

²⁵The *Weekly Gazette* (Colorado Springs), June 14, 1879. Both the *Gazette* and the *Colorado Chieftain* (Pueblo) reported fatalities in the Cucharas affair. The *Weekly New Mexican*, of Santa Fe, reported thirty killed and wounded, and talked of a "big fight" in the Royal Gorge. (The *Weekly New Mexican*, June 14, 1879). The *Daily Rocky Mountain News* (Denver) set the death toll at six. See June 13, 1879, issue.

session of a receiver. Early in July Judge Miller, who sat on the case with Hallett, decided that the receivership was properly authorized, the request for it having come from L. H. Meyer who represented the bondholders. The delaying device was successful. The *Daily Times* of Denver twitted the Rio Grande management for alleging that it was solvent one day and then requesting receivership the next, but it admitted the maneuver had provided a breather while both railroads prepared for the next legal round.²⁶

The respite was brief. By July 14 Judge Miller must have entertained second thoughts in the matter, for he then announced that the move into receivership was a mere subterfuge, employed to avoid compliance with Hallett's request to give up the property. Holding that there were no grounds for a receivership, such as insolvency, he dismissed the receiver, Hanson Risley.

On the following morning Rio Grande attorneys appeared in court asking that the recent order directing them to return the road to the Atchison company be set aside. The court refused to hear the plea, explaining that the Rio Grande was in contempt and not in a position to ask anything. Hallett explained that it had been only an act of courtesy that allowed the narrow gauge to appear before him after its lawlessness of recent days. With regard to the question of the rights of each party, under the lease, these questions would be heard only after Palmer's officials restored the road to the A. T. & S. F. Judge Miller concurred, and took occasion to lecture the aggressive Rio Grande management. Angrily he told them that they had resorted to mob law, taking property by the use of armed men. "No judge, no court can sit quietly down and tolerate such abuses of process," he said. "The parties in this case had better retrace those steps at once and put themselves right before the court and the country. This is not a country of violence." A newsman reported that the targets of the tongue-lashing sat in their seats "apparently as if they had been struck by lightning." By the next noon the Atchison company was again in possession of the road. The court's wishes complied with, Palmer immediately filed a new suit in the United States Circuit Court, asking for a cancellation of the lease and repossession of the property.²⁷

During the legal squabble over possession of the property, both companies were jockeying for position in the matter of carrying out the Supreme Court's decision of April 21. The Rio Grande did not yet have permission to utilize its priority in the Royal Gorge since the Circuit Court, whose duty it was

²⁶*Railroad Gazette*, July 4, 1879, p. 370; *Denver Daily Times*, June 16, 23, and July 5, 1879.

²⁷*The Denver Daily Times*, July 14, 15, 16, 1879; *Railroad Gazette*, July 18, 1879, p. 392; Denver and Rio Grande Railway Co. vs. Pueblo and Arkansas Valley Railway, Case No. 186 in Circuit Court of the United States for the District of Colorado. Item 471 in Denver and Rio Grande Archives, Library, State Historical Society of Colorado, Denver.

to make proper provision, had not taken the necessary action. In mid-July Judge Hallett carried out the higher court's mandate, granting Palmer's company right of way through that defile but it was his interpretation this also meant prior right all the way from Canon City to Leadville. Now, he said, if the narrow gauge wanted to pursue its right it must assume all of the road built by its opponents, at a fair and equitable price. This would necessitate some negotiation between the roads as to the matter of proper compensation and until this question was settled the Judge forbade either company to carry on any further construction. As the *Times*, of Denver, said, this delightful delay was all the opportunity the Denver, South Park & Pacific needed to reach Leadville before either of its rivals.²⁸

During the ensuing weeks of quiet along the route to Leadville, the Atchison company petitioned the Court for permission to construct a more permanent bridge in the Gorge narrows. The result was the famous "Hanging Bridge," an object of continuing curiosity to rail travelers today and viewed by thousands of automobile tourists from the suspension bridge built years later across the top of the Gorge. The Hanging Bridge was unique in that it did not cross any water, but was hung along V-shaped girders, based on either side of the Arkansas, to conduct trains along the sheer cliffs, which, if blasted out to allow room for a roadbed, would have plugged up the river. One hundred seventy-five feet in length, it was built for less than \$12,000, and, with some additional support from below, is still in daily use. Except for this bit of construction, all activity along the "battle front" ceased during the summer of 1879 as the contestants carried on their bitter legal battle.²⁹

Before July was out the Rio Grande again had its request to break the lease before Judge Moses Hallett. After he reviewed the entire case, at great length, he announced that while he did not think the Palmer people had much right to any consideration, in view of their unruly conduct, he had to admit there was evidence of violation of the document by the other side. He now decided, on July 24, to put the Rio Grande into the hands of a court-appointed receiver, and named Louis C. Ellsworth to that position. A Colorado Springs paper pointed out that the Judge was obliged to make this move in order to keep a ten million dollar property from being ruined because the Atchison company was not only allowing the rented property to deteriorate, but it was, in violation of the lease, paralleling the narrow gauge's line in places and had made surveys indicating a continuance of this practice. The paper was quite annoyed with the Judge for making critical comments about

²⁸ *The Denver Daily Times*, July 15, 1879; Owen Meredith Wilson, *op. cit.*, 110, 111.

