

Illegal Fencing on the Colorado Range

BY WILLIAM R. WHITE

The end of the Civil War witnessed a boom in the cattle business in the western states. Because of the depletion of eastern herds during the war, a demand for cheap Texas beef increased steadily during the late eighteen-sixties and the early eighteen-seventies. This beef also was in demand by those individuals who planned to take advantage of the free grass on the Great Plains, which had remained untouched prior to the war, except by the buffalo. Each year thousands of Texas cattle were driven north to stock the various ranges claimed by numerous cattlemen or would-be cattlemen. The usual practice of an aspiring cattleman was to register a homestead claim along some stream where the ranch house and outbuildings were constructed. His cattle then were grazed chiefly upon the public lands where they "were merely on sufferance and not by right of any grant or permission from the government."¹ The Homestead, Preemption, Timber Culture, and Desert Land acts had been enacted to enable persons to secure government land easily, but "the amount of acreage allowed was not even remotely enough to meet the needs of the western stockgrowers."²

Although the government land laws were not designed for cattlemen, they made extensive use of them. The statutes served the cattlemen, however, only as the cattlemen violated the spirit of the law.³ During the sixties and the seventies cattlemen tended to respect the range claims of their neighbors and "the custom of priority—the idea of squatter sovereignty met the

¹ Clifford P. Westermeier, "The Legal Status of the Colorado Cattleman," *The Colorado Magazine* 25 (July 1948):157.

² Edward W. Milligan, "John Wesley Iliff," in 1950 [*Denver Westerners*] *Brand Book*, Vol. 6, ed. Harold H. Dunham (Denver: Denver Westerners, 1951), p. 48.

³ Ora Brooks Peake, *The Colorado Range Cattle Industry* (Glendale, Calif.: Arthur H. Clark Co., 1937), p. 64.

situation adequately; but the system could only exist while there was enough room for expansion."⁴

By the late 1870s the number of cattle in Colorado had increased tremendously, and cattlemen began to show concern about the existing land laws, which had proven to be poorly adapted to the cattle interests. Stockmen began to demand of the federal government a stock-raising homestead law, and in 1879 several eminent Colorado stockmen were summoned to the nation's capital "to testify concerning what they thought should be the proper land policy."⁵ Several of the cattlemen, including James C. Jones of West Las Animas and Albert W. Archibold of Trinidad, recommended a 3,000-acre pastoral homestead, but H. N. Arms of Trinidad seemed to think a 20,000-acre tract necessary. John Wesley Powell, in charge of the United States Geographical and Geological Surveys west of the one-hundredth meridian and considered the most competent arid lands authority of that day, recommended that arid holdings should not be less than 2,560 acres.⁶ The Public Lands Commission reported to Congress that "after a most thorough investigation, their conclusion was that a land unit intended for a pastoral homestead should not be less than 2,560 acres." A congressional committee studying the situation a few years afterward reached practically the same conclusion.⁷

Despite the testimony by prominent Colorado cattlemen, the advice of Powell, and the reports of the Public Lands Commission and the congressional committee, the federal government failed to pass a pastoral homestead act until 1916, and even then it was a disappointment because it only allowed a claim of 640 acres, which was considered too small "to raise a sufficient number of cattle to support a family."⁸ John Clay, who served as manager for several cattle companies, attributed the lack of action on the part of the federal government to misunderstanding and to the political clout of the farmer:

The policy of the Federal government has been from time immemorial to settle up the country. . . . Our political guides have not discovered that a law which applies to the rich lands of such states as Iowa, Nebraska, Kansas and other similarly

⁴ Westernmeier, "The Legal Status of the Colorado Cattleman," p. 158.

⁵ Peake, *The Colorado Range Cattle Industry*, p. 64.

⁶ Roy M. Robbins, *Our Landed Heritage: The Public Domain, 1776-1936* (Princeton, N.J.: Princeton University Press, 1942), p. 247.

⁷ Peake, *The Colorado Range Cattle Industry*, p. 65.

⁸ *Ibid.*, p. 67.

situated territories is not adaptable to our semiarid regions and mountain districts. . . . But you could not drive this fact into the heads of our Washington sages. . . . The reason is found in the fact that the granger, so far as votes is concerned, is in the saddle.⁹

As long as there was an abundance of free grass upon the plains to supply the needs of the cattlemen, they tended to be content with the open range arrangement. However, by the close of the seventies and the opening of the eighties the population of settlers and the number of cattle were increasing steadily. The established ranchers in Colorado, as elsewhere, realized a threat to their security largely based upon squatter sovereignty. Farmers and new cattlemen began to make use of land that the established ranchers considered theirs on the basis of priority. In response, some cattlemen began to enclose government land with barbed wire in order that they might be certain of water and pasture.¹⁰ Many of the new stockmen in Colorado were former Texans who relied upon Texas to supply their stock, while many of the established ranchers had attempted to improve their stock through breeding. By fencing, the established stockmen were able to fence out inferior bulls.¹¹ Sheepmen were also on the increase within the state by the 1880s, and many, if not most, cattlemen held sheepmen in contempt; thus, the fence also served to keep sheepmen at a distance. The practice followed by many established ranchers of Colorado by the 1880s was the "fence 'em out theory."¹² Many cattlemen, despite their use of



⁹ John Clay, *My Life on the Range* (Chicago: Privately printed, 1924), p. 334.

¹⁰ Peake, *The Colorado Range Cattle Industry*, p. 69.

¹¹ Richard Goff and Robert H. McCaffree, *Century in the Saddle* (Boulder: Johnson Publishing Co., 1965), p. 145.

¹² *Ibid.*, p. 244.

barbed wire, never held it in high esteem, for wire was both the ally and the enemy of a stockman. "It was used by him to protect the land he occupied and used against him by the settlers."¹³

Not only did cattlemen fence in large tracts of the public domain, they also employed fraudulent practices to procure additional property. Some cattlemen who employed a large force of cowboys directed them "to put up a few boards upon a quarter section, then file upon it," and when sufficient time had passed they would swear that they had lived upon such a claim in full conformity with the law. After they obtained the fraudulent patent, they would deed the property "to their employer, either direct or through a third party."¹⁴ The land commissioner reported in 1885 that of the ranges in Colorado, Nebraska, and Kansas, one-fourth of almost every section was under a timber-culture entry. The entries in most cases, the commissioner alleged, had been made by the employees of cattlemen who had made false land office affidavits.¹⁵ The *Cheyenne Democratic Leader* reported that cattlemen employed men to herd their stock and then gave them fifty or one hundred dollars each to make an entry of 160 acres. It further alleged that many stockmen would not employ men unless they were willing to make such entries.¹⁶ A popular method of fraudulent claims in Las Animas County, Colorado, where Hispanos were numerous, was preemption filing, claiming settlement more than five years back.¹⁷ The patent was quickly secured in this manner and transferred to the cattleman at a nominal cost. Some cowboys made a desert-land, a timber-culture, a homestead, and a preemption entry. According to Roy Robbins, it was technically possible under the various land laws for one individual to take out as much as 1,280 acres.¹⁸

It was reported to the commissioner of the General Land Office that of thirty-eight claims in Estes Park owned by the Estes Park Company, of which the Earl of Dunraven was the chief functionary, thirty were secured for people who never were in the park at all.¹⁹ It also appears that in at least one case not only had

¹³ Maurice Frink, W. Turrentine Jackson, Agnes Wright Spring, *When Grass Was King* (Boulder: University of Colorado Press, 1956), p. 70.

¹⁴ U.S., Congress, *Senate Executive Documents*, 48th Cong., 1st sess., 1884, no. 127, 6:2 (see Francis E. Boyd to commissioner of the General Land Office, 12 February 1882; all letters in this document were either to the commissioner of the General Land Office or to the secretary of the interior).

¹⁵ Robbins, *Our Landed Heritage*, p. 251.

¹⁶ *Cheyenne* (Wyo.) *Democratic Leader*, 26 August 1884.

¹⁷ U.S., Congress, *House Executive Documents*, *Report of the Secretary of the Interior*, 49th Cong., 1st sess., 1885, 2:210.

¹⁸ Robbins, *Our Landed Heritage*, p. 248.

¹⁹ U.S., Congress, *Congressional Record*, 48th Cong., 1st sess., 1884, 15, pt. 5:4771.

the employees entered claims under the preemption law but the cattlemen's relatives had also entered a claim.²⁰ The *Laramie Daily Boomerang* reported that one individual had gone to a land office and for five dollars a perjury had sworn to alleged facts concerning land entries fifteen or twenty times. The paper went on to point out that any registrar of a land office so blind as not to know a man who had been before him fifteen or twenty times should himself be liable to indictment for conspiracy.²¹ A land agent from New Mexico in a report to the commissioner of the General Land Office estimated that ninety percent of the entries there were fraudulent. At the same time 880 fraudulent entries were alleged in Colorado compared to New Mexico's 827, and Colorado had 2,800,000 acres illegally fenced. Colorado and New Mexico seem to have had more fraudulent entries and acres illegally fenced, and Nebraska ran a poor third in land illegally enclosed with 300,000 acres.²² More special agents were sent to Colorado and Nebraska than to any other states.

Fraudulent entries and illegal fencing were closely connected. One of the chief practices of a rancher was to instruct his employees to make their fraudulent entries along water frontage. After a quantity of water frontage had been obtained, the adjoining government land could be "appropriated without formality of law."²³ The cattleman, once the frontage had been acquired, could fence in not only his land but the public domain as well, since it would be of little use to settlers or other cattlemen without access to water. One Colorado cattleman, John W. Prowers, gained "possession of several thousand acres of rich bottom land," which included "forty miles of water front on the Arkansas River."²⁴ In some cases the action of cattle company managers was carefully thought out, acquiring alternate sections of government land and "then fencing in the entire area including the government sections between their own tracts."²⁵ The cattle concern of Hall and Barela, located on San Francisco Creek in Las Animas County, acquired not only sections along

²⁰ *Ibid.*, p. 4772.

²¹ *Laramie* (Wyo.) *Daily Boomerang*, 3 December 1886, in the Western Range Cattle Industry Study, Documentary Resources Department, State Historical Society of Colorado, Denver. All newspaper and magazine articles in this study are filed under specific headings, such as fencing, by state, and in chronological order (hereinafter cited as WRCIS).

²² *Cheyenne Democratic Leader*, 26 August 1884.

²³ Alvin T. Steinel, *History of Agriculture in Colorado, 1858 to 1926* (Fort Collins: State Agricultural College, 1926), p. 128.

²⁴ Hubert Howe Bancroft, *History of Nevada, Colorado, and Wyoming*, The Works of Hubert Howe Bancroft, vol. 25 (San Francisco: History Publishing Co., 1889), p. 545.

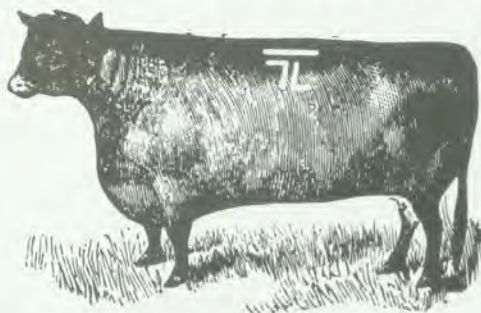
²⁵ Herbert O. Brayer, "When Dukes Went West," in 1948 [*Denver Westerners*] *Brand Book*, [Vol. 4], ed. Dabney Otis Collins (Denver: Denver Westerners, 1949), p. 72.

the creek but sections some distance from the stream at intervals along the line of their enclosure.²⁶ By employing such a practice they had illegally fenced several thousand acres of the public domain.

By the 1880s the cattle industry had become big business with cattle companies incorporating and issuing shares of stock. Many of these companies had English or Scottish boards of directors. Some of the largest illegal enclosures in Colorado, as elsewhere, were in the hands of these companies. But the foreign controlled concerns were by no means the only culprits involved in illegal enclosures.

Loud and numerous protests from cattlemen, sheepmen, farmers, and others induced the commissioner of the General Land Office to send special agents to investigate the various allegations, and "Colorado and Nebraska were the regions especially examined in 1883."²⁷ Among the specially reported affairs, having a marked distinction in Colorado, were those of the Arkansas Valley Company in Bent and Las Animas counties, whose illegal fences encircled nearly one million acres; the Prairie Cattle Company in the same locale with nearly one million acres; H. H. Metcalf of River Bend, 200,000 acres; McDaniels and Davis of Pueblo, 75,000 acres; Reynolds Cattle Company of Fremont County, 50,000 acres; Chick Brown and Company,

REYNOLDS CATTLE CO.



— ~~W~~ Range, Carrizo.
Postoffice address,
Canon City, Colorado.
Earmark, over-
slope left and under-
slope right.

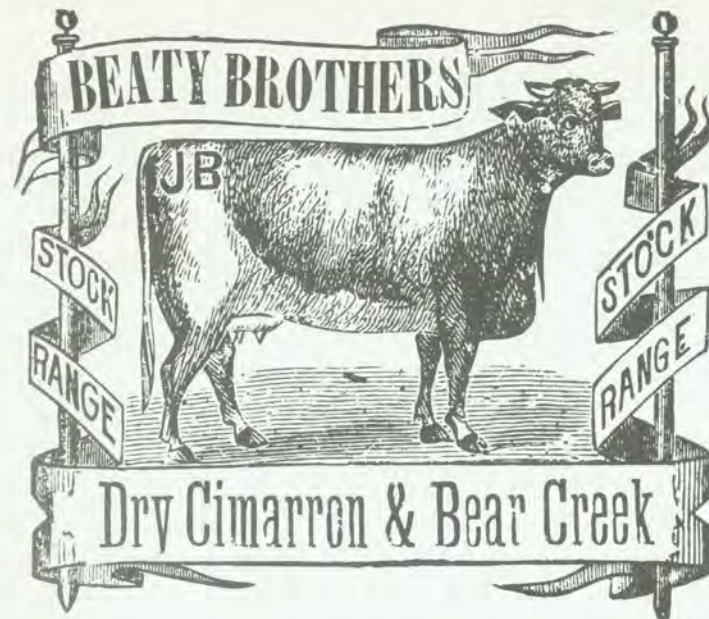
— LN left side. Earmark, underslope each ear.

left side. Earmark, overslope left, underslope the right.

left side. Earmark, swallow-fork and underbit left.

left side. Earmark, over half crop left, under half crop right.

left side. Earmark, over half crop left, under half crop right.