²⁹ For a good description of the construction of the bridge, see, O. M. Wilson, *op. cit.*, 112-113.

the "Baby Road," and it asserted that if Hallett himself had, in the original instance, ruled in favor of the Rio Grande's prior right to the Royal Gorge there would have been no subsequent violence.³⁰

Obedying Judge Hallett's decision, the A. T. & S. F. delivered its leased Rio Grande lines to the newly-appointed receiver in mid-August. While Ellsworth was said to be friendly to the larger railroad he was given strict orders by the court to manage the narrow gauge independently and to show no special favor to any of the connecting roads. Under these changed conditions the Rio Grande set about resuming construction westward toward the San Juans and southward toward El Paso, as well as to Leadville, a city whose inhabitants were now thoroughly annoyed at the delays caused by the long and bitter legal war for the Royal Gorge. In early September, 1879, the A. T. & S. F. revealed it was about to carry out its earlier threat to invade Denver directly. A. A. Robinson, its chief engineer, was ordered to commence construction at once between Pueblo and the Colorado capital, paralleling the Rio Grande all the way. Thus, the war between the companies was continued without abatement with neither side apparently ready to yield.

Then, as passions soared to new heights, there stepped into the picture one of the most widely talked of men in American railroad history. Jay Gould, that master of financial intrigue, had just succeeded in merging the Union Pacific and Kansas Pacific and with this move put himself in an excellent position to strike a mortal blow at the A. T. & S. F. He now offered to buy, through an exchange of stock, one-half of the Rio Grande's trust certificates that controlled the stock held in trust for that captive company. On September 8, 1879, an agreement was drawn up between Jay Gould and Russell Sage, on one hand, and Charles F. Woerishoffer, William J. Palmer, and William Scott, on the other, to buy trust certificates covering 37,791 shares of stock at twenty-two per cent of their par value. Gould and Sage also agreed to advance \$400,000 in cash to help the Rio Grande reduce its debt. Palmer and the others agreed, in return, to make no traffic agreements with the A. T. & S. F. or any other road that did not provide equal rights to the Union Pacific and Kansas Pacific and were guaranteed that in any such arrangement there would be no discrimination against the Rio Grande.³¹ Both Gould and Sage became Rio Grande board members. Once Gould had gained a foothold in the Rio Grande's corporate structure, part two of his plot against the Atchison company was revealed. In a move a Denver paper called "Bulldozing the A. T. & S. F." he announced the organization of a new railroad called the Pueblo

³⁰ *The Weekly Gazette* (Colorado Springs), July 26, 1879.

³¹ Copy of Agreement, Item 490 in Denver and Rio Grande Archives, Library, State Historical Society of Colorado, Denver; *Railroad Gazette*, September 26, 1879, p. 516.

& St. Louis, to run down the Arkansas Valley some 340 miles, to Great Bend, Kansas, where it would connect with a Gould-built extension. The Colorado portion of the line, about 150 miles in length, would be built by the Rio Grande.³² One of Gould's biographers called it "a typical Gould master stroke," pointing out that the Atchison people were so busy fighting their way into the Southwest that they had left one of their flanks unguarded, and here he chose to strike. During the fall of 1879 the voting certificates of the Rio Grande, purchased at twenty-two had soared to seventy-five. Now Gould wanted to terminate the war of duplicate construction going on between the Atchison road and the Rio Grande to protect his own interests. To accomplish it he used his old weapon: the threat of parallel construction against those who were themselves practicing it. By this move, coupled with the reverses the A. T. & S. F. was suffering in the courts, the Atchison line was obliged to think seriously about making peace.³³

The only other worry Gould had, with regard to gaining control of the fabulous Leadville traffic, was the Denver, South Park & Pacific, headed by John Evans. In the fall of 1879 he



THE PRIZE: LEADVILLE, COLO.
1879

Harper's Weekly

tried to buy a controlling interest in that road. The attempt was unsuccessful, but by means not clear even to the historian of that little road, he was able to exert enough pressure to get a satisfactory traffic division into Leadville and to keep the South Park road out of the San Juan country. The principal benefit that Evans got out of the deal was the immediate ele-

³² *The Denver Daily Times*, January 16, 1879.

³³ Julius Grodinsky, *Jay Gould: His Business Career, 1867-1872* (Philadelphia, 1957), 180-181.

vation to par of his securities, relieving the financial pressure sufficiently to allow further construction of his road.³⁴

During the winter of 1879-1880 the A. T. & S. F. found itself in increasingly difficult straits. As the dangerous Jay Gould threatened it on one hand, matters in the legal battle with the Rio Grande became steadily more unfavorable on the other. During October the three-man commission, arranged for by Judge Hallett to study the feasibility of two roads up the Arkansas Valley, made its report. It was recommended that



IRON SILVER MINE
Leadville

W. H. Jackson

for a distance of 4.09 miles through the Royal Gorge, the two lines would have to share a single track, but from the Twentieth mile post on to Leadville there was ample room for two tracks. Because of the illness of Hallett, court action on the report was postponed until the last day of the year. Then, as the fateful year 1879 died out, Colorado learned that, in effect, the long and bitter railroad war was over, the home company victorious. Judge Hallett denied allegations by the Atchison company that under conditions of the lease there was no legal Denver and Rio Grande Railway and that the lease in no way affected that railroad's right of priority in the Royal Gorge. He ordered the entire constructed line west of Canon City delivered to Palmer's company at cost, the amount of money to be determined by a commissioner. If the A. T. & S. F. still wished to build into Leadville it must do so on the other side of the river.³⁵

³⁴ M. C. Poor, *Denver South Park & Pacific* (Denver, 1949), 163; *The Weekly Gazette* (Colorado Springs), October 4, 1879; *The Denver Daily Times*, October 1, 1879.

³⁵ *The Denver Daily Times*, December 31, 1879; *Railroad Gazette*, January 9, 1880, p. 23.

By January, 1880, the Rio Grande was still under the direction of L. C. Ellsworth, Receiver; no court had yet invalidated the lease; the A. T. & S. F. had the privilege, if it wished to exercise it, of building into Leadville. To President Thomas Nickerson of the A. T. & S. F., the situation did not appear to be nearly favorable enough to pursue the struggle. The Atchison officials were mildly encouraged when, on February 2, the United States Supreme Court denied a Rio Grande request for a writ of mandamus to force the laggardly Circuit Court of Colorado to execute the high court's decision of April 21, 1879. Since the unfavorable decision promised no more than a temporary delay for the Rio Grande, Nickerson and his directors decided to make the most of the situation at the conference table, salvaging what they could before their position became any worse. Early in February arrangements were made for a peace parley between the quarreling parties, to be held at Boston. From it emerged the so-called "Treaty of Boston" or Tripartite Agreement whereby the opposing camps settled for a compromise that finally would end the long and expensive struggle.

The first stipulation in the "treaty" provided for cancellation of the lease with the return of all Rio Grande stock held in trust. The receivership of the narrow gauge was to be terminated and all litigation stopped with each company settling its own costs. For surrendering the already-constructed portion of railroad between Canon City and Leadville the A. T. & S. F. received \$1,400,000 plus interest for labor and materials expended, and an additional award of \$400,000.³⁶ In return for vacating the Royal Gorge route, the Atchison company required the Rio Grande to abandon the building of its proposed Pueblo & St. Louis line and to go no farther into New Mexico than a point about half way between Conejos and Santa Fe. The larger road then promised not to build into Denver, Leadville, the San Juan country or any point west of the Denver and Rio Grande's established lines, provided it received one-half the Rio Grande business in southwestern Colorado and one-fourth of that from Denver. There were also reciprocal arrangements regarding traffic of the Union Pacific over the Denver, South Park and Pacific tracks near Leadville. The agreement, to last for ten years, thus made an effective physical division of the country over which the two roads had fought so bitterly.³⁷

The "war," like all wars, had generated so much heat that

³⁶ The commissioners who studied the matter, using the records of A. A. Robinson, Chief Engineer for the A. T. & S. F., estimated that the road had cost only \$566,216.35. George L. Anderson, *op. cit.*, 113.

³⁷ Indenture dated March 27, 1880, signed by Thomas Nickerson, Managing Director of the Pueblo & Arkansas Valley Railroad Company and by William J. Palmer, President of the Denver and Rio Grande Railway Company in William Jackson Palmer Papers, Library, State Historical Society of Colorado, Denver; *Railroad Gazette*, February 6, 1880, p. 83; Owen Meredith Wilson, *op. cit.*, 118.

it was not easy to bring to an abrupt and immediate halt. Shortly after the decision to negotiate, made on February 2, Rio Grande engineers got word from New York (where the D. & R. G. had offices) that they might proceed toward Leadville. Contracts were let for completing the necessary grading and bridging, but actual construction was delayed until the managerial diplomats could settle upon some of the smaller details. Chief Engineer McMurtrie, of the Rio Grande, charged that due to "considerable stubbornness on the part of the Officers on the other side, the road and material was not turned over to us until about April 5, 1880 at which time track laying commenced where the A. T. and S. Fe were stopped." The precise time of delivery was midnight, April 4, and although there had been no previous announcement of the event, Palmer's home town of Colorado Springs put on a celebration that was long remembered. In the light of blazing bonfires and above the roar of repeated cannon salutes, townsmen yelled themselves hoarse. The railroad's engines, train cars, and even the town itself were decorated with the brightest bunting. Between prolonged screams of train whistles, visitors tried to inquire what national holiday was being observed and their questions were lost in the delirious confusion.

Out of the celebration came a story that must have made the rounds in Colorado Springs for a long time. A young man, described by the local press as "just out from the states," had, earlier that evening, asked some of the livery stable hands about the Wild West. They gravely assured him that from time to time the "red devils" would descend upon the city, killing men, women, and children, and when such an event occurred it was impossible to halt the bloodshed. When the guns began to boom shortly after midnight, to the surprise of all, and sleepy-eyed residents tumbled out of their beds to join the celebrants, the stranger quickly concluded that the city was under attack by Indians. He dashed out into the cold spring night, leaving his boots and trousers behind, and prepared to do his bit in a final, heroic defense of the city against the red marauders. When he finally discovered the reason for the turmoil he returned to his bed, shivering only from the cold night air, "the happiest man in town."³⁸

The deliverance of the Rio Grande did not cause any excitement in neighboring cities. In Denver it was almost unnoticed. "There was no formality about the transfer, it having been so quietly accomplished, that but few of the men were aware of the change of management," said one capital paper. The *Chieftain*, of Pueblo, glumly remarked that the event was "no special occasion for jubilee" among friends of the Rio Grande and that if any celebration was in order it should be

³⁸ *The Weekly Gazette* (Colorado Springs), April 10, 1880.

over the fact that southern Colorado was now free of railroad strife and the way to Leadville was at last clear.³⁹

The conflict covered two years, almost to a day, and was both a highly significant and extremely expensive affair for the Rio Grande. Back in April, 1878, when the trouble began, Palmer was desperately trying to extend his line to Santa Fe, a point he had to reach by 1882 in order to comply with the specifications under which Congress had granted a right of way. Almost twenty-four months were lost, seventeen of which saw the line either under lease or in the hands of a receiver, as the narrow gauge fought for its very existence. During that time the whole destiny of the road was changed. The original goal, El Paso, disappeared in the shuffle of papers at a Boston conference table, as did most of New Mexico itself. Not only the Rio Grande's drive to the south, but any hope of extending eastward, down the Arkansas Valley, was blocked, leaving it no place to go but West, into the mountains, and perhaps to Salt Lake City.