30,000 acres; Rutchler and Lamb of Pueblo County, 40,000 acres; Beaty Brothers of Bent County, 40,000 acres; J. W. Frank of Pueblo County, 40,000 acres; Vrooman and McFife of Bent County, 50,000 acres; Garnett and Langford of Pueblo County, 30,000 acres; E. C. Tane of Pueblo County, 50,000 acres; Livesy Brothers of Pueblo and Fremont counties, 150,000 acres; and several other cases were reported that embraced from 10,000 to 30,000 acres. The other counties reported as having a considerable number of illegal enclosures were Park, El Paso, La Plata, and Weld.²⁸

In effect many cattlemen, sheepmen, and grangers or farmers had been fenced out of land that belonged to all by those cattlemen who had illegally enclosed the public domain. In fencing the public domain to protect their interests these cattlemen had often enclosed roads and range that had been used for years by other cattlemen. The Colorado General Assembly had enacted a law that stated that "no person or persons shall erect any fence, . . . upon any highway, . . . or any obstruction whatsoever."²⁹ On 10 March 1883, J. Masters, postmaster of Wray in

²⁶ *New York Herald*, 14 August 1885.

²⁷ Louis Pelzer, *The Cattleman's Frontier* (Glendale, Calif.: Arthur Clark Co., 1936), p. 178.

²⁸ *Senate Executive Documents*, 48th Cong., 1st sess., 1884, no. 127, 6:32.

²⁹ Colorado, General Assembly, *General Statutes of the State of Colorado*, 4th sess., 1883, sec. 2988, p. 875.

Weld County, wrote to the General Land Office complaining on behalf of several citizens about the illegal fencing, protesting that "there are some parties here who are engaged in fencing . . . several thousand acres of government land . . . obstructing with said fence the public travel on the highway. Please inform us if such parties . . . have a right to fence the public domain, obstruct public travel, and even have gone so far as to threaten life, in case any one crosses or disturbs said fence."³⁰ Likewise, John W. Coshon and W. A. Stump sent a letter to Secretary of the Interior Henry M. Teller, signed by 194 persons, all residents of Pueblo, El Paso, and Fremont counties, declaring their objection to the monopolization of the public domain by a few individuals "owning large herds of live stock" and declaring "that in many places, roads, which have been used by the public are also fenced, to the great inconvenience of settlers and the traveling public."³¹

The land agents in Colorado seemed perplexed as to what course should be followed in securing homesteads for settlers, as S. T. Thomson wrote from Denver on 10 July 1882: "We have the honor to ask for advice and instructions as to the manner in which a pre-emptor or homesteader shall proceed to obtain possession of, and file upon, public vacant land that is fenced in large quantities by stockmen who prevent bona fide settlers to settle and file upon such land."³² George W. Griffin, a cattleman who had used range land in Fremont County for eight years as summer pasture, did not object when John Locke first came to the county and fenced around 4,000 acres of public land in 1881, but when in 1883 Locke began to fence an additional 20,000 acres, which contained what Griffin had used for summer range, he protested in a letter to Washington, D.C. stating that "there is plenty of range for all if it is left open."³³ J. L. Prichard, special agent writing from Gunnison on 29 November 1884, estimated that at least 300,000 acres were illegally fenced in South Park, and he was convinced that the "poorer settlers will not make an affidavit or give testimony in any case, for fear of incurring the displeasure of their wealthy neighbors."³⁴ A. R. Greene, an inspector, reported on 3 November 1884 that some enclosures in Nebraska, Colorado, and Kansas included settlements.³⁵ Greene

³⁰ *Senate Executive Documents*, 48th Cong., 1st sess., 1884, no. 127, 6:32.

³¹ *Ibid.*, p. 33.

³² *Ibid.*, p. 27.

³³ *Ibid.*, p. 32.

³⁴ *House Executive Documents, Report of the Secretary of the Interior*, 49th Cong., 1st sess., 1885, 2:208-9.

also charged that if settlers had located in advance of a cattleman, they were bought off or scared off.³⁶

In several cases the ranchers who had illegally enclosed government land did so to reserve the grasses therein for their exclusive winter use; they continued to turn their cattle out upon the open range during the summer, "thus eating out the outside pasturage and excluding the stock of their unfortunate neighbors from their enclosures during the winter."³⁷ B. A. Arnold, who considered himself a poor farmer of Walsenburg, wrote on 17 February 1883 that "as long as there is feed for their stock outside" of the fence "they leave them there; but when too short, they put them inside their monstrous pasture." He went on to state that he, and men like himself, were too poor to fence and as a result were soon compelled to sell to the big cattlemen "and at very low figures." Arnold was convinced that if the illegal fencing continued in the future, as it had in the two previous years, the whole southern part of the state would be owned by a few individuals.³⁸

Indeed, the expense of fencing substantial areas on the arid plains might have proved prohibitive or nonprofitable for the farmer and the small rancher, even though the price of wire had been reduced from twenty dollars a hundred pounds in 1874 to ten dollars in 1880, and further reduced by 1885 to four dollars and twenty cents a hundred pounds.³⁹ Some stockmen fenced the public domain not for their own use but in order to rent the enclosed land to other cattlemen, charging them a set rate on each head, and thus they were able to procure revenue from land that belonged to the government.⁴⁰ Despite the expense, some cattlemen fenced to protect themselves from the encroaching wire of others. William T. Holt, a Colorado cattleman, on 30 June 1883 wrote from Denver to Secretary of the Interior Teller informing him of his intention to construct an additional twenty-five miles of fence upon the public domain, which would have amounted to 23,000 or 24,000 acres. He wanted to know if fencing the proposed acres would be contrary to any land regulations.⁴¹ Holt's letter was referred to Commissioner of the General Land

³⁶ *Ibid.*, p. 205.

³⁷ *Ibid.*, p. 204.

³⁸ *Senate Executive Documents*, 48th Cong., 1st sess., 1884, no. 127, 6:42.

³⁹ *Ibid.*, p. 30.

⁴⁰ Walter Prescott Webb, *The Great Plains* (Boston: Ginn & Co., 1931), p. 310.

⁴¹ *Senate Executive Documents*, 48th Cong., 1st sess., 1884, no. 127, 6:27.

⁴² *Ibid.*, p. 35.

Office N. C. McFarland, who did not consent to the fencing request. In a letter written on 10 August 1883 in response to the negative correspondence from McFarland, Holt voiced the opinion of numerous cattlemen:

I beg to say that so many and so large tracts of the public grazing lands in Colorado have already been fenced, that the only alternatives now left to other stock-growers are either to fence their own ranges or to have these monster fences removed, or else to go out of the stock business. . . . The long lines of fencing of ten to forty miles at a stretch, prevent the cattle from seeking water elsewhere. . . . I would prefer to see the public range kept open. We hope the government will order the fences removed unconditionally as a public nuisance and trespass.⁴²

In his reply to McFarland, Holt's announced intention to fence an additional 23,000 acres seems to have changed. Here was a cattleman who sought to fence thousands of acres, but who, it appears, had little love for wire. His argument in his second letter rested upon a position of self-defense.

Holt may have taken the precaution of informing Teller of his intentions in June as a result of a 5 April 1883 circular from McFarland addressed to the registrars, receivers, and special agents in which the commissioner stated that all persons were to be notified that "the public lands are open to settlement and occupation only under the public land laws of the United States and any unauthorized appropriation of the same is trespass. The fencing of large bodies of public land . . . is illegal. . . . Graziers will not be allowed on any pretext whatever to fence the public lands."⁴³

In the latter portion of the circular the commissioner, to the complete consternation of cattlemen who held enclosed public land, declared that "this department will interpose no objections to the destruction of these fences by persons who desire to make bona fide settlements on the enclosed tracts."⁴⁴ He also informed his agents that all individuals were to know that proceedings would be initiated against persons who illegally fenced tracts of the public domain when shown such enclosures prevented settlements on those lands by settlers.⁴⁵ Holt must have been aware of the circular when his letter was written on 30 June. British cattle investors, who closely followed the developing

protest against unlawful enclosure, were informed of the circular's contents on 20 June 1883 in the *North British Agriculturist*, where it was pointed out that the circular would be of special "interest to those investing in American cattle ranches."⁴⁶

Although at first cattlemen may have been dismayed by the circular and settlers may have rejoiced, it is evident that the circular failed to move most wealthy cattlemen who held enclosed government land. Acting Commissioner L. Harrison stated that the circular held little respect, and he was further convinced that the General Land Office had "no authority to remove fences or prosecute trespassers."⁴⁷ One feature of the circular did provide an excuse for dangerous activity—that consisting of advice to cut the fences on public land that obstructed settlement. Many individuals "did not go to the trouble to investigate whether someone else had a deed to the land" but cut fences indiscriminately.⁴⁸ While George Ratliff of Castle Rock, Colorado, was in Denver in June of 1884 disposing of a herd of cattle, one and one-half miles of his fence were totally destroyed. Ratliff had constructed the fence only two weeks prior to its destruction.⁴⁹

Although fence cutting was practiced in Colorado, it never reached what might be called a war as it did in other states. The *Laramie Daily Boomerang* on 11 February 1884 reported that many settlers, who had practiced fence cutting, were being driven from the country by cattlemen stretching wire fences across the plains. The Laramie paper prophesized that if the practice of fencing in the whole country to the exclusion of all others continued, it would lead beyond fence cutting to throat cutting. In the same article it was disclosed that a test case was hobbling along in the court. The paper did not expect too much from the case since Uncle Sam was one party and the other had possession of an unlimited pocketbook. The legal process was too lengthy and the article stated "the right plan, to our notion, would be to order out the standing army, give him an ax and the assistance of a hundred able bodied men, and level the fences to the ground."⁵⁰ The same paper revealed on 16 January 1885 that fence cutting in Colfax County, New Mexico, was proceeding at

⁴² *Ibid.*, p. 33.

⁴³ U.S., Congress, *House Reports, Report from the Committee on the Public Lands*, 48th Cong., 1st sess., 1884, no. 1325, 5:3.

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

⁴⁶ *North British Agriculturist*, 20 June 1883, p. 399, WRCIS.

⁴⁷ *House Reports, Report from the Committee on the Public Lands*, 48th Cong., 1st sess., 1884, no. 1325, 5:3.

⁴⁸ Peake, *The Colorado Range Cattle Industry*, p. 73.

⁴⁹ *Denver Rocky Mountain News*, 19 June 1884.

⁵⁰ *Laramie Daily Boomerang*, 11 February 1884, WRCIS.

a rapid, destructive rate. The fence cutters there, under a strong organization, had destroyed a line of wire almost ninety miles long between the Ponie and Tequis. The paper predicted that should the cutters' identity be discovered a bloody war would follow.⁵¹

The opponents of fencing had another weapon in their hands that was greatly feared by all cattlemen, the torch. The *Boomerang* on 1 August 1884 suggested that the people had the power within their hands to combat the cattleman and his fences. It was stated that "a match touched to the dry grass here and there in the fenced range, when the season and wind are favorable, is a weapon that means death to the cattle herds."⁵² Most Colorado newspapers, however, condemned the practice of setting fire to the grass lands more than the fencing of government land.

The test case that had been reported by the *Boomerang* was that of the *United States v. Alexander Swann*, and the judge rendered his decision around the middle of 1883, enjoining cattlemen from fencing the public domain. Shortly after the decision, the *Denver Tribune* requested the opinion of Judge James D. Sener regarding the powers of the government over the public domain. The judge held that in regard to all property, which the government was authorized by the Constitution to hold, the government could use all the civil remedies to prevent injuries, which included trespassing. Editorializing on the judge's remarks, the paper stated that "Judge Sener is entitled to the thanks of all our people in these great grazing states and territories in putting an end to these outrageous attempts . . . to steal from the government and our people, whole sections, townships, and counties, by surrounding them by hundreds of miles of wire fences. We trust that the President . . . will . . . , if need be, call out the military force to clear off any and all wire fences."⁵³

A few days later in Omaha a reporter interviewed W. A. Paxton, a prominent cattleman, concerning the decision of Judge Sener in regard to the fencing of government land by cattlemen. Paxton replied to the reporter's questions by saying:

That decision, sir, is altogether the meanest, most contemptible decision ever rendered by any judge in any country. . . . I have considerable land, 40,000 or 50,000 acres, altogether, fenced in. . . . There's not one acre in 50,000 that will ever bear anything at all. I think the effect of the decision will be to drive

⁵¹ *Ibid.*, 26 January 1885.

⁵² *Ibid.*, 1 August 1884.

⁵³ *Denver Tribune*, 28 August 1883.

out of the country some of the finest stock interests we have in the west. Some of our stockmen have gone into the business of breeding fine stock and have expended vast sums of money on blooded animals. Now it will never do in the world to have these animals running around loose with the common range cattle. Like a good many other things there's a woman at the bottom of it.⁵⁴

Secretary of the Interior Teller informed a reporter on 28 August 1883 that the government had seven or eight cases that were to be pushed in the courts soon. He indicated that the government would follow up complaints with vigor when received by his department, saying that "where there are legitimate cases . . . there need be no question as to the speedy and accurate application of the law. It will be swift and one-sided, for there is only one side to the question, and that is in favor of the small herder and against the fencing in of the ranges."⁵⁵

Neither the circular nor the 1883 court decision compelled many cattlemen to take down their fences; in fact, it appears that there were more illegal enclosures made in 1884 than in any previous year. One of the main reasons for the lack of concern on the part of cattlemen over the Sener decision was the fact that civil suits on the part of the government were cumbersome and time consuming. It might take the government years to prepare one single case.

The Department of the Interior had been searching for sometime for a means with which to combat illegal enclosures. In a letter on 6 October 1883 to Attorney General Harris Brewster, Secretary Teller revealed that the United States attorney for Nebraska felt that the president had the right to remove fences under an act of 1807, which allowed the chief executive to use force to prevent trespass upon government property, and that a United States marshal could serve as an authorized agent of the Interior Department.⁵⁶ Commissioner N. C. McFarland in December of 1882 had regarded the act of 1807 as still in force. By the fall of 1883, however, Teller differed with McFarland on the 1807 act, because it had been passed when there was "no recognized right of pre-emption" and before the establishment of the General Land Office. Teller had reached the conclusion that for enclosures to be dealt with the courts would have to play a significant role.⁵⁷

⁵⁴ *Laramie (Wyo.) Sentinel*, 1 September 1883 (reprinted from the *Omaha Bee*).

⁵⁵ *Denver Tribune*, 29 August 1883.

⁵⁶ *Senate Executive Documents*, 48th Cong., 1st sess., 1884, no. 143, 6:2.

⁵⁷ *Ibid.*, p. 4.

By January of 1884 McFarland also appears to have discarded the idea of using the act of 1807, for he stated that "there appears to be no law under which the parties can be prosecuted criminally for fencing."⁵⁸ He then revealed the frustrating and time consuming process the government had to follow in securing the removal of illegal fences:

In order to maintain a civil suit, it is necessary in the first place to have the case thoroughly investigated for the purpose of obtaining the exact description of the land enclosed and all facts in regard to the fencing; and then, that should be examined by this office, and if deemed sufficient, by this office submitted to the Department and by the Department to the Attorney General, and by him to the proper United States District Attorney who is required to examine the facts, prepare the papers, and see that proper service is had upon the parties, after which other long delays are necessarily caused in court.⁵⁹

McFarland suggested that a remedy to this long, drawn out process was for "Congress to pass a law making it a penal offense for any person to build or retain a fence on any public land to which he had no claim."⁶⁰ According to Herbert Brayer, the illegality of enclosing large areas of the public domain "was offset for a time by the political power and effective action of the large offenders."⁶¹

By 1884 the problem of illegal fencing, publicized through widespread newspaper coverage both in the East and the West, had attracted a great deal of attention, and politicians began to realize the important political ramifications of the question. Cattlemen were very much aware of the frequent press coverage and debate in the Congress. They realized that politicians could not long resist the combined protests against illegal fencing and fraudulent land entries; thus, they attempted to close their ranks and present a program that, if adopted by the government, would solve their problems and preserve their interests. The first National Cattle Convention was to meet in Saint Louis in November and one of the important questions that would be considered was fencing.

The Colorado Stock Growers Association had earlier appointed a Fence Committee, which in July 1884 presented the good and the evil effects of fencing. W. A. Towers of the com-



J. M. Wilson



B. F. Johnson

mittee stated that great losses of cattle occurred when they were confined within a fence during extremely cold weather because the cattle tended to drift up against a fence and freeze once they were unable to move south.⁶² A resolution, presented by J. M. Wilson, also of the Fence Committee, that the fencing of the public domain was beneficial to cattle interests was defeated by a vote of eleven to two. In August the committee adopted a resolution offered by B. F. Johnson recommending that an appeal be made to cattlemen "to remove, or so arrange their fences, that our cattle may go into the coming winter . . . as though there were no fences."⁶³

By the time the convention assembled, the Colorado Stock Growers Association had declared against fencing,⁶⁴ and some members, such as Towers, considered leasing public lands the best solution to the problem. The *Denver Rocky Mountain News* in July endorsed leasing and suggested that the present occupants should have preference for low rate, long term leases.⁶⁵ A

⁵⁸ *House Reports, Report from the Committee on the Public Lands*, 48th Cong., 1st sess., 1884, no. 1325, 5:5.

⁵⁹ *Ibid.*

⁶⁰ *Ibid.*

⁶¹ Herbert O. Brayer, "Range Country Troubles," in 1952 [*Denver Westerners*] *Brand Book* [Vol. 8], ed. Elvon L. Howe (Denver: Denver Westerners, 1952), p. 179.

⁶² *Denver Rocky Mountain News*, 2 July 1884.

⁶³ *Ibid.*, 2 August 1884.

⁶⁴ *Ibid.*, 8 October 1884.

⁶⁵ *Ibid.*, 18 July 1884.

lengthy resolution calling upon the government to lease the public lands for a fee from one to five cents an acre for a term of years was adopted at the convention.⁶⁶ However, a majority of the delegates from Colorado opposed the resolution, and a Colorado judge presented the minority report, which charged that the resolution was in the interest of the large cattlemen and prejudiced against the small.⁶⁷ The *News* did not believe that the delegation represented the desires of a majority of the Colorado cattlemen.⁶⁸ Although T. P. Ernest was one of the largest individual cattlemen in Colorado, in an interview with a reporter he appeared to champion the cause of small cattlemen and was not in favor of leasing.⁶⁹ Evidently not aware of range conditions, the *New York Times* charged that the statement that western ranges were overcrowded with cattle was false and called the leasing proposal a wildcat scheme.⁷⁰ The Wyoming Cattle Growers Association reported that "every possible misrepresentation is made in the public prints. . . . We are weary of asking our eastern critics how we can reimburse the government, when that government will neither sell [n]or lease."⁷¹ And, one cattleman from Trinidad, Colorado, wrote that "we little men are not to be hoodwinked by any such blarney . . . about the great benefit which will result from the leasing of the public land."⁷² Most evidence discloses stronger and wider spread opposition to leasing among the small rancher and farmer. It was stated that if leasing was to become a fact, the wealthy cattlemen could "both lease and fence as much as they pleased. Leasing will provide the wealthy a legal right to fence, for leasing involves fencing."⁷³

The cattlemen's fear of possible congressional action against illegal fencing was realized on 25 February 1885, when Congress passed a law prohibiting the construction of enclosures on the public domain. Violators could be imprisoned for not more than one year and fined \$1,000 for each offense. The president was given the power to use civil or military force, if necessary, to remove or destroy such fences.⁷⁴ Special agents were sent to the

Moses Hallett
(1834-1913)
was appointed
chief justice of
the Territorial
Supreme Court
in 1866,
and in 1877
became judge
of the United States
District Court,
serving in that
capacity for thirty
years. In 1892 he
became a professor
of law at the
University of
Colorado.



range region to gather information regarding names and figures on illegal enclosures.

Of the 193 cases of illegal fencing reported to the General Land Office in 1885, around 130 were located in twelve counties of Colorado.⁷⁵ Between 20 December 1884 and 17 November 1888, only twelve suits against illegal fencing were filed with the United States Circuit Court in Denver. Of those, four were against the Prairie Cattle Company and two against the Arkansas Valley Land and Cattle Company. In most cases the defendants failed to appear in court, and Judge Moses Hallett issued decrees stating that if the fences were not removed within the time allotted, the marshal would remove them and the cost of such removal would be charged to the companies. The suits filed against the Cleveland and Colorado Cattle Company, B. F. McDaniel, and George Baxter were not completely disposed of until 1900, when they were dismissed.⁷⁶ The reason more suits were not filed may be attributed to the effect of President Grover Cleveland's proclamation on 7 August 1885 that ordered all illegal fences removed. Following the proclamation, the *New York Herald* published a list of the illegal enclosures that could be affected by the proclamation. Included on the list were over 35 Colorado cattle concerns with from 800 to 1,000,000 acres illegally enclosed.⁷⁷

A majority of the cattlemen did not immediately remove their fences from the public lands following the 1885

⁶⁶ *Ibid.*, p. 187.

⁶⁷ Information pertaining to these cases can be found in the Register of Actions, Circuit Court of Denver, Colorado, case numbers 1666 through 1668, 1682 through 1685, 1679, 1712, 1979, 2291, 2355; Final Record, Federal Archives and Records Center, Denver.

⁶⁸ *New York Herald*, 12 August 1885.

⁶⁶ U.S., Congress, *House Executive Documents, Report on the Range and Ranch Cattle Traffic*, 48th Cong., 2d sess., no. 267, 24:47.

⁶⁷ *Pueblo Daily Chieftan*, 23 November 1884, WRCIS.

⁶⁸ *Denver Rocky Mountain News*, 9 December 1884.

⁶⁹ *Ibid.*

⁷⁰ *New York Times*, 5 February 1885, p. 3.

⁷¹ *St. Louis Globe-Democrat*, 7 April 1885, WRCIS.

⁷² *North British Agriculturist*, 6 May 1885, p. 320, WRCIS.

⁷³ *Ibid.*

⁷⁴ Pelzer, *The Cattleman's Frontier*, p. 184.

Benjamin H. Eaton
(1833-1904)
was a Colorado
pioneer in irrigation
farming. Elected to
the territorial
legislature in 1872
and 1875, he became
Colorado's governor
in 1884. The town
of Eaton in Weld
County is named
after him.



proclamation. Colorado cattlemen were already irritated with President Cleveland because of his hard money stand and his order to remove all stock from the Cheyenne-Arapaho Reservation within forty days, only two weeks prior to the decree to remove the fences.⁷⁸ If the fences in Colorado were to be removed it would leave the range there unprotected from the expected influx from the Indian Territory. Governor Benjamin H. Eaton of Colorado, one of the largest farmers and cattle owners in the state, responded to a reporter's inquiry regarding the president's order to remove the cattle from the Indian Territory by saying that "it is practically impossible to remove the cattle to other ranges in 40 days . . . at this season of the year. . . . Every herder knows that 10,000 head of cattle cannot be driven more than ten miles a day. You may imagine the task of moving one million head to distant ranges within 40 days. . . . The government should give the cattlemen at least a year's notice."⁷⁹

Between 200,000 and 300,000 head of cattle were driven from the reservation into eastern Colorado, and many have since considered the results disastrous.⁸⁰ Because of these previous irritating actions on the part of the president, Colorado cattlemen were so displeased that "they were probably more stubborn about removal of fences than they normally would have been."⁸¹ Colorado's attitude toward Cleveland was perhaps reflected in an article appearing in the *Alamosa Independent*

Journal, which stated that "the President knows nothing practically about Indians. He could hardly tell the difference between an Indian and a tobacco sign. . . . He knows nothing about the west and western interests, but he presumes to dictate to Congress . . . as to how this government ought to run. Yet we call this a government of the people."⁸² The *New York Herald*, on the other hand, applauded both proclamations as correct and just.⁸³

Although the fence law and the president's proclamation were not vigorously enforced, a few examples served to induce others to remove their fences. On 18 August 1885 John McMillen, who lived east of Denver and had 30,000 acres illegally fenced, was arrested by the deputy marshal for contempt in failing to remove his enclosures that were located on government land. McMillen was shot in the leg when he attempted to secure a gun from his house in order to resist arrest.⁸⁴ C. F. Fisher was arrested early in December by a United States marshal for constructing and maintaining fences on public land about thirty miles from Cheyenne.⁸⁵ Other cattlemen like Mowry Arnold, a lawyer, counseled their fellows that the fence law "must and shall be enforced and the public domain turned over to the people to who[m] it belongs, although it is against my individual interest."⁸⁶ C. W. Hurd felt that the law backed by the president was a crushing blow to the ranching interests. He went on to say that "the loss of range rights in the middle eighties revolutionized cattle ranching. It put many of the cattlemen out of business. Washington ordered them to remove their fences, and when they did not do so, the sheriff sent his men to cut the wires between every two posts. The loss of range rights was not entirely responsible for putting the cattlemen out of business; it was only the first blow."⁸⁷

Herbert Brayer stated that "the result of the government's attitude was two-fold: a number of the companies proceeded to liquidate their properties; while the stronger organizations set out to purchase and lease tracts."⁸⁸ Historian Edward Dale

⁷⁸ *Ibid.*, p. 77.

⁷⁹ *New York Herald*, 6, 11 August 1885.

⁸⁰ *Denver Rocky Mountain News*, 19 August 1885.

⁸¹ *Laramie Daily Boomerang*, 7 December 1885, WRCIS.

⁸² Brayer, "When Dukes Went West," p. 180.

⁸³ Charles W. Hurd, *Boggsville: Cradle of the Colorado Cattle Industry* (Las Animas, Colo.: *Bent County Democrat*, 1957?), pp. 69-70, Western History Collection, Norlin Library, University of Colorado, Boulder.

⁸⁴ Brayer, "When Dukes Went West," p. 73.

⁷⁵ Peake, *The Colorado Range Cattle Industry*, p. 75.

⁷⁶ *New York Herald*, 4 August 1885.

⁷⁷ Goff and McCaffree, *Century in the Saddle*, p. 146.

⁷⁸ Peake, *The Colorado Range Cattle Industry*, pp. 76-77.

charged that many cattlemen were tempted to reconstruct their fences removed under Cleveland's edict "as soon as they deemed it safe to do so,"⁸⁹ and according to Ora Peake, in many cases the act of 1885 was not enforced until 1891, but from that date there were few violations.⁹⁰

The range cattle business in Colorado, as elsewhere in the West, was certainly on the decline by the mid-eighties, but it is very doubtful that the no fencing act played a large part in its demise. The range was almost criminally overstocked, cattle companies were mismanaged, and stockmen were seldom prepared for severe winters. The dry summer of 1886 and the severe winter that followed did more than anything else to bring an end to the speculative range cattle industry.

The controversy that developed during the early eighties over illegal enclosure of public land cannot be attributed to any single cause, but the failure of the government to provide an adequate land policy for the arid plains made a significant contribution to the problems that evolved. The government never attempted to solve the special land problems that confronted the cattlemen but geared the land acts to the needs of the farmers. Thus, western land acts were patterned after the needs of the granger in the Mississippi and Ohio river valleys, not the cattlemen of the arid plains. The cattlemen, attempting to protect their interests, used or abused the only land acts that were available, sometimes employing fraudulent practices. But, if the government had provided them with an adequate pastoral homestead act, widespread abuse might have been avoided. The government, by failing to provide an adequate land policy, had forced the cattlemen to resort to illegal and fraudulent practices. The high-handed and under-handed tactics employed by the cattlemen cannot be justified. Nevertheless, an understanding of their position should be attempted. Even when protests began to bombard the General Land Office, the government was slow to take firm action against the unscrupulous activities of cattlemen and the corrupt land agents who catered to the cattlemen's desires.

A well-drawn leasing provision, which would have served the farmer and cattlemen alike, was possible, but the newspapers did not allow such a scheme to receive a fair hearing. While the

eastern newspapers played a significant role in persuading the government that an antifencing law was necessary, many exaggerated and misrepresented the facts. Neither the act nor the proclamation ended the fencing. They only served to convince cattlemen of the government's lack of concern for their interests.

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Visit the
Victorian Rococo
Bloom House
in Trinidad,
the home of
cattleman Frank
G. Bloom.

These are three
of the many
brands used
by the Bloom
Cattle Company
in the late
nineteenth and
early twentieth
centuries.



⁸⁹ Edward E. Dale, *The Range Cattle Industry* (Norman: University of Oklahoma Press, 1930), p. 107.

⁹⁰ Peake, *The Colorado Range Cattle Industry*, p. 78.

The Multifunctional Frontier Saloon: Denver, 1858-1876*

BY THOMAS J. NOEL

Longs Peak, when they saw it at last, thrilled both husband and wife. Together they urged on the oxen. Twenty-four-year-old Lavinia Porter later confided to her diary: "As we came closer to Denver the South Platte seemed to make its nearest approach to beauty, and in many places was studded with beautiful islands, picturesque indeed with their emerald green foliage of graceful willows. . . . I remember how joyfully we greeted the first scrubby pine trees, giving us hope that the desert was nearly past and the mountains were not far off. Their soft and tender green was soothing to our sun-burnt vision."

Colorado's snowy peaks, green foothills, and jubilant streams led Lavinia to forget for the moment the vow that she and her young husband had made back East: "We had decided and promised each other that if Pike's Peak and its environments did not come up to our expectations that we would push on to California." Now in June of 1860 the Porters fell in with the swelling stream of immigrants funneling into Denver City. These pilgrims were a motley crew according to Lavinia: "the men unshaven and unshorn with long sun-burnt whiskers and their stained and weather beaten garments begrimed with the dust and dirt of the plains—the women and children with huge sun bonnets pulled over sun-burnt brows, ragged, unkept and dirty, their short rough dresses in tatters from coming into frequent contact with the campfire, many of them barefooted."

Denver was "an exceedingly primitive town consisting of numerous tents and numbers of rude and illy constructed cabins, with nearly as many rum shops and low saloons as cabins. . . . Low drinking saloons were to be seen on every hand, and gambling dens of every kind abounded. Many of the squalid adventurers lived in the crudest manner with no law save that of the Vigilance Committee. No wonder that so many coming into this dismal village, chafed and irritated with their long journey,

were disheartened and discouraged and turned their faces homewards."