The great prize, Leadville, was a glittering, but transitory thing, and for the key to that treasure chest Palmer's road paid a very high price. For the two decades following 1880 Colorado's mines produced annually not less than twenty-one million dollars worth of various minerals, and by 1900 more than fifty millions, lending validity to the correctness of the General's course, but the Twentieth century would see the great treasure house of precious metals virtually closed. One by one the multitude of narrow gauge tendrils that once had felt their way through mountain passes rugged enough to discourage even a miner's burro, to seek out hidden riches, withered and died as the Rio Grande was obliged to find new sources of traffic. But the spirit of independence and a willingness to do battle for that which it claimed as its own, so exemplified by the Palmer men in their fight against the invaders, lived on, and became a part of the railroad's heritage that is apparent even to the casual observer today.

³⁹ *The Denver Daily Times*, April 5, 1880; *Colorado Chieftain* (Pueblo), April 8, 1880.

Hiram Vasquez, Frontiersman

By LAUREN C. BRAY*

One summer morning in the year 1863, two youths about twenty years of age, mounted on mules, rode through the little town of New Santa Fe, situated on the Missouri-Kansas border a few miles south of Westport in Jackson County, Missouri. After passing through the tiny settlement, they headed southwest on a branch of the Santa Fe Trail. One youth was fair; the other, dark. One was Hiram Vasquez; the other, Felix Bridger, a half-breed Indian. The boys had grown up together and were good friends. Likewise, their fathers had close ties, for they were "original Ashley men of 1822" and had been associated together in the fur-trapping and trading business in the Rocky Mountains for thirty-three of the forty-one years since that date. Louis Vasquez and James Bridger had built and operated Fort Bridger on the Black Fork of the Green River, Utah Territory, from 1842 to 1855. After that they occupied near-by farms in the vicinity of New Santa Fe, Missouri.

Where were the boys going, and why were they leaving home? They were not certain where they were going except that they were "headed west" and hoped to catch up with a wagon train which had left Westport a day or two before which was bound for Santa Fe. As to the reason for leaving the parental roof, the answer was simple in the case of Hiram—he was discreetly avoiding induction into the Union Army.¹ Felix' reason is not known, but it can be assumed that it was similar to Hiram's. The basis which the boys may have had for not wanting to serve in the northern army is not clear. It is known that the Vasquez family had owned two slaves in Westport prior to the war, and it is possible that Hiram's sympathies were more southern than northern.² A reasonable assumption is that the political and patriotic convictions of the youths were mixed or at least not fully crystallized. Neither lacked courage as later events proved, for Felix served with credit in the Union Army and Hiram demonstrated a stout heart on the frontier in southern Colorado.

The boys caught up with the wagon train about one hundred miles west on the trail and were given jobs keeping the water kegs filled. They did not get along well with Fred

*Lauren C. Bray, a member of the Kansas City Posse of The Westerners, and author of "Louis Vasquez, Mountain Man," published in *The Trail Guide*, Vol. 3, No. 4 (December, 1958), and reprinted in *The Brand Book of the Denver Posse*, Vol. XV, No. 8 (August, 1959), recently sold his farm at Olathe, Kansas, and with Mrs. Bray, moved to a ranch home near La Veta, Colorado in the shadow of the Spanish Peaks. Mr. and Mrs. Bray are both intensely interested in the development of the Francisco Plaza Museum at La Veta.—*Editor*.

¹ B. M. Stigall, *History of La Veta Lodge No. 59, A. F. & A. M.* (La Veta, Colorado: 1950). Also see: L. R. Hafén, "Experiences at Ft. Bridger with the Shoshones and in Early Colorado," *The Colorado Magazine*, Vol. VIII, No. 3 (May, 1931), 106-108.

² The account book of the Westport physician, Dr. John W. Parker, now in the Archives of the Native Sons of Kansas City, Missouri, indicates the two slaves, Lettie and Collins.

Dodson, the wagonmaster, who occasionally used his black-snake whip on both the animals and men of the train. When the train reached Fort Lyon on the Arkansas, the two left it to take jobs with Bill Young who held the contract for supplying hay to the fort.³ The wartime wages were good, three to five dollars per day, and by the time Hiram joined another group bound for Santa Fe, he had some real, "hard" money in his pocket.