After a few days in Denver, the Porters sold their wedding crystal to the proprietor of "one of the best saloons" for much needed cash and set out northward along the Cherokee Trail to Fort Laramie, where they could pick up the path to California. The Porter's complaint about saloon-infested Denver was perhaps the most common observation of visitors to that pioneer town.¹ Isabella Bird, the spunky, British world traveler, wrote to her sister in London that in 1873 Denver "the number of 'saloons' in the streets impresses one, and everywhere one meets the characteristic loafers of a frontier town, who find it hard even for a few days or hours to submit to the restraints of civilization." Miss Bird described Denver as a saloon town where "whiskey is significant of all evil and violence."²

Another Britisher visited Denver in 1866 and reported that "as you wander about these hot and dirty streets, you seem to be walking in a city of demons. Every fifth house appears to be a bar, a whiskey shop, a lager beer saloon; every tenth house appears to be either a brothel or a gaming house; very often both in one."³ Libeus Barney, a Denver tavern keeper, claimed that every third building in the raw mining capital was a groggery.⁴

Horace Greeley, the celebrated New York newspaper editor and presidential candidate, visited Denver in 1859 and sent back a dispatch to his *New York Tribune* complaining of the incessant clamor of midnight gamblers and of the inconvenience of dodging bullets miscellaneously fired by drunks. Addressing a throng of "'59ers" in the Denver House, Greeley gave them a stern temperance lecture. The swizzling of drinks and the shuffling of cards stopped momentarily while the sinners listened in respectful silence. But when Greeley returned to Denver several days later after touring Gregory Diggings, he ruefully found that his admonition had been ignored.⁵

* Portions of this material originally appeared in a short article in *Empire Magazine of the Denver Post* (4 March 1973, pp. 24-27) and are reprinted here with the consent of the editor of *Empire Magazine*.

¹ Lavinia (Honeyman) Porter, "By Ox Team to California: A Narrative of Crossing the Plains in 1860," Manuscript Collections, Bancroft Library, University of California, Berkeley.

² Isabella Bird, *A Lady's Life in the Rocky Mountains* (1879; reprint ed., Norman: University of Oklahoma Press, 1960), p. 139.

³ William Hepworth Dixon, *New America*, 2 vols. (London: Hurst & Blackett, 1867), 1:125, cited in Robert G. Athearn, *Westward the Briton* (New York: Charles Scribner's Sons, 1953), p. 39.

⁴ Libeus Barney, *Letters of the Pike's Peak Gold Rush* (San Jose, Calif.: Tailisman Press, 1953), p. 40.

⁵ Albert D. Richardson, *Beyond the Mississippi . . . 1857-1867* (Hartford, Conn.: American Publishing Co., 1867), p. 178.

Despite the literary abuse and oratorical ranting, Denver relied heavily upon her numerous saloons and saloonkeepers, not only for social, cultural, and recreational life but also for political, economic, and even religious activities. After Denver was founded in 1858, it took years for formal governments, churches, schools, banks, libraries, hospitals, theaters, museums, and other social institutions to arrive. On the fast-moving frontier, upstart communities, like Denver, commonly outdistanced such institutional refinements and tended to rely on the ubiquitous frontier saloon to serve a wide range of functions. Saloons were often in the frontier vanguard, and, in fact, saloons seemed to have been the preeminent institution in Denver during the territorial period of 1858 to 1876. Almost three hundred saloons can be documented as having operated in Denver during this period.⁶ Although it seems impossible to pinpoint the average lifespan of these grogeries from available sources, it was probably only a year or two. Particularly in the frontier era, public drinking establishments were constantly being born, changing (usually for the worse), and dying.

The nineteenth-century Denver saloon and its keeper offered patrons far more than a nickel beer. Various saloons provided the cultural and social benefits of the French "salon," the civic and political activities of the Teutonic "saal" or public hall, the elegance of the Spanish "sala" or parlor, and the sedate, private man's world of the British pub. In Denver's early years, saloon halls served as all-purpose community centers. Behind saloon doors, the provisional and permanent governments for Denver City and Jefferson Territory (the extralegal predecessor of Colorado Territory) were conceived and spent their first years. Saloons doubled as hotels, restaurants, bakeries, hospitals, museums, banks, and information centers. Denver's first church services and first theater performances were held in drinking halls. Before an educational system could be set up, the youth of Denver probably got much of their "schooling" in saloons.⁷ Town lots and mining claims were marketed over bourbon and beer. "It is to be remembered," wrote Jerome C. Smiley, the historian

of nineteenth-century Denver, "that in these years the 'business' carried on in many 'business' houses was transacted over saloon counters."⁸

Saloonkeepers endeavored to meet as many of the needs and the desires of their patrons as possible. "I flatter myself that I can please anyone," advertised Edward Jumps of the Criterion Saloon.⁹ David Hoyt's Pioneer Saloon promised to dispense choice wines, liquors, and cigars "in a scientific manner."¹⁰ Tavern keepers could tell a fellow where he could find a bed, a job, and the latest gold strike. Operating both over and under the counter, saloonkeepers were the guides to, and often the promoters of, the town's social, economic, political, and cultural life.

Before examining the diverse functions of specific saloons and their owners, it should be noted that the activities within any given tavern were constantly changing. Apollo Hall, a two-story, frame building erected in June 1859, provides a good example. Two months after its appearance as a billiards and liquor saloon the Apollo made its debut as a hotel. The next month, on 15 September, this Larimer Street establishment staged a "Grand Opening Ball" with the town's elite feasting on five dollar a plate dinners and dancing to "the best music the country affords."¹¹ This drinking, billiards, sleeping, dining, music, and dance hall became Denver's first theater in October of 1859, when miner's candles were stuck into the plank walls and rude benches set up in the ramshackle upstairs hall.¹² In 1860 it was used by churchless Presbyterians who met there despite the rattling billiard balls, drunken commotion, and occasional gunfire from the room below.¹³ In its first year of operation the Apollo also served as the civic hall where Denverites severed their ties with Kansas Territory and created and conducted their own Jefferson Territory government. In September of 1860 a provisional city government met in the Apollo to draft a municipal constitution and form the "People's Government of Denver."¹⁴

⁶ In compiling Denver "saloons," I have defined a saloon as every public place where alcoholic beverages were sold for consumption on the premises. When a saloon changed owners, name, or location, I have treated it as a separate saloon. It is possible that twice the number of documented saloons existed during this period in Denver, but their existence remains undocumented by extant records. Licensing and tax records, which would provide the most accurate enumeration, could not be located in the Colorado State Archives and Records Center and have evidently been lost or destroyed. The nearly three hundred saloons in Denver between 1858 and 1876 were documented from 1860 and 1870 manuscript federal censuses, contemporary city directories, maps, and newspapers.

⁷ *Denver Weekly Rocky Mountain News*, 9 November 1873.

⁸ Jerome C. Smiley, *History of Denver, with Outlines of the Earlier History of the Rocky Mountain Country* (Denver: Times-Sun Publishing Co., 1901), p. 370.

⁹ *Golden Western Mountaineer*, 7 December 1859.

¹⁰ *Denver Daily Rocky Mountain News*, 25 October 1865.

¹¹ Original invitation, Libeus Barney Papers, Documentary Resources Department, State Historical Society of Colorado, Denver (hereinafter cited as SHSC).

¹² Barney, *Letters of the Pike's Peak Gold Rush*, p. 50.

¹³ Smiley, *History of Denver*, p. 723.

¹⁴ *Ibid.*, p. 336.

One of the most basic functions of the frontier saloon was giving birth to local self-government and nursing councils and legislatures through their early years. Long before city halls, county courthouses, and statehouses reached the frontier, pioneers met in saloon halls to institute local government. In Denver, the Apollo Hall was not the only tavern to house pioneer political institutions. The "People's Court," a vigilante organization and Denver's first effective law enforcement agency, held sessions in Denver Hall.¹⁵ When the 1864 Cherry Creek flood washed away the shack labeled City Hall, the city rented the Apollo Hall as a home for the mayor and the council.¹⁶ Saloons and other makeshift headquarters continued to house city government until a permanent City Hall was completed in 1883.

Even slower to move out of the taverns and into a permanent statehouse was the state government. The Apollo, the Criterion, the Windsor, and other halls housed the Colorado legislature temporarily until 1894, when the solons moved into the still unfinished State Capitol. Construction had been delayed numerous times, first until the statehood vote of 1876, then until a statewide referendum confirmed Denver as the capital city in 1887, and again due to a lengthy debate over land ownership and the eventual voting of bond issues. The gold-domed statehouse did not officially open until 1908.¹⁷

During the pioneer years, not only politicking but actual government was conducted in saloon halls. The kinship of state and saloon was not overlooked by the fourth estate. In 1873 the *Denver Rocky Mountain Herald* observed wryly that "Denver's saloons are running into statesmanship right royally. We now have a 'Council Chamber,' a 'Senate,' a 'Cabinet,' a 'Congress Hall,' and a 'Court Hall' and half a dozen other drinking establishments within a square of the court rooms. Our public officers, jurors and lawyers needn't necessarily die of water on the brain."¹⁸

Saloons not only housed government, to a large extent they financed it.¹⁹ In 1861 the Board of Commissioners of Arapahoe

County began licensing saloons.²⁰ As taverns were numerous and thriving and considered a social nuisance by many civic leaders, the halls were saddled with stiff taxes to finance the rapidly expanding functions of city government. By 1875 the \$100 quarterly saloon licensing fee brought roughly \$35,000 a year into the Denver city treasury.²¹

Not only state officials but also various church congregations first met in Denver's grogeries. Not until 1860 did Denver City build its first two churches—a small brick edifice built in the summer by the Methodist-Episcopal Church South and a small Catholic chapel completed late in December.²² While awaiting the erection of churches, the Reverend John M. Chivington's Methodist-Episcopalians held services and Sunday School in the Criterion Saloon; the Reverend A. T. Rankin's First Presbyterian Church met at the Apollo;²³ and the Reverend J. H. Kehler's pioneer Episcopal congregation also worshipped at the Criterion, although a participant recalled that it was an ungodly place. "On the first Sunday the gambling was carried on on the first floor while preaching was proceeding on the second. The flooring was of rough boards with wide cracks between them, and every word uttered by the occupants of the saloon, including those at the gambling tables, was as plainly heard by the congregation as the sermon. On the next Sunday the gambling was suspended for an hour while preaching proceeded, which was considered quite a concession at that time."²⁴ The records of Father Kehler's parish suggest the uphill struggle of churches in a saloon-infested frontier town. Of the first twelve burial services he conducted, five of the persons had been shot, two executed for murder, one had shot himself, and one had died of alcoholism. Only three had succumbed to "natural causes."²⁵

The pioneer Methodist minister, the Reverend George Washington Fisher, reportedly preached in a saloon from the text "Ho, every one that thirsteth, come ye to the waters, and he that hath no money, come up, buy, and eat; yea, come buy wine and milk without price." Signs on the saloon wall, however, read "no trust," "pay as you go," and "25 cts a drink."²⁶ This same

¹⁵ *Ibid.*, p. 342.

¹⁶ *Denver Daily Rocky Mountain News*, 30 October 1865.

¹⁷ *Colorado Capital Buildings* (Denver: Colorado Advertising and Publicity Committee, n.d.), pamphlet, SHSC.

¹⁸ *Denver Rocky Mountain Herald*, 18 October 1873.

¹⁹ For a discussion of how frontier mining towns supported themselves by taxing the wages of "sin," see Duane A. Smith, *Rocky Mountain Mining Camps: The Urban Frontier* (Bloomington: Indiana University Press, 1967).

²⁰ Arapahoe County, Works Project Administration, Division of Women's and Professional Project, Historical Records Survey, *Inventory of the County Records of Colorado*, No. 3, 1939, p. 36. Microfilm Collection, Colorado State Archives and Records Center, Denver.

²¹ *Denver Daily Rocky Mountain News*, 14 March 1875.

²² Smiley, *History of Denver*, p. 720.

²³ *Ibid.*, pp. 722-23.

²⁴ Colonel S. S. Curtis to Jerome C. Smiley, quoted in Smiley, *History of Denver*, p. 719.

²⁵ Smiley, *History of Denver*, p. 725.

²⁶ Alice Polk Hill, *Tales of the Colorado Pioneers* (Denver: Pierson & Gardner, 1884), p. 64.



Libeus Barney (1829-99) came to Colorado in 1859 and engaged in mining, farming, and the grocery business, erecting one of the first frame houses in Denver. He held valuable pieces of Denver real estate and was a member of the city's chamber of commerce.

Rev. Fisher found that saloons were powerful competition at one meeting, which was witnessed by Libeus Barney, proprietor of the Apollo: "I was surprised to see an audience of twenty listening with some degree of earnestness, to the Rev. Gentleman's gospel instruction. In front of a whiskey shop directly opposite, a faro bank drew a crowd of some forty or fifty, and there was the shrine upon which this assemblage poured their worship."²⁷ Not surprisingly, the major endeavor of many pioneer churchmen was to put the saloon out of business.

Banks were even slower than churches to establish themselves on the frontier. Although the short-lived Brown Brothers Bank and Clark, Gruber and Company were established in 1860 and a few other feeble banking houses after that, no banks were opened between 1865 and 1870.²⁸ Easterners with capital were notably reluctant to establish banks in the raw West where mercurial inflation, a society of transient borrowers, a lack of law and order, and few investors made banking a risky business.

Denver's premier saloonkeeper, Richard L. ("Uncle Dick") Wootton, claimed in his autobiography to be the Queen City's first banker. According to Wootton, nine-tenths of the arrivals in the winter of 1858-59 seemed to be gamblers. After arriving, many of them would borrow twenty-five dollars from "Uncle Dick," using their ox-teams as collateral, and generally return with the thirty-dollar repayment the next day. "This was a

matter of such frequent occurrence," Wootton recalled, "that loaning money in this way became part of my business."²⁹

For those who came to Denver to gamble with picks and pans rather than cards and dice, capital was also in great demand. And as alcohol was one of the top cash commodities on the frontier, saloonkeepers probably often served as bankers. If a grubstaked miner happened to strike pay dirt up in the hills, he might well return to the saloonkeeper to deposit his gold dust or cash his strike in for cold beer or warm whiskey. As a banker, the saloonkeeper offered warmer hospitality, longer business hours, and liquid fringe benefits that conventional bankers could not match. The frontier proletariat, and especially immigrants, might have been particularly inclined to seek out their favorite bartender as a banker.