Reaching Santa Fe, Hiram got in touch with his father's friend and fellow trader, Ceran St. Vrain, who gave him employment in his warehouse in Mora, northern New Mexico, where he remained for a short time.⁴ He moved north a few miles into Colorado Territory, to the Cucharas Ranch of John Francisco and Henry Daigre where he was hired to help complete an adobe building and stockade, Francisco Plaza, later to become the founding unit of the town of La Veta in Huerfano County.⁵ Hiram's father, Louis, may have been acquainted with John Francisco who had been in the Santa Fe trade since 1839. From 1852 to the start of the Civil War, John Francisco had been sutler at Fort Massachusetts and its successor, Fort Garland, in the San Luis Valley.⁶ Francisco and Daigre were in the cattle ranching business with the prime interest of supplying beef to the army garrisons in the vicinity, including those at Forts Lyon, Bascom, Union, and Garland. John Francisco's partner, Henry Daigre, a Frenchman from Quebec, had been an ox-team driver in the army supply service. Arriving at Fort Garland with a load of supplies at the close of the Mormon War in 1858, he remained to become associated with the sutler, Francisco.⁷

Francisco Plaza, the construction of which furnished Hiram Vasquez with a job in 1863, was the backdrop for a later event which would highlight his colorful career. The structure comprised a one-story adobe building of room depth that enclosed three sides of a square and measured approximately one hundred feet in each direction on the inside or patio side. The building extended on the north, west, and south sides, and a stockade fence enclosed the east side. There was a gate midway in the north side and a parapet around the roof for riflemen. The walls of the building were two feet thick, and the adobe bricks were made on the site by Mexican employees of the partners. The enclosure contained an excellent well.⁸ There

³ Hafen, *op. cit.*, 108.

⁴ According to Hiram's daughter, Mrs. Maude Coleman of La Veta, the very shortness of the stay was accounted for by the fact that Hiram found one part of his assigned duties very distasteful, namely, that of keeping a watchful eye on St. Vrain's young son who was given to imbibing freely.

⁵ The old plaza still remains. It is now the Francisco Fort Museum, a description of which appears at the conclusion of the article.

⁶ Frank Hall, *History of Colorado*, Vol. II (Chicago: The Blakely Printing Company, 1890), 251.

⁷ *La Veta Advertiser*, March 29, 1902.

⁸ In 1926 the Huajatolla (Walsenburg) Chapter of the Daughters of the American Revolution installed a marker on the site of the old well. The well itself has long since ceased to exist.



FRANCISCO PLAZA, 1878

were a number of cottonwood trees in the patio. The place was roomy and pleasant—and remains so today in 1960.

It was previously mentioned that Hiram's father was Louis Vasquez, the partner of Jim Bridger at Fort Bridger. Actually, Hiram was the stepson of Louis, having been born to Louis' wife, Narcissa, by a previous marriage. At no time did Hiram use his own name, Ashcraft. He used only that of Vasquez of which he was exceedingly proud. According to the family Bible, now in the possession of a niece of Hiram in Denver, he was born in St. Louis, Missouri, on August 23, 1843.⁹ In 1846, when the boy was three years old, his mother, Narcissa Burdette Land Ashcraft, married Louis Vasquez, a bachelor of forty-eight, on one of Louis' periodic trips from Fort Bridger to St. Louis. Soon after the marriage, the family was taken to Fort Bridger to live.¹⁰ Hiram's half brother, Louis, Jr., was born in July, 1847.

A year, or possibly two, after the family had been settled at the fort, when Hiram was not more than five years old, he was carried off by Indians. An interesting account of the abduction, the years spent with the Indians, and the subsequent return of the boy to his parents appears in *The Colorado Magazine*, May, 1931. The article is Hiram's story as told to L. R. Hafen.¹¹ Hiram gave a similar account to B. M. Stigall of La Veta, who included it in his history of La Veta Lodge No. 59, A. F. & A. M. The latter account is quoted as follows:

One day some of the children of the fort were playing on the meadow not far from the stockade. There had been no trouble with the Indians in the region for some time. There was no reason to think of danger for the children on the meadow. A band of Shoshones came riding by, just a friendly band of Indians. As they rode past, one of them must have taken a sudden fancy to little "Hi" for he reached down and picked him up and put him on the saddle in front of him and rode on with the band. Before the child was missed by the people at the fort, the Indians had gone from the vicinity and no trace of the child or his abductors could be found.

For several years, "Hi" lived as the son of the Indian brave who had taken him.¹² There was never anything but kindness and affection between them. "Hi" forgot most of his English and became in all ways an Indian child, speaking their language, playing their games, learning their arts of hunting, trapping and using the bow.

When "Hi" was about eight or nine years old, the Indian band made a trip to the mountains in the vicinity of Salt Lake City, at that time a comparatively small settlement. The bucks of the band planned to go into he town. "Hi" begged to be allowed to accompany them but was refused. After the party left the village, "Hi" slipped away and went into the town on his own account. He was dressed only in a breech clout. Plaited into his hair was a heavy

⁹ Hiram's niece is Mrs. Bessie P. Clark.

¹⁰ Hiram had an older sister, name unknown, about whom, apparently, there is little or no information. In Hafen's account of his interview with Vasquez in July of 1930, Hiram is quoted as saying that his sister "went with Jim Peck to Oregon." It is conjectured that she had been sent to join Mary Ann Bridger at The Marcus Whitman Mission School at Wallatpu. Her name does not appear on the school's records at the time of the massacre in November, 1847.

¹¹ Hafen, *op. cit.*, 107. According to the article, the Indian who carried Hiram away was the famous chief of the Shoshones, Washakie.

strand of horse hair to add length, so that the end of the braid actually dragged the ground. On top of his head was a good-sized silver concha and this was followed by a string of them, smaller and smaller, until the last one about the size of a five cent piece was on the ground at the end.

After reaching the town, marvelous to his eyes, he prowled around to see what he could see. Some white men noticed him and recognized him for a white child. They took possession of him and recalling the abduction of the Vasquez child a number of years prior, arranged for the boy to be returned to his parents.