Saloonkeepers doubled not only as bankers but also, in at least one case, as insurance agents. Edward Van Endert, copartner of the Mozart Hall, advertised in the 1871 *Rocky Mountain Directory and Colorado Gazeteer* as the Denver salesman for Germania Life Insurance. Aiming his pitch at immigrants, Van Endert claimed that the Germania policy covered "traveling to & residing in Europe" and claimed that Germania was "the only American company which has established agencies throughout Europe."³⁰

Not only did at least one saloonkeeper insure early Denverites, in some cases, tavern proprietors also served as physicians. Before the arrival of the medicine man with his wagon load of cure-alls and the physician with his black bag, on occasion saloonkeepers would dispense whiskey for medicinal purposes, as a universal elixir for everything from snake bite to impotency and from bullet holes to Rocky Mountain tick fever. Englishman Richard Townshend, traveling in Colorado in 1869, reported the use of Dowd's tavern on Cherry Creek as a hospital. A gunshot victim "was laid flat on the bar counter under the smoky petroleum lamp" and surgery was performed with a sharp razor. Whiskey served as the anesthetic for both patient and surgeons.³¹

On the nineteenth-century frontier, where medical care and social welfare were very slowly and reluctantly assumed by local

²⁸ Howard L. Conrad, ed., *Uncle Dick Wootton: The Pioneer Frontiersman of the Rocky Mountain Region* (1890; reprint ed., Chicago: R. R. Donnelley & Sons, 1957), pp. 358-59.

²⁹ Samuel S. Wallihan and T. O. Bigney, eds., *Rocky Mountain Directory and Colorado Gazeteer for 1871* (Denver: [Samuel] S. Wallihan, [1870]), pp. 288-89.

³¹ Richard B. Townshend, *A Tenderfoot in Colorado* (1923; reprint ed., Norman: University of Oklahoma Press, 1968), pp. 57-58.

²⁵ Barney, *Letters of the Pike's Peak Gold Rush*, p. 73.

²⁶ Smiley, *History of Denver*, p. 818.

governments, saloonkeepers were besieged by the sick and the needy. In Denver City, a county physician was not appointed until 1870 and a permanent county hospital was not erected until 1873. Although a three-story residence for homeless women and children was erected in 1876, homeless men continued to spend much of their lives inside and outside of saloons.

The oceanic ebb and flow of nineteenth-century frontier populations washed many of the sick, indigent, handicapped, homeless, unemployed, and shiftless into Denver. The promise of gold and a beneficent climate made the Mile High City particularly attractive. Nickel beer, free lunches, and amusements drew much of this element into the city's saloons. There many of these unfortunates spent days and nights that turned into weeks and months.

Pioneer saloonkeeper "Uncle Dick" Wootton recalled that "there were hundreds of bitterly disappointed men who came to Colorado thinking they could pick up gold nuggets anywhere, who found it difficult to pick up a square meal once a week. I fed a great many of them and did that much, at least, towards building up the city." "Uncle Dick" claimed that his Western Saloon and Hotel "failed financially for the reason that neither the manager nor myself could understand that only men who had money had a right to eat." Wootton concluded that "our house was well patronized but in view of the fact that most of our patrons were free boarders I suppose it is not surprising that we did not make a success of the hotel business."³²

In the early 1870s William N. Byers, editor of the *Denver Daily Rocky Mountain News*, made an appeal for public assistance to the less fortunate, who continued to rely on tavern keepers. "For six weeks past, a stranger and invalid has been upon the hands of Gus Potter, of the Metropolitan Restaurant, Blake Street. He seems to be entirely destitute, and has cost Mr. Potter five or six dollars per day. This is an onerous and oppressive tax upon any citizen. The man should be taken in charge and comfortably provided for by either the council or city authority."³³

The so-called "tramp evil," fostered by the depression of 1873, affected Denver as well as other cities. Editor Byers claimed that Denver was just as "cosmopolitan" as New York in having a heterogeneous population, including "hoodlum" and

vagrant elements. "A Colorado hoodlum," Byers elaborated; "is not necessarily a loafer, for his idleness is enforced rather than voluntary. The throngs of men who line our streets, and fill our concert saloons [are] made up of men whose intentions average 'fair to good' . . . but who are pursued by infirmity of purpose which drives them from the active ranks of life, and which makes bar-room fixtures out of them who might adorn society under better circumstances."³⁴ In frontier communities such as Denver, where charitable institutions were lacking and society refused to assume the burden, saloons were probably the first and perhaps the only place where many unfortunates could successfully look for comfort and assistance.

With a chronic housing shortage in early Denver, the ubiquitous boarding-house-saloon was frequently "home" for the transient population of the mining frontier. The names of a few of these establishments—California House, Cherokee House, Bavarian House, Turner Hall, Scandinavian House, Shamrock House, Vasquez House, German House, Iowa House, Missouri House, and American House—help to suggest the wide variety of ethnic groups housed in pioneer taverns.

A much closer look at the housing pattern is provided by the federal manuscript censuses for 1860 and 1870. Arranged by household, the census lists each boarder separately and gives his or her name, age, occupation, wealth, sex, and birthplace. The 1870 census, for instance, lists Irish-born Patrick O'Connell as the proprietor of the Missouri House on Front Street (now Thirteenth Street). Here O'Connell lived with his Irish-born wife, Catherine, and their seven children ranging in age from sixteen-year-old Michael to four-year-old Mary. As well as this

WASHINGTON HOUSE,
F Street, below Wazec, Denver, Colorado
CONRAD TRANKLE, Proprietor.

Having recently completed the above fine new brick hotel, and furnished it elegantly throughout with new furniture, I am prepared to accommodate boarders and travelers in a style of comfort unequalled by any house in Denver. Best

WINE AND MOUNTAIN ALE

at the Bar. Table supplied with all the luxuries the Colorado market affords. Travelers and Mountain people are invited to give me a call.

³² Conrad, ed., *Uncle Dick Wootton*, p. 368.

³³ *Denver Daily Rocky Mountain News*, 3 December 1872.

³⁴ *Denver Weekly Rocky Mountain News*, 3 February 1875.

sizeable family there were thirty-two boarders who had responded to O'Connell's advertisement that he intended to excel at "everything pertaining to Hotel & Saloon keeping," that he had on hand the best "wines, liquors, ale, beer and cigars," and that he had a "commodious stable and corral, which is free for the use of guests having teams."³⁵

The Black household and restaurant of Henry O. Wagoner, Sr., on Blake Street across from the Elephant Corral was also listed on the 1870 census. Under Wagoner's roof lived his family and also another Black family, Robert and Marcella Moss and their two children. Although Robert Moss is listed as a painter and glazier, probably both families helped Wagoner operate his tavern, which advertised:

Have you ever thirsted say,
Or been hungry (by the way?)
Well, if so, I'll tell you then
A place where all honest men,
Get wholesome food at cheap rates—
Oysters, pies, and butter cakes,
Nuts of dough, Chicago kind,
Even cider too—d'ye mind?
Right down Blake Street you'll find
H. O. Wagoner is the host,
And to please all is his boast.³⁶

The censuses reveal that many of the tavern keepers, married men with wives and children, helped to make a home for the predominantly male, young, unmarried, transient horde of miners who crowded into Denver City after 1858. The effect of such housing arrangements upon family life remains to be investigated, but perhaps it can be speculated that the saloonkeeper, his wife, and his children were very important in providing financial and occupational advice, health care, and edifying (or perhaps unedifying) company for the lonely, young bachelors of the frontier. Historians have long been fascinated with the role of saloons in providing hurdy-gurdy girls and harlots for the woman-starved frontier. But the impact of the frontier's saloon society upon social structure and family life remains essentially a virgin field.³⁷

³⁵ Junius E. Wharton and David O. Wilhelm, *History of the City of Denver . . . and Complete Business Directory of the City* (Denver: Byers & Daly, 1866), p. 46.

³⁶ *Ibid.*, p. 48.

³⁷ For an investigation of social structure and family life in the mining frontier with the help of an IBM 360/67 computer, see Ralph Mann, "The Decade after the Gold Rush: Social Structure in Grass Valley and Nevada City, California, 1850-1860," *Pacific Historical Review* 46 (November 1972):484-504.

³⁸ Smiley, *History of Denver*, p. 764.

Denver City's early social, cultural, and entertainment life was also largely saloon sponsored, for the dearth of private homes and club houses, of libraries, museums, and theaters, and of parks and other public places left few alternatives to the saloon. Libraries provide a good example. Although libraries were praised as a wholesome alternative to groggeries, it seems to have been the saloon that usurped the library's role. There were numerous short-lived attempts to establish libraries from the day in 1859 when E. A. Pierce opened a subscription library until 1886 when a free, public library was finally established.³⁸ The YMCA, WCTU, Denver and Rio Grande Railway, Chamber of Commerce, various fire companies, Knights of Labor, Catholic church, Congregational church, and sundry other groups all attempted, with limited success, to open libraries in mid-nineteenth-century Denver, at least in part to counteract the widely condemned prevalence of the saloon. Visitors were shocked that a city the size of Denver had no public library.

While awaiting a public library, Denverites could find newspapers and other reading materials in places such as the Occidental Billiard Hall and Reading Room. Another establishment of the 1860s, Cheney's Billiard Hall, advertised its desks and reading tables. At Cheney's place a fellow could read or



write letters home amid "all the appurtenances of a first class bar," including "chaste, costly pictures."³⁹

Not only reading materials, but also the city's public art was found in the saloon, and in other taverns besides Cheney's. Henry Feuerstein's elaborate beer hall offered not only nightly operatic concerts but \$2.00 raffle tickets on an oil painting *Yosemite Valley*.⁴⁰ In competing for upper-class customers, proprietors frequently advertised their superior interior decor and artwork.

When the Apollo Hall gave the city its first theater in 1859, proprietor Libeus Barney reported that four-hundred pioneers squeezed into the candlelit hall demonstrating "the appreciation of art in this semi-barberous region."⁴¹ Theater soon became a mainstay of tavern life. One writer has cataloged sixty theaters that operated in Denver between 1859 and 1876, nearly all of them in saloons.⁴² Veteran saloonkeeper Edward Chase operated one of Denver's best known "theatres," although among the main attractions was gambling. He promoted his Cricket House by sending an omnibus loaded with a brass band and can-can girls on daily parades to ballyhoo the resort.⁴³

Like the theater, music was also primarily a function of saloons. Chase's Palace Saloon produced nightly concerts. On summer evenings, recalled one Denverite, "the windows were open, and the street for a block around was lined with

broughams, berlins, phaetons, surreys and other vehicles occupied by entire families drinking in the strains of classical selections, which, fortunately for the audience, drowned out the voices of the croupiers, the whirl of roulette wheels, and the clink of chips and gold" at the Palace's gaming tables.⁴⁴ The life of beer hall musicians might have been short. For example, the musicians of the Denver Hall built a sheet iron cage to protect themselves from bullets, and when the shooting began, the fiddlers would dive below this battlement and pop up to continue after it was over. The Denver Hall orchestra leader was locally celebrated as a composer of genius and one of his most popular compositions was an autobiographical ballad commemorating his and his wife Betsy's trip to Denver from California:

We stopped at Salt Lake to inquire the way;
When Brigham saw Betsy he swore she must stay;
But Betsy got scared and ran like a deer;
While Brigham stood pawing the ground like a steer.⁴⁵

General William Larimer, a founder of Denver City, recalled that the musicians in Denver's taverns "as a rule were of the class that took up their wages at the bar." Frequently, these "musicians" would interrupt performances to collect their "wages." After about a quart of Taos Lightning each, Larimer recollected, "they would be asleep, mentally at least; though muscularly they would keep on with the same old tune over and over again, while the click of glasses and the rattle of feet and the rustle of cards and the interchange of vapid oaths and loud-mouthed threats set up an opposing din in the befouled atmosphere."⁴⁶

In addition, saloons offered a wide variety of other entertainment. The Diana Saloon on Blake Street featured Signor



³⁹ *Denver Daily Rocky Mountain News*, 12 October 1865.

⁴⁰ *Ibid.*, 8 April 1870; *Denver Colorado Tribune*, 19 February 1868.

⁴¹ Barney, *Letters of the Pike's Peak Gold Rush*, p. 50.

⁴² Melvin Schoberlin, *From Candles to Footlights: A Biography of the Pike's Peak Theatre, 1859-1876* (Denver: Old West Publishing Co., 1941), pp. 265-71. Schoberlin concludes that "the theatre grew out of the pioneer gambling hall and saloon."

⁴³ Forbes Parkhill, *The Wildest of the West* (New York: Henry Holt & Co., 1951), p. 22.

⁴⁴ Joseph Emerson Smith, "Personal Recollections of Early Denver," *The Colorado Magazine* 20 (January 1943):14. Sanford A. Linscome, in his unpublished 1970 D.M.A. dissertation for the University of Texas, Austin ("A History of Musical Development in Denver, Colorado, 1858-1908"), comes to the conclusion that the pioneer saloons of Denver were "the most prominent musical instrument of the day" (p. 61).

⁴⁵ *Denver Colorado Tribune*, 1 January 1881.

⁴⁶ Herman S. Davis, ed., *Reminiscences of General William Larimer and of His Son William H. H. Larimer* (Lancaster, Pa.: New Era Printing Co., 1918), p. 182.

Franco, who had "a wonderful facility for swallowing scores of small stones the size of large thimbles," and an "eloquent associate [who] thrusts a sword clear down to his stomach."⁴⁷ The Blake Street Bowling Alley was billed as the "*ne plus ultra* of popular resorts," boasting four alleys, the "best music," a free lunch, and "a bar with everything." Above and beyond all this there was a nightly trapeze performance by "Professor" Wilson.⁴⁸

Perhaps the crowning contribution to Denver "culture" of the pioneer epoch was made by a petite woman known as Mademoiselle Carolista. Sometimes blindfolded, sometimes with a wheelbarrow, she would walk a tightrope suspended from the Criterion stage to a balcony. The supreme cultural happen-



ing of Denver's first decade seems to have been Mlle. Carolista's tightrope walk from the roof of the Criterion to the roof of a store across Larimer Street.⁴⁹ As she tottered on the rope, half of the town stood petrified below, mouths open and arms outstretched.

⁴⁷ *Denver Daily Rocky Mountain News*, 27 August 1864, quoted in Schoberlin, *From Candles to Footlights*, p. 131.

⁴⁸ *Denver Daily Gazette*, 1 January 1868; *Denver Rocky Mountain News*, 27 October 1868.

⁴⁹ Schoberlin, *From Candles to Footlights*, p. 69.

"Scarcely a hotel, saloon or low groggery throughout the entire city is exempt from the most demoralizing vice," Libeus Barney wrote home in 1859 to the *Bennington (Vt.) Banner*.⁵⁰ He was speaking of gambling. After drinking this was the most universal activity in the Queen City's early taverns. Denver Hall, where Horace Greeley preached abstinence from drinking and gambling in 1859, was a leading gambling "hell" of the 1860s. As many as 800 patrons would jam into this 110-foot long, 32-foot wide hall on weekend nights. Although it had originally been a hotel, the owners soon found gambling more profitable. The Denver Hall continued to serve meals and maintain a few beds, although sleeping through all the tumult must have been difficult for anyone at all sober.⁵¹

Gambling saloons relied on "cappers" to demonstrate that anyone could gamble successfully. Of such a shyster, Libeus Barney wrote:

A low-crowned dirty felt hat covers his uncombed head, a flannel shirt is adopted that looks like full six months experience in the mines—his legs hid in a pair of pants, the cut of which makes but sorry pretensions to present styles, still not devoid of ornament, for a well-soiled buckskin patch adorns the seat, which is a facsimile of what, less than a year ago, even in Denver, was the acknowledged certificate of citizenship, but at this time is applicable to miners only—his feet encased in a pair of huge boots, much more substantial than elegant—and thus garbed, he places himself at the table of his employer.⁵²

Playing the role of a greenhorn to the last stammer, the "capper" proceeded to blunder into awesome winnings at the gambling table and then retire, leaving onlookers to contemplate their own chances.

Few contemporaries or historians have found the gambler a constructive member of society. One historian, Duane A. Smith, finds some merit to this disparaged frontier character. He contends that gamblers were notoriously generous and a pillar of financial support for local churches and that gamblers "grub-staked prospectors and became silent partners in other mining ventures."⁵³ Perhaps the outstanding monument to the generosity and civic virtue of Denver's gambling saloons was a gothic cathedral at Arapahoe and Seventeenth, the First Presbyterian Church. In order to complete the church, trustees

⁵⁰ Barney, *Letters of the Pike's Peak Gold Rush*, p. 90.

⁵¹ Davis, ed., *Reminiscences of General William Larimer and . . . William H. H. Larimer*, p. 182.

⁵² Barney, *Letters of the Pike's Peak Gold Rush*, pp. 92-93.

⁵³ Duane A. Smith, *Rocky Mountain Mining Camps*, p. 227.

solicited funds from Denver saloonkeepers for the elegant slate roof. Perhaps in tribute to the donors, the roof was designed with diamond shaped ornamentation and became known as the "Church of the Seven Diamonds."⁵⁴

Another contribution of saloons to the bleak, dusty, treeless pioneer prairie town was its first public parks, gardens, and museums. Denver had no city park system until the mayoralty of Richard Sopris in the 1880s, no municipal zoo until 1896 when Mayor Thomas S. McMurray was given a black bear cub and asked the foreman of City Park to care for it, and no Museum of Natural History until the twentieth century. In the meantime the city's beer gardens delighted Denver families on sunny Sunday afternoons.

Olympic Gardens, the most exotic of the early beer gardens, was at the end of Larimer Street on the cottonwood lined banks of the South Platte River. In the 1870s the Olympic Gardens served as a park, museum, and zoo. As historian Jerome C. Smiley noted, "if anyone had suggested to them [city fathers] the actual need for city parks on their plats, they would have concluded that a far greater and an immediate one existed for a small asylum for insane advisors."⁵⁵

Omnibuses carried passengers on the twenty-five cent round trip from all points in the Queen City to visit Olympic Gardens, which advertised itself as a "Museum of Animals and Curiosities, Elegant Confectionaries, fruit, ice cream, lemonade, etc. Bar supplied with choice wine and liquors. The grounds are laid out in walks and carriage drives, so that the parties riding can visit all parts of the grounds without leaving their carriages, and footmen without crossing carriage roads. Full brass and string band will be in attendance. NO IMPROPER CHARACTERS ADMITTED!"⁵⁶ And, in downtown Denver, on the corner of Blake and Fifteenth, the Atlantic Gardens provided

Denverites a "cool retreat with green, growing trees, flowers, and everything pleasant," including free lunches and a twenty-five cent quart of lager beer.⁵⁷

The National Park, a beer garden on Champa Street built in the 1860s, featured a ball room, skating park, a large collection of stuffed animals, and a formal garden. This haven in the uncharming, raw, chaotic frontier town claimed that "everything is conducted with the highest regard for order and decorum, and it is determined to make the NATIONAL the resort for the first society of the city and country."⁵⁸ In the 1870s the National Park was still advertising "Good music, good beer, and supper furnished for all. Games, exercises and amusements of various kinds."⁵⁹

Perhaps the one commonly held opinion on the social impact of the saloon is that it promoted egalitarianism. In such mythical frontier saloons, bonanza kings and penniless prospectors, cattle barons and cowboys, town mayors and town vagrants "mozeyed" up to the same bar, drank the same beer, and gloried in the same crude fraternalism. Only with the appearance of women and class-conscious institutions, such as churches and schools, were reluctant frontiersmen pried into identifiable social classes.⁶⁰

To disprove this persistent notion would take much more research than has been done for this study. But two phenomena discovered in this exploration of early Denver saloons suggest that the egalitarian frontier society was largely mythical. From the very first months of their existence frontier towns, such as Denver, had a great number of public drinking places. In 1859 the one-year-old Cherry Creek settlement had at least twenty-three saloons, four billiard rooms, four ten-pin alleys, and an almost equal number of hotels, boarding houses, and bakeries, which frequently also served alcoholic beverages.⁶¹ Not only was there a great number of saloons in the early years, there was also



⁵⁴ Sandra Dallas, *Cherry Creek Gothic* (Norman: University of Oklahoma Press, 1971), p. 173.

⁵⁵ Smiley, *History of Denver*, p. 457.

⁵⁶ *Denver Tribune*, 17 August 1872.

⁵⁷ *Denver Daily Rocky Mountain News*, 8 June 1866.

⁵⁸ Wharton and Wilhelm, *History of the City of Denver*, p. 92.

⁵⁹ *Denver Rocky Mountain News*, 14 July 1872.

⁶⁰ Daniel J. Boorstin, *The Americans: The National Experience* (New York: Random House, 1965), exemplifies the still prevalent egalitarian frontier thesis. Boorstin contends that "people in communities on the move inevitably seemed more equal than men and women otherwise" and that the masculine egalitarian frontier was disrupted only after the arrival of women who "along with their morality brought inequality" (p. 92).

⁶¹ *Denver City and Auraria: The Commercial Emporium of the Pike's Peak Gold Regions in 1859* (St. Louis, Mo.): n.p., n.d.).

a wide variety. Among the saloon proprietors could be found representatives from many different ethnic and economic groups. Thus, this extensive potpourri of proprietors and establishments suggests that frontiersmen sorted themselves ethnically and economically when they headed for their favorite bar.

Saloon advertisements in pioneer Denver newspapers also indicate that specialized clienteles were established from the very beginning. Elegant hotel saloons catered to the town's elite while sidewalk shanties served the proletariat. While some taverns advertised "Everyone Welcome," others warned "NO IMPROPER CHARACTERS ADMITTED!" The No. 6 Saloon and Eating House across Blake Street from the Elephant Corral advertised 25-cent meals at all hours for "freighters from the plains, farmers from the country and everybody who wants a good meal."⁶² The stylish Tremont House, Broadwell House, American House, and Charpiot's "Delmonico of the West" directed their advertisements to a far more distinguished group of people.

Self-appointed social arbiters, such as editor Byers of the *News*, devoted themselves to sorting out the respectable and the unrespectable saloons of the city. The day after Christmas in 1865, the *News* censured the once respectable International Billiard Saloon:

Accompanied by a friend, and being assured of protection by the police, our reporter went to a festive gathering of the depraved, and, ye gods! what a gathering! The foulest blasphemies in the treble of female voices, rang through the building, causing the heart of the sensible or sympathizing bearer to ache with pity for these creatures, whom to call women were an insult upon humanity. Frantic screams, oaths, curses and yells, filled the hall, while whiskey's foul breath enveloped the dancers in a smoky fog, through which the bleared eyes and bloated faces of frail women gleamed malignantly, defiantly, and most beastly. The old Five Points of New York never presented such a scene of total depravity exceeding the display made last night at the International.

The same article went on to gloat over the "respectable and fashionable elite of Denver" hobnobbing at the Christmas ball at the Tremont.⁶³ On another occasion, Byers condemned the "intolerable nastiness" of Guard Hall and claimed it was "tabooed in respectable circles."⁶⁴

⁶² *Denver Daily Rocky Mountain News*, 18 September 1867.

⁶³ *Ibid.*, 26 December 1865.

⁶⁴ *Ibid.*, 2 February 1875.

The great number and the wide variety of early-day saloons facilitated quick imposition of class and status orientation in Denver. Although lower class bars might be open to everyone, the wealthy preferred to go elsewhere, and if the poor man happened upon a pretentious place, he probably was discouraged from staying by the high prices and the aloof clientele. How much racial and ethnic discrimination took place in Denver's saloons is hard to determine. In all probability the Chinese, who were confined to "Hop Alley" (Wazee Street between Fifteenth and Seventeenth streets) and were the targets of the 1880 riot, would not have been welcome in many of the Queen City's taverns, even if they had wanted to go there. Blacks may have fared better in a Republican city during the Civil War and Reconstruction years. Yet, this newly emancipated race probably was slapped with other barriers than that of Billy Marchand's Saloon, which advertised that the owner's monkey would not "shake paws with a darkey" and only with "first rate" Republicans.⁶⁵

It seems unlikely that the mixing and the melting of various ethnic and economic groups was one of the successful functions of the Denver saloons. The egalitarian saloon may have been more typical of rural areas where only one or two taverns served a community. The Oxford educated Englishman, Richard Townshend, certainly found this to be the case while out riding north of Denver in 1869. As he passed a rural tavern, Townshend was hailed by one of the drinkers inside:

"Come 'n hev' a drink."

"No, thank you," I replied without pulling up. In a moment out flashed a revolver pointed at my head.

"Yes, you will," said the same voice with emphasis, "or else. . . ."

What "else" meant was left to my imagination, but I didn't find it hard to guess. My reply was: "Oh, certainly," and I sprang from my saddle saying, "I'd rather drink than be shot any day." And without more ado I took my dose. But I can't say I liked my society.⁶⁶

During the first years of Denver's existence, nothing indicated the vital role of the city's saloons more than their great numbers. "Proportionately," reported the historian Smiley, "there were more of these wretched blemishes in Denver in 1860-61 than in any other period in the city's history. In some localities they shouldered each other in rows, and from one week

⁶⁵ *Denver Daily Gazette*, 13 October 1868.

⁶⁶ Townshend, *A Tenderfoot in Colorado*, pp. 108-9.

to another; through the months, night and day, their doors were never closed."⁶⁷ In 1860 Denver had nearly 35 taverns serving its 4,749 residents; by 1880 the city directory listed 98 saloons and the federal census takers counted 35,629 Denverites. In other words, as Table I illustrates, there were over two times as many saloons per capita in 1860 as in 1880.

TABLE I

NUMERICAL COMPARISON OF SELECTED DENVER INSTITUTIONS, 1859-1920

Year	Population	Churches	Schools	Hospitals	Libraries	Banks	Saloons
1859	n.a.	0	0	0	0	0	31
1860	4,749	2	2	2	0	2	35
1870	4,759	6	4	2	1	3	48
1880	35,629	27	15	3	3	7	98
1890	106,713	81	46	9	6	16	319
1900	133,859	149	80	8	9	11	334
1910	213,381	196	103	9	11	21	410
1920	256,381	267	128	15	15	34	0

SOURCES: Institutions listed here are those that could afford their own physical housing (churches not congregations are listed.) Although an institution may have existed previously, it is not included unless it had physical entity sometime during the census year. It must be remembered that these numbers are not exact, only the best approximation from sources available. The populations are from the federal censuses. The other figures are largely drawn from city directories. As city directories were not available for 1860 and 1870, the far from satisfactory guides of 1859, 1861, and 1871 were used in conjunction with Jerome Smiley's definitive *History of Denver* and data from newspapers and the manuscript census to fill in the gap with approximate data. The zero listing for 1920 saloons overlooks, of course, the existence of illegal speakeasies, which carried on some of the saloon functions.

Between 1858 and 1876 Denver had probably well over three hundred different saloons in operation at one time or another. The great majority of these establishments were confined to a twelve-block area in downtown Denver bounded on the south by Cherry Creek and E (Fourteenth) Street, on the north by H (Seventeenth) Street, on the west by Blake Street, and on the east by Larimer Street. One-fourth of the city's saloons noted in Louis Dugal's 1866 map and diagram of Denver were in one block, and nearly all of the others could be found in seven of the city's several hundred blocks.⁶⁸

As the Queen City of the Plains expanded outward from the pioneer nucleus at the junction of Cherry Creek and the South Platte River, saloons remained largely confined to the original downtown district. In the late nineteenth century reform elements tried to restrict saloons (and the gambling and

prostitution associated with them) to the core city. As Denverites moved out to fashionable suburbs, they deliberately left behind the saloon society of pioneer Denver City.

A major factor in the decline of the multidimensional frontier saloon was the rapid growth of other institutions whose functions had been partially handled by the taverns. In the early years, Denverites had conducted government, gone to church, carried on business, cared for the sick and needy, and enjoyed social, cultural, and recreational activities in saloon halls. But as the boom town grew and the railroad shortened the distance between it and the civilization of the East, the population began spending less time in saloons and more in the city's new public buildings, churches, schools, libraries, hospitals, civic clubs, and non-alcoholic places of culture and entertainment. Government moved into strictly government buildings. Religious congregations, to their great relief, moved out of saloons and into their own new churches. Banks and other business houses replaced bars as entrepreneurial centers. Formal theaters and museums replaced taverns as cultural meccas. Libraries scoffed at the claims of saloons to be "reading rooms." Fraternal, commercial, social, and civic clubs arose to steal members from taverns.

After the arrival of the railroads in 1870, the original frontier population of trappers, miners, gamblers, and other rowdy types was increasingly supplanted by the more respectable individuals, including the wealthy eastern tuberculars, "the one-lunged army." A writer for *Harper's* found that these wealthy invalids—"New Yorkers, Bostonians, Philadelphians, and New Orleans men, Englishmen—the well-to-do and well-brought-up from all over the country"—frequently devoted themselves to urban reform and to cultural, educational, and philanthropic activities. "On its worst side the city is western," the *Harper's* correspondent concluded, "and its moral side is eastern."⁶⁹

This "moral" eastern element saw the town's numerous saloons as useless, even dangerous, vestigial organs of the pioneer period. The dry crusade began with the formation of a local Anti-Saloon League and the emergence of a Denver chapter of the Women's Christian Temperance Union. The WCTU even had Cradle Rolls for newborn infants and a Little Temperance Union (L.T.U.), which taught the children of Denver to sing:

⁶⁷ Smiley, *History of Denver*, p. 336.

⁶⁸ Louis Dugal, *Explanation to Diagram of Denver, Colorado: Embracing a Small Map Showing Denver and Additions* (New York: Wynkoop & Hallenbeck, 1868).

⁶⁹ Julian Ralph, "Colorado and Its Capital," *Harper's New Monthly Magazine* 86 (May 1893):939.