With the transfer of Fort Bridger to the Mormons and the disposal of his store in Salt Lake City, Louis Vasquez returned with his family to Missouri in 1855. By this time, in addition to his half brother, Hiram had acquired some half sisters, Mary Ann, Sarah, and Louise. The family Bible has the notation following Louise's name and birthdate of 1854: "killed when small."

There is little information concerning the Vasquez family during those eight years which elapsed between the move to Westport and that day in 1863 when Hiram got on his mule and, with Felix Bridger, "headed west." It can be assumed that the family led the typical life of those on the border during the troublous years which preceded and accompanied the Civil War, but probably without the unpleasant circumstances of bushwhacking which affected so many people of the area. Louis had purchased an eighty-acre farm a few miles south of Westport in 1852. He also owned a house in town and it is thought that the family divided time between the two.

Hiram told Mr. Stigall that he attended school "there," referring to Westport or the vicinity. He mentioned a red-haired boy at school who resented being called "red-head." "You know," said Hiram, "I had to whip that boy two or three times before he would let me use that nickname." The boy was John T. Elkins, who later became state senator in Colorado and whose brother, Steve Elkins, gained prominence as United States Senator from West Virginia.

During his years at Westport, the Vasquez family was increased by the birth of three more daughters, Catherine, Emma, and Narcissa, born in 1858, 1860, and 1863, respectively.

As he worked with the large, adobe bricks in the building of Francisco Plaza, Hiram must have found his thoughts occasionally turning to his boyhood days with the stirring recollections of life as an "Indian boy," of the days at Fort Bridger, with the Indians and mountain men around the stockade, and the frequent arrival of emigrant trains bound for Oregon and California. At times he must have pictured his family of sisters and brother with their father and mother, away back "east" at Westport. However, at the age of twenty, life lies ahead, no matter what has gone before, and certainly, in this respect, Hiram Vasquez was no exception. Naturally, he could not realize that his years ahead would extend to a total of ninety-



SPANISH PEAKS, HUERFANO COUNTY
(Huaajatolla)

six or that the immediate future would hold a real adventure for him.

With the completion of the plaza late in 1863, Hiram continued to work for Francisco and Daigre, most of the time as foreman in their cattle business. He handled the drives to the forts. In those days, the army took delivery of meat "on the hoof" at the point of consumption.

In 1866, Hiram was the central figure in an action involving the Ute Indians. Before relating the adventure, a word or two should be said about the neighborhood and the Ute Indians.

The Francisco and Daigre holding was on the Vigil-St. Vrain Grant of some four million acres. Its headquarters, the plaza, was located on the Cucharas River at the north foot of the West Spanish Peak. The mountain was the higher of the twin peaks, known to the Indians as the Wahatoya or Breasts of the Earth, to the Spanish as Las Cumbres Espanolas, and to the mountain men as the Spanish Peaks. They served as principal landmarks in southern Colorado. They were rich in legend from the earliest time. These concerned stories of buried treasure (people still search for old Spanish gold and jewels said to be secreted between the peaks), and tales of spirits which the Utes and some white men believed dwelt within the twins. The mountain men, translating freely, contended that the Devil made his home beneath the Spanish Peaks. Lewis Gerrard in his book, *Wah To Yah or the Taos Trail*, the account of his trip as a young man to Santa Fe and Taos over the Santa Fe Trail in 1846, devotes a chapter to relating a marvelous adventure of the authentic mountain man, Long Hatcher, who, after refreshing himself generously with aguardiente in the shadow of the Spanish Peaks, rode under them, where he played a game of poker with "His Nibs, the Big Black Bear, Himself!"

Prior to 1861, the Utes had the Spanish Peaks country pretty much to themselves. There were some mountain men around, and an occasional army scouting party and the Arapahoes furnished just enough fighting to make things interesting, but on the whole, the Ute peace of mind was not disturbed. However, during and immediately following the Civil War, settlers began appearing on all sides of the twin peaks. Despite the pressure which the Indians felt from the invasion of their age-old hunting grounds by these white settlers, the great chief of the Uncompahgre Utes, Ouray, signed a treaty at Conejos in 1863 which committed the Tabeguache Utes to keep the peace with the whites, and this was substantially successful for three years.¹²

However, a band of Mohauche Utes, formerly in southern Colorado, was located south of the Spanish Peaks in northern New Mexico and was supervised by the Indian agent at Cimar-

¹² Bureau of American Ethnology *Bulletin No. 30, Pt. 2* (Government Printing Office, 1907), 175.

ron. This band, although intermarried with Tabeguache Utes of the San Luis Valley, was closely allied with the Jicarilla Apaches of northern New Mexico, and Ouray exercised little, if any, control over them. The principal chief of the band was Ka-ni-at-se.¹³ He was an ally of Kit Carson in the Navajo campaign of 1863,¹⁴ and a year later, when Kit Carson was preparing for the campaign against the Kiowas and Comanches, he specifically requested that the Ute and Apache detachments be led by Ka-ni-at-se.¹⁵ The chief and his band participated in the campaign which ended with the battle of Adobe Walls.¹⁶ Two years later, in northern New Mexico, Ka-ni-at-se became involved in a personal quarrel with an army officer. A violent result was averted by the timely intervention of Lucien B. Maxwell.¹⁷