C-O-L-O-Ra-Do
 Who are we? the L.T.U.
 HO! HO! HO! Watch us Grow
 When we vote saloons will go!⁷⁰

Long-ignored critics of Denver's pioneer saloon society, such as Horace Greeley and Isabella Bird, would have been delighted. And the early immigrants to Colorado, like Lavinia Porter, who left in disgust would have taken heart.

In the coming years, saloons as legal institutions would be banished altogether from the streets of Denver by reformers who condemned these strongholds of pioneer society as antisocial. The moral condemnation of these critics served not only to bring on the prohibition era but also to obscure the role of the saloon in Denver's history. Journalists and local historians, as well as reformers, generally attempted to downplay the role of taverns, while emphasizing the role of government, churches, banks, schools, hospitals, theaters, and other more respectable institutions, which gradually eclipsed the tavern. The very word "saloon" was outlawed in Colorado. The result has been a neglect of the significance of the saloon, which was vital to pioneer Denver City.

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⁷⁰ Cited in William E. Elliott West, "Dry Crusade: The Prohibition Movement in Colorado, 1858-1933" (Ph.D. diss., University of Colorado, 1971), p. 138. Elliott West, now at the University of Texas, Arlington, has explored the functions of Arizona saloons in "The Saloon in Territorial Arizona," *Journal of the West* 8 (July 1974):61-73, where he concludes that "the saloon probably left as its most enduring contribution, money in the form of licenses—money to help build roads linking the town with the regional and national economies, money to pay for schools and school teachers. . . to maintain a relatively low tax rate attractive to prospective settlers. And here was the irony, for the saloon thus indirectly lured to the urban frontier those very 'civilized' migrants who regarded with suspicion 'the conspicuous features of the streets.'" West warns against "over-emphasizing their social, political and economic importance," but finds that the pioneer Arizona saloon served many of the same functions it served in Denver.



The San Juaner: A Computerized Portrait

BY DUANE A. SMITH

In the southwestern corner of Colorado tower the San Juan Mountains, the rocky backbone for some of the most spectacular scenery the state has to offer. Not only a beautiful mountain range, the San Juans also gave their name to one of the grandest mining districts in the history of Colorado and to one of the most significant in the history of the United States.¹ This land of deep canyons and high valleys, topped by nearly a score of 13,000- to 14,000-foot peaks, was one of the last sections of Colorado to be opened to mineral exploitation. Permanent settlement came in the mid-1870s; another decade would pass before promises became mining reality. Since that time the minerals from this region have not only enriched numerous companies and individuals but they have also provided a foundation for continued development.

Around the mines little communities optimistically grabbed a toe hold, many in places where settlers would never have come if not for the attraction of gold and silver. Into these camps and to the mines, first hundreds, then thousands of people crowded

¹ For the purpose of this study, the San Juan mining region is defined as the present-day counties of Hinsdale, Mineral, Ouray, and San Juan in their entirety, combined with segments of Rio Grande, La Plata, San Miguel, and Dolores, roughly 4,891 square miles. This area probably has the highest mean elevation in the United States, over 10,400 feet.

in hopes of staking a fortune or, at the very least, making a better living than back home. It had to be better to counterbalance the raw frontier conditions, the elevated environment, and the isolation.

Out of the crowd that ventured into the San Juans a few stand out for having accomplished something extraordinary, or for their eccentricity, or for having been extremely lucky to find a bonanza. The rest just came and went, unknown today, their ambitions, like themselves, a shadow of yesterday. Who they were, where they came from, and what they did is lost to history. Yet, these people were the ones who provided the muscle, the skill, and the determination to carve out homes, open mines, and tackle the problems that confronted pioneers. Much of what they did physically is gone, although cars still travel over the roads they built, people still live in the communities they started, and a handful of mines still follow the veins they discovered. Scattered everywhere throughout the San Juans are ruins of mines and buildings, abandoned equipment, and the forsaken sites of camps that did not survive. Some of these pioneers have left the simple remembrance of a name, etched with birth and death dates, on tombstones nestled in cemeteries near the towns they once called home. Most do not even have that monument, at least not anymore.

To study the nineteenth-century development of the San Juan region, the historian must come to grips with these people, which presents a problem. The sources left behind—newspapers, letters, a few books, and a diary or two—discuss them in general or focus on one or another group. A genuine cross section is hard to find; trying to isolate them by occupation, nationality, sex, or age is difficult too. The only potential source of such information for the entire San Juan region is found in the original federal census returns for the year 1880 and the state census of 1885.

In the development of this study certain limitations had to be recognized—for example, the short time span available and the small size of many of the communities included.² To provide a

better time perspective, and a basis for comparison with the San Juan region, a sampling of mining camps from earlier federal census (1860, 1870) returns was used; and to equalize the size factor, only samples of 100 or more were taken from the larger San Juan camps—those defined as having a population of 250 or more. For instance, in 1885 the published population of Silverton was 1,195; its neighbor Howardsville was 27. The San Juaner probably did not live in either place; thus, to have taken a preponderance of returns from the more populated camps might have slanted the conclusions in a misleading direction. Random selection was employed in these communities, and, in no case was less than five percent of the population sampled.³

Because certain questions were asked repeatedly on the census questionnaires from 1860 to 1885 (see footnote 6), this study was limited to those questions. Ninety-nine occupations were found and coded, although not all of them appeared in the San Juans. These occupations ranged from miner to housekeeper, and included one that generated some laughs, if nothing else: loafer. All states and territories, including the District of Columbia, were represented in the San Juans, as were thirty foreign countries or areas (Wales, for example). Only one consolidation was made: persons who listed their birthplace as one of the German principalities were all included under the heading of German States. Marital status was coded into six categories, beginning with single persons and extending to those married but with one spouse not listed as living at home. Similarly, racial groupings were coded, an exercise that proved to be academic in relation to the San Juans, as will be explained later. The information was taken directly from the microfilmed census returns, placed on coding sheets, and then transferred to punched cards—one for each person under study. The difficulties encountered were not numerous, although data collection proved time consuming, tedious, and conducive to eye strain, as the varied handwriting styles were difficult, at times, to interpret.

² The following San Juan camps were examined either in their entirety or, in the case of the larger communities, by a sampling of 100 or more: 1880: Ouray, Silverton, Rico, Gladstone, Howardsville, Ophir, Eureka, Columbia, Capitol, Rose's Cabin, Sherman, and Lake City;

1885: Ironton, Ouray, Howardsville, San Miguel, Jasper, Summitville, Rico, Silverton, Animas Forks, Eureka, Mineral Point, Pandora, Red Mountain, Parrott City, and Lake City.

No percentage of those sampled against those living in the San Juans at the time can be ascertained because of discrepancies between published totals and those of the original census. In 1885 some camps were missed entirely and in a few cases collected returns were not published. A total of 1,492 San Juaners was sampled.

³ My examination focused on the camps because they had the largest concentration of people; however, the outlying precincts around the camps were often included with the camps in the census figures. The returns were sometimes fragmentary for those outside of this immediate, "urban" area. In some of the counties, which are only in part defined as being in the San Juans, precincts were hard to pinpoint as to specific location. The two censuses were lumped together to provide a workable cross section, despite some realized problems with this approach.

Three computer programs were utilized in processing the data. The first (written in Fortran language) was designed to take raw data and produce a census summary. The second (also Fortran) was a statistical program that printed out such information as the average age and the standard deviation of ages within a camp. The third program (Timpull) made possible the selection of specified information, such as all gamblers or all women over twenty-one. My sincere thanks to Robert and Frances Motsch who helped me computerize this study.

To reduce these people to a punch on a card, then a speck on a tape, is undoubtedly presumptuous. Perhaps it is unfair historical license, since they have been stripped of their personalities and their individualism, things that made them unique and something of value. This was done in the belief that the end result would justify the means, that the composite would illuminate the individual, that with the aid of the computer, the San Juaner of the years 1880 to 1885 would come, at least statistically, into the historical spotlight.

The San Juaners exhibited a diversified background in the early 1880s. Native-born Americans predominated, especially with the increasing percentage of Colorado-born children who appeared in the census. Regionally, the East and Midwest provided the most, with 22 percent and 23 percent, respectively.⁴ Colorado contributed 7 percent. A small immigration from the South was led by Missouri, which could also be classified as Midwestern, with a state contribution of 6.3 percent of the total. The largest foreign element came from the British Isles, 12 percent of the total, followed by the German States with 5.6 percent.⁵

A sampling of other Colorado camps in the 1860 and the 1870 federal censuses shows a similar pattern, with more pronounced percentages. The East and Midwest combined for about 70 percent in the former census and 46 percent in the latter year. The British Isles led the immigrant arrivals with 9 percent and 23 percent, respectively.⁶ A study by Colin Goodykoontz indicates the same trend for Colorado for the years through 1880. His breakdown of the ranking of the states sending immigrants to Colorado shows that Illinois, Ohio, New York, and Missouri headed the list. The British Isles had no serious rival and only Canada and the German States made much of an overall impression. Goodykoontz further concluded that Colorado always

⁴ The East was defined as New York, Pennsylvania, Massachusetts, Delaware, New Jersey, New Hampshire, Maine, Rhode Island, Connecticut, and Vermont. Wisconsin, Michigan, Minnesota, Iowa, Illinois, Indiana, and Ohio comprised the Midwest.

⁵ The British Isles were Ireland, England, Scotland, Cornwall, Wales, Isle of Mann, and Isle of Jersey.

⁶ In the 1860 federal census the following camps were utilized: Russell Gulch, Mountain City, Gold Hill, Altoona City, and Central City. In the 1870 census, Black Hawk, Breckenridge, Georgetown, Montezuma, Saint Johns, Nevada City, and Oro City were selected. Some were sampled, others completely checked.

In at least three out of the four (1860, 1870, 1880, and 1885) censuses the following questions were asked and therefore were used as the basis for this study—age, sex, race, occupation, birthplace, literacy, schooling present year, marital status, number of children, number of boys and girls, and birthplaces of parents.

⁷ Colin Goodykoontz, "The People of Colorado," *The Colorado Magazine* 23 (November 1946): 246, 248-49.

showed a distribution by national origins much like that of the nation as a whole.⁷

The travel patterns of the married San Juaners, traced by the locations where their children had been born, were limited only by the success and the ambition of the couples. One husband and wife emigrated from Germany to Nebraska, then back to Missouri, before coming to Colorado. Iowa was the only stop of a Pennsylvania couple before arriving, while a Swedish miner went to Illinois to find a wife, then to Mississippi, and back to Illinois. A Kentucky family traveled to Wisconsin, then to Colorado, and back to Kansas before returning to Colorado; a New York merchant went directly west to Wisconsin, then on to Colorado. Some families traveled east from California or Nevada, sojourning in Utah for a season or two. While interesting in themselves, these people simply provide examples of likely routes.

Had you met a San Juan miner in the early eighties, the chances were better than fifty-fifty that he was in his early thir-



ties, American-born, as were both of his parents, and single. He was a white male who considered himself literate. Miners were not only the single largest occupational group, they also represented over one-half of the people sampled in the San Juans. Clearly, the male primarily dominated this mining society and only 20 percent of the males were then or had been married at one time. According to their own replies, they were amazingly literate, over 98 percent claiming to be able to read and write. This figure may be questioned—shame or embarrassment might have kept some from admitting their inadequacy. Unfortunately, there is no measure of their proficiency in these skills.

As a group, immigrants had a larger numerical representation in the mining occupation (32 percent) with the English predominating; three-fourths of the Irish reporting worked at mining. Interestingly, the Swedes, among the largest of the foreign denominations, had the highest percentage (80 percent) of their total working in the mines. Less than one-half of the Germans, however, labored underground.

Of the American-born miners, New York, Ohio, Pennsylvania, and Missouri contributed the most. Such mining areas as Illinois, Michigan, and Wisconsin sent a high percentage into mining; Wisconsin sent, for instance, 59 percent (23 out of 39 people). Overall, there is a better cross-sampling from all states and regions among miners than in any other occupational classification. The ratio of married American-born miners was slightly higher, although not enough to denote any real factor or to indicate that one group might have been more stable.

The miners averaged roughly 32.8 years old, although the average age of the miners of individual camps ran from 28 at Mineral Point to 39 and 40 at Parrott City and Eureka. No correlation can be drawn from the camp's age or location in relation to the miners' ages. Mineral Point, Eureka, and Parrott City were all about the same age in 1885, nine to eleven years old, and the former two were located within a few miles of each other. The 1880 census returned an average age of 33.7 for the miners, which went down to 32.1 in 1885. This trend is shown in the returns from Howardsville, where the decline was from 34 in 1880 to 31 in 1885. Its near neighbor, Eureka, on the contrary, shot up from 34.5 to 40.9 during the same period, probably because its mines were not as alluring as its neighbors' mines; consequently, Eureka lost some of its younger miners to more attractive opportunities.

A quick comparison with Colorado miners of earlier years shows a pattern like that already discussed. For instance, the miner of the 1860 census was predominantly single, white, and from the East or Midwest, and literate. From the small sampling of this year, it appears that a higher percentage of native-born Americans came with the fifty-niner rush, and certainly more Southerners. The 1870 sampling is even closer to that of the San Juans, with an increase of Englishmen, a decided decrease in Southerners, and a slight growth of the number of married miners. One trend appearing in 1870, which was not noticeable in the San Juans, was the appearance of camps dominated by British immigrants. The average age of the miner was moving steadily upward into the low thirties by the 1870s.

While almost all occupations found in the San Juans were in some way related to mining, several of them possessed a definite connection and are defined as mining-related occupations.⁸ The mining engineer quickly comes to mind. Professionalism was improving steadily, if the returns may be trusted, with numerically more mining engineers in 1885 than in 1880.⁹ On the average, the mining engineers were nearly 33 years old, were American-born (only one came from outside the United States), and nearly one-half were or had been married. The mining superintendents, in this day before a San Juan influx of Cornishmen, were all Americans.

Blacksmithing was a trade that could be carried on both at the mines and in the camps. While it may be assumed that a blacksmith living in the larger communities probably had his own shop, those living in the smaller settlements could have worked either at the mines, in town, or both. Regardless, much of their work was related to mining. Immigrants and Americans nearly split this trade, with the latter having a slight edge. Bachelors predominated by a two-to-one edge.

While there were assayers and machinists, as well as mining agents, working throughout the San Juans, their numbers proved too small to be utilized. The question of mine owners was one the San Juaners did not resolve; elsewhere in Colorado they had occupational status, but not here. Because of aversion to the term or humility, they were, apparently, included in the all-

⁸ Mining-related occupations were: mining engineer, mining superintendent, mining broker, blacksmith, machinist, assayer, mining agent, metallurgist, engine maker, steam boiler maker, and mine owner.