Ka-ni-at-se brooded over the matter, however, and finally gave vent to his feelings and led a raid against the ranchers of the Purgatoire Valley. The latter asked for help from the troops at Fort Stevens, a camp at the foot of the Spanish Peaks. A skirmish resulted in a small loss for the soldiers and a larger one for the Indians.¹⁸ Stimulated by the bloodshed, Ka-ni-at-se took to the warpath in earnest, and raided up the Purgatoire from present-day Trinidad, around the slope of the Spanish Peaks, over Cucharas Pass, and down the Cucharas River to Francisco Plaza which he promptly besieged. The number of warriors in the Indian band is not definitely known. One report placed the figure at one thousand,¹⁹ but this estimate is undoubtedly too high. However, from the scope of the raiding, Ka-ni-at-se must have had several hundred.²⁰

The seventeen or eighteen men in the stockade were not badly situated from a defensive standpoint, but the position was a very uncomfortable one because of the disparity in numbers and the comparatively isolated location of the plaza. It was urgent that an appeal for help be gotten through to a military post, and Hiram Vasquez was selected for the mission. An account of the ride which Hiram made to Fort Lyon on

¹³ Ka-ni-at-se is also spelled "Kaneache," "Kan-yat-che," "Kaneatche," "Caneache," "Conache," "Cuneache," and various other ways.

¹⁴ Edwin L. Sabin, *Kit Carson Days* (Chicago, 1919), 652.

¹⁵ In setting forth the requirements for the Ute and Apache detachment, Kit Carson requisitioned "an equipment of one hundred rifles, and one hundred and twenty blankets and shirts, and for Chief Ka-ni-at-se one more horse," Sabin, *op. cit.*, 446.

¹⁶ This was at the trading post building of Bent and St. Vrain. This battle should not be confused with the fight which took place ten years later at the trail station of Adobe Walls, located twenty-five miles farther down the Canadian River which was not yet built in 1864.

¹⁷ Hubert H. Bancroft, *History of Nevada, Colorado and Wyoming, 1540-1888*, Volume XXV of *Works* (San Francisco, 1890), 471.

¹⁸ A letter dated October 3, 1866, from Colonel A. J. Alexander, commanding officer at Fort Stevens, states: "I killed about thirteen of them and lost Pvt. Bruxson killed and Privts. Cooley and Willis wounded." Interior Dept. *Annual Report—1866* (Government Printing Office, 1866), 161.

¹⁹ Eugene Parsons, "A Rare Character of the Rockies," *The Trail*, Vol. XVI, No. 7 (December, 1923), pp. 4, 13-16.

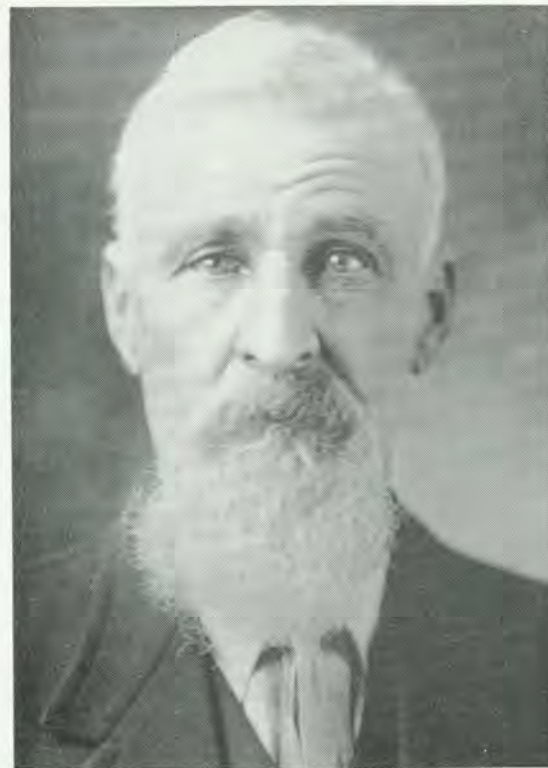
²⁰ The entire band of Mohuache Utes was known to comprise, at this time, not more than twelve hundred, including women and children. See *Indian Affairs Reports* for 1865, 1866, and 1867. In Ka-ni-at-se's party there may have been some Jicarilla Apaches in addition to the Utes. Both bands were treated more or less as one group by the agent at Cimarron. They were closely allied.

the Arkansas, written by Eugene Parsons, appeared in *The Trail Magazine* in December, 1923. The article stated that:

The Indians expected to finish the little company with Francisco and Daigre. A crisis was at hand: It devolved upon someone to get through to Fort Lyon for help—the sooner the better. Vasquez was considered the only man for the mission and he took the hazard without hesitation. This ride is considered one of the greatest feats of courage and endurance ever performed on the western frontier.

Mounted on a tough, wiry mule, Hiram Vasquez started on his trip about dusk on a mild autumn evening. Very slowly and cautiously he picked his way through the brush along the bank of the Cucharas River. In the thickening darkness he eluded the Indian sentry who was stationed at the northeast corner of the Plaza. The rider had for his first objective, the Rattlesnake Buttes, forty miles due east. Thence there was another ride of forty miles over rolling uplands north to the Arkansas. He knew the route well. Down the Arkansas, he had another forty-mile ride to reach the military post. He reached the Rattlesnake Buttes without mishap at about two o'clock in the morning. He sped on, getting to the Arkansas around nine o'clock. Man and mule did not stop for refreshment, except to take a deep draught of water from the river. The wearied mule slackened his pace a little but kept on. They were in Fort Lyon late in the afternoon.

That ride of one hundred and twenty miles in less than twenty-



HIRAM VASQUEZ

four hours was a remarkable test for both man and beast and is to be reckoned among the heroic exploits of the plains and mountains. . . .

Ka-ni-at-se, learning of the imminent arrival of troops, is reported to have lifted the siege and headed north to the Huerfano where he raided the ranches up the valley in the direction of Mosca Pass. It was at approximately this time that Ka-ni-at-se sent an invitation to the Tabeguache Utes and to the Uncompahgres under Ouray to join in an all-out war against the whites. Instead of joining, Ouray placed all of his people under the surveillance of Colonel Kit Carson at Fort Garland and personally set out to warn the white settlers in the area. Kit Carson, in turn, dispatched a force of Tabeguache Utes under Shavano, to bring in their old friend and ally "dead or alive." This order was followed out and Ka-ni-at-se was captured and taken to Fort Union in New Mexico.²¹ There is no record of any casualties occurring at the siege of Francisco Plaza, but H. H. Bancroft reported that there were five white men killed and much property destroyed during this raiding by Ka-ni-at-se.²²

In the space of eleven years, 1866 to 1877, Hiram Vasquez married three times. His first marriage was to a Spanish woman, Sincian Sandoval. Three children were born to this union, Louis, Louise, and Alice. In 1872, Hiram married Elizabeth Hough and three children were born, Fred, Josephine, and a baby who died at birth. Again becoming a widower in 1877, Hiram married seventeen-year-old Martha Gribble whose family had emigrated from Georgia in company with several others. This marriage lasted for sixty-two years and produced seven children, Mary, Hiram, Jr., Nellie, Maude, Charles, Dora, and Leola. Of the twelve offspring, two are living at this date, Mrs. Maude Coleman of La Veta and Mrs. Mary Rollins of Denver.²³

The late 1870's and early 1880's brought the railroad, extensive coal mining, and a new name, La Veta, to the Spanish Peaks country. The major industry continued to be cattle raising, and so it remains today. Like many of his contemporaries, Hiram Vasquez enjoyed periods of prosperity, and he suffered hard times. Whatever the vicissitude, he could call upon that vigorous hardihood and spirit which stamped the western pioneer—men like his old employers, Francisco and Daigre,

²¹ De Busk Memorial manuscripts on Las Animas County (1933-1934). Library of the State Historical Society of Colorado, Denver; credit Colonel Alexander with capturing Chief Ka-ni-at-se.

²² Bancroft, *op. cit.*, 471; Sabin, *op. cit.*, 483; and, *Indian Affairs Report, 1866*, 160-161. Some interesting notes on Ka-ni-at-se at a later date, 1870 and 1871, appear in *The Colorado Magazine*, Vol. X, Number 1 (January, 1933), in an article "La Plaza de Los Leones," by Louis B. Spotteder of Walsenburg. Another interesting sidelight on this restless and troublesome Ute is noted in a letter which Governor Edward McCook's secretary wrote in September of 1870, after an inspection of the Ute reservation in the San Luis Park. The secretary, James B. Thompson, reported that Ka-ni-at-se "has been reduced to the ranks" and was suggested for cattle-herder on the White River (Ute) Reservation. *Indian Affairs Reports, 1870*, 171.

²³ Data on Hiram's marriages and children was kindly furnished by Mrs. Maude Coleman.

and scores upon scores of others who built the foundation for the empire which became the state of Colorado. Hiram acquired a choice homestead on the Wahatoya Creek south of La Veta and then lost it in a time of depression because he could not meet a small promissory note. For a time he tried saw-milling in northern New Mexico and later, sheep raising in the Mesa de Maya country. For many years he ranched successfully on the Apishapa River on the south slope of the Spanish Peaks.

Hiram and his family spent the later years of his life in the town of La Veta, occupying a comfortable home adjacent to the old plaza. On mild summer days in the 1930's he could frequently be seen in a rocker on the east porch of his home, usually with children grouped around. If his clear grey eyes glanced to the left, they rested on the old plaza which he had a part in building so many years before. If he looked to the right, his gaze met the ever inspiring spectacle of the Spanish Peaks, the storied Huajatolla, always changing, but always the same in their grandeur and their majesty.

Hiram was always loyal to Jim Bridger, as well as to his father, and he knew Bridger very well, both from the days at Fort Bridger and later at the farms near Westport. When that great motion picture spectacle, Emerson Hough's "The Covered Wagon," was shown in the little movie theater in La Veta, the family thought that Hiram would enjoy seeing it, especially as some of the scenes purported to show Fort Bridger at the time of the Bridger-Vasquez operation. At one point in the picture, Jim Bridger was shown in some drunken sequences—the matter of a mountain man shooting at a cup of whiskey balanced on Jim's head. Hiram jumped to his feet in the midst of the showing, shouted "that's a damned lie, Jim Bridger never took a drink of liquor in his life," and stalked out of the theater.

In 1929, the Wyoming Historical Landmark Commission took title to Fort Bridger and the surrounding acreage. As a part of the events which marked the acquisition, the commission brought Hiram Vasquez and Virginia Bridger Wachsmann Hahn, a daughter of Jim Bridger, and his second (Ute) Indian wife, to the site of the fort for a visit. Hiram identified the location of the original fort in relation to the Morman fort and the third, or military fort, that is now maintained by the State Department of Archives and History as a historic place of interest. Upon his return to La Veta, Hiram told his family that he was much disappointed in the trip because "things just did not look natural."

During the night of June 7, 1939, Hiram Vasquez, a very old man, died in his sleep. His wife, Martha, followed a year later. They rest together in the family lot in the pleasant La Veta cemetery, in the shadow of those hills around which destiny had given the man many years of eventful and productive living.