⁹ There is a real question as to whether these were college-trained mining engineers. Like Kentucky colonels, the term was sometimes just acquired. See Clark Spence, *Mining Engineers and the American West: The Lace-Boot Brigade, 1849-1933* (New Haven, Conn.: Yale University Press, 1970).

encompassing term "miner." As might be expected, a fair percentage of the miners worked their own small claims.

Essential factors in the success or failure of San Juan mining were the mills and smelters, where the ore was taken to be concentrated or refined. In the 1870s and 1880s numerous methods were attempted throughout this region with varied results; most results, unfortunately, were not too promising. Despite the known fact that the mills were operating in the period covered by the 1880 and 1885 censuses, the people working in them failed to make much of a statistical impression. Perhaps part of their work force is to be found in the "laborer" category, and assayers, metallurgists, and machinists could have worked with the smelting companies. Also, some smelters located outside of the camps may have been bypassed by the census takers.

Those who listed smelting or milling as their occupation were found here and there; no particular concentration was



noticeable.¹⁰ The managerial staffs were older and married, while the workers were younger and single, an understandable conclusion. Because of the small numbers involved, no conclusion can be drawn about birthplaces, except to state that the pattern seems to be similar to that for the miners and the laborers.

¹⁰ Smelter or mill workers, smelter superintendents, mill managers, and mill foremen.

The term "laborer" describes one of the unsung heroes of the mining frontier, the individual who provided the muscle and the strong back to perform the numerous manual tasks needed to tame the country and get the economy producing. A composite picture of this man would find him in his mid-twenties (the youngest of any of the working groups) and single, with a slightly better than three-out-of-five possibility of being American-born.

No state stands out in contributing its native sons; a fair cross section is exhibited. Of those laborers who were married, nearly two-thirds were American. Germans and Irish predominated among the foreign contingent and were, on the average, slightly older than the Americans, the mean being in the late twenties. Nor were the laborers concentrated in either young or old camps and districts; they were found everywhere, working at the mines at surface jobs, building roads, digging ditches, pushing wheelbarrows at the smelters, doing hundreds of other mundane, but still important, tasks.

Leaving the mines to journey to the camps, we come into contact with those people who came to "mine the miners," and this is not meant to be derogatory. The miners were not self-sufficient—far from it—and thus the communities—the heartbeat of the San Juans, the centers of commerce, transportation, social activities, and culture—grew in response to needs. The visitor received his first solid impression of the district when he rested at a mining camp, and here, too, the investor tarried, while he examined the mines to see if he was willing to provide needed financial assistance.

In all San Juan camps the businessmen gathered, eager to tap the trade that surfaced with the rush of the first discoveries and with the opening of the mines.¹¹ The business district might be limited to just a few false-fronted buildings confined along a dusty street or brick and stone construction spread grandly over several blocks. It might consist of a general merchant and a saloon, or it might provide all types of businesses, reflecting the amount of trade and the number of available patrons.

The general merchant went everywhere, offering his broad assortment of merchandise (but with limited choices). He emerged nearly on the heels of the prospectors in his scramble to

¹¹ Banker, general merchant, hotel proprietor, meat market owner, saloonkeeper, restaurant owner, grocer, stableman, hardware merchant, dry goods merchant, boarding house operator, newspaper editor/owner, druggist, sawmill owner, laundry proprietor, freighter, and lumber dealer. A few of these occupations reflected a more advanced economy than the San Juans mustered in the early 1880s, and many of them were found only in the larger camps, failing to provide enough representatives from which to draw any conclusions.



get in on the ground floor and capture, if possible, a lion's share of the local trade. One of the oldest, at 37.3 years, of any major population segment examined, he was also one of the most likely to be married, twice as likely, in fact, as his bachelor competitors. The odds were slightly higher than this that he was American-born, there being a fair distribution from all areas of the country. As might be visualized from previous discussions, the English and Germans dominated the foreign-born merchants. Considering the amount of money they had invested in their stores and merchandise, their family status, and their ages, it is not surprising to find that this group worked hard to create a permanent settlement. While they might move to new camps if the older community started to decline, they were not as foot-loose as their customers.

Another common main street fixture, the saloon, served as the miners' social club and home-away-from-home. The saloonkeepers were an interesting lot; nearly as old as the general merchants (average 36.4), they were overwhelmingly single. It was nearly an even split as to whether a man's favorite was American or of foreign extraction; they came from throughout Europe, no concentration being noticeable. New Yorkers, among native-borns, were most likely to tend bar. Two-thirds of the Americans were first generation and all were literate; what this meant for saloon conversation is speculative.

Hotels were also fairly common in the camps, where lodging was needed for transients, investors, and visitors. This was one occupation where married couples jointly participated, both listing it as their work, and it was a logical extension of the

marriage situation. Marriage seems almost to have been a "prerequisite" for hotel proprietors, thus making this group unique. While the sampling was not large enough to draw a definite conclusion, it appears that Southerners were more active in this field than any other segment. Boarding houses in this period were not an important element within the camps, although they were found at the larger isolated mines.

While the freighters were not admitted by many San Juaners, and others, to be a part of the local community, such snobbishness could not alter the facts. The freighters were crucial to keeping main street and everything else functioning. Until the early eighties they transported all supplies into and throughout the region; they then carried the goods from the railheads to the smaller communities and mines. Generally single and fairly young, averaging 30.4 years, they were almost entirely native-born Americans, mainly from the Midwest and Missouri, probably an indication of their rural background and familiarity with horses and mules. Quite often their roots were not deep anywhere, as they moved from district to district; they may have called some camp home, but they were on the road more often than not.

The professional class was much more likely to establish itself in the larger mining towns—Silverton, Rico, and Lake City, for example.¹² On the average, older than the miners though, like them, male dominated, they tended much more toward matrimony. Overwhelmingly, they were American-born.

To the uninitiated, it would seem that a surplus of attorneys hung out their shingles, but very few failed to find enough business to keep body and soul together; claim and mine litigation was plentiful. The East sent nearly one-half of them, with New York leading the brigade. Surprisingly, the South was fairly well represented, with the rest coming from throughout the states. Only two of the sampling came from outside the United States, one from Canada and the other from Ireland. The attorneys were mostly second generation (or longer) Americans,

¹² School teachers, doctors, lawyers, ministers, mechanical engineers, civil engineers, surveyors, and dentists. Here, as elsewhere, not all of these categories were represented in the San Juans by numbers large enough to draw any relevant conclusions.

The exception to the professional class's masculinity was the teacher, who quite likely was female, young, and single. The few male teachers tended to be older. Regardless of sex, Americans of at least the second generation completely monopolized this profession. Some communities had little or no need for a school, for the population of children would hardly sustain it; for example, Eureka, Animas Forks, Gladstone, Capitol City, and Columbia had fewer than ten children listed in 1880. In 1885 Animas Forks, Eureka, Howardsville, Ironton, San Miguel, and Red Mountain did not have enough. Parrott City did, however, reporting sixteen students and a twenty-year-old teacher, three years older than her oldest student.

and on the average somewhat older than their contemporaries at 40.8 years.

The East, especially New York, contributed the most doctors, and again the dominance of the native-born American was overwhelming. The doctors were younger than the lawyers, 36.8; unlike the latter profession, however, women were able to penetrate this one. One widowed Kentucky lady gave her occupation as "doctress," thus providing Ouray with something unique for the San Juans. In all cases their offices were located in the more populated camps, leaving the outlying settlers the choice of a painful, wearying journey or the time-consuming alternative of sending somebody to fetch the doctor in a serious emergency.

Ministers are known to have been active throughout the San Juans during these years, although the census, strangely, did not turn up many. Not enough were found to draw a statistical portrait, and it must be assumed that traveling preachers still predominated. They went out from places like Ouray or Lake City to preach on a nearby circuit, where there were not people enough to support a pastor and a church.

Women, far outnumbered as they were, wielded a major influence over the taming and the polishing of the rougher edges of their communal environment.¹³ Generally married (very few slipped past their mid-twenties before some lonely miner proposed), the ladies were American-born by a much higher percentage than the men, their birthplaces reflecting the same general pattern already observed. Divorce was extremely rare, less than one percent of the total. How many might have been separated from their husbands (more acceptable to Victorian sensitivities) cannot be ascertained. Literacy was no problem, as they all proclaimed they could read and write.

Housekeeping was listed as their chief occupation, a full-time job in the nineteenth-century mining communities. Some women, however, competed successfully in the job market, being listed as nurses, music teachers, waitresses, cooks, and two who displayed managerial ability operated a restaurant and a boarding house. Seamstresses and domestics led the list, which also included a female telegraph operator. While not extensive, when combined with the other opportunities mentioned earlier, the camps did provide the ladies with a fair sampling of



possibilities, both skilled and semiskilled, outside of the home. One other category dominated by women was "relative living at home." This conjures visions of the maiden aunt, who, with nowhere else to go, was given a room and became a tolerated part of the family. This was only partly true, if at all; many of these women were older and once-married, indicating probably a mother-in-law. A few were in their twenties, possibly sisters-in-law.

Others of the fairer sex sashayed into the mining camps. These were the prostitutes, referred to as erring sisters or by some other Victorian euphemism in a society that rejected, but, at the same time, tolerated them. Of the San Juan communities examined in this study, only two, Lake City (1880) and Ouray (1885), admitted their presence.¹⁴ It is highly probable that, either through personal sensitivities or neglect, the census takers overlooked them in other camps. Without question the majority were found in the larger communities where the trade was greater; also, without recourse, they were segregated into their own blocks. Not uncommonly, this was outside of the corporate limits, perhaps explaining why they might have been missed.

¹³ Goodykoontz found the ratio in Colorado to be 2,061 men to 100 women in 1860 and down to 198 to 100 by 1880 (Goodykoontz, "The People of Colorado," p. 251).

¹⁴ In Lake City they were listed as prostitutes and in Ouray, sporting women.

The Matties, Belles, Netties, and Mollies were predominantly American-born; no one state or section provided an unusual percentage. They were young, on the average 24.5; the dry statistics fail to reveal how attractive! While the majority were single, a fascinatingly large percentage (33 percent) were either married, widowed, or divorced. Eight percent were divorced, a percentage higher than any other individual group or, for that matter, the entire sampling. They passed their lives on the fringe of society, the census record offering no reasons why they selected this particular occupation or whether they were ever able to break out of it to resume a more accepted place and role in society.¹⁵

Marriage was not a rare institution among the general mining population, despite the assumption that may have been gathered from previous statements. Slightly over twenty-five percent of the San Juaners were or had been married. This does not mean that this many family groups were present, because a large number of the men were listed alone, their wives living elsewhere. It was not unusual for a miner going into a new district to leave his wife and family behind until such time as he found a paying claim or job and/or had a house built or rented. Some miners never took their families with them, preferring a bit of loneliness, with the opportunity of returning home as often as possible, to the expense and effort of moving and then maintaining a home.

The number of children-per-family-unit was not overly large, 2.4; the largest number found in this sampling was 6.¹⁶ Boys slightly outnumbered girls. Generally, more families were found in the older and larger camps; however, Ironton, Columbia, Jasper, and Ophir had a large percentage of families, while Mineral Point in 1885 had no families or ladies and only one married man. Consequently, no hard and fast statements can be made as to where and in what percentage married couples might appear.

Before concluding this computerized visit to the San Juans, some mention must be made of those people who were involved with agriculture, a pursuit not generally associated with a min-

¹⁵ Examination of outlying districts proved no more rewarding. Another possibility is listing a different occupation or none at all. No trends, such as several ladies living at a boarding house by themselves, were observed, which might have indicated a concentration of prostitutes.

¹⁶ Several variables could have affected this average. For example, older boys and girls might have already left home or men with larger families may have found it easier to leave their families elsewhere.

¹⁷ The following were defined as agricultural pursuits: farmers, ranchers, cattle dealers, and herders.

ing economy.¹⁷ Scattered throughout and around the camps, they were more commonly found in the fringe communities, those bordering the grazing and farming areas. Especially in Ouray, Rico, Dolores, and La Plata counties, where this land abutted the camps of Ouray, Rico, and Parrott City, were farmers and ranchers neighbors to the miners. The Pandora-San Miguel-Columbia area (future Telluride) had the highest percentage of "herders." They might have been the forerunners of the cattle industry, which grew in the western part of San Miguel County, or they might have been working for the freighters who served as the lifeline of this district long after other parts of the San Juan were on or close to the railroad. The number of these agriculturists sampled was not such that generalizations can be made, except that 95 percent of them were American-born. Their presence is a clear example of the broader economic base that mining promoted in the San Juans and elsewhere.

Of the occupations examined, either Americans or immigrants appeared to have decided preferences in several areas. A much higher ratio of the latter than their overall percentage would have merited were found as blacksmiths, miners, saloonkeepers, general merchants, and common laborers. Americans, on the other hand, completely dominated managerial positions in mining and smelting, the professional class, freighting, and agriculture. Either by choice, through lack of skill, or subtle discrimination, foreigners found themselves more generally in jobs that required a great deal of physical stamina, only rarely breaking into what might be defined as white-collar positions. The overwhelming dominance of Americans in agriculture is interesting, because Europeans in large numbers farmed elsewhere in the United States. Apparently these years were too early to show much of an immigrant impact in the San Juans, although southwest Colorado would never witness the type of immigration that, say, Dakota Territory or Wisconsin did.

The preponderance of American women indicates that most immigrants did not bring wives with them. Most, indeed, were single men, who probably, if their careers could be traced, had mined or worked in several places before drifting to Colorado and finally into the San Juans. English and German women represented over 95 percent of those foreign-born females present and, of these, all but a very few were married. Only two of the prostitutes were of non-American extraction, both English.

Quite intriguingly, the census takers seemed to have ignored the Blacks and Orientals (Red Mountain listed a Chinese laundryman), who also helped pioneer the San Juans, if other primary sources are correct. Local newspapers reported their activities, but not the census, which by-passed them.

To those people who called the San Juans home from 1880 to 1885, credit has to be given for persevering in the face of discouragement and the tempting attractions of going to other, more lucrative, Colorado mining districts. How different from or similar to their contemporaries living elsewhere in Colorado these people might have been in background, age, occupations, and related information awaits further examination. Colorado concepts regarding settlers and settlement need this type of inquiry to prove, modify, or scrap older assumptions.

How exciting it would have been to have toured with the census takers—to knock on doors and see firsthand what can only be statistically re-created. Both the nineteenth-century reporter and his respondent would have been amazed at where their routine questions and answers have traveled. They only paused in passing, then went about their business, scarcely realizing that they had just become a bit of history. The coming and going of the census takers was observed casually by the press, occasionally serving as a take-off for some local chauvinism. Ouray's Dave Day, of *Solid Muldoon* fame, seldom missed such an opportunity. Upon studying the completed local returns for 1880, he gleefully wrote in the 23 July 1880 issue that Ouray County was ahead of any other in the San Juans, having the two largest towns, Ouray and Rico. "While Lake [City] and Silverton have been boasting, Ouray has been growing. It is only the rail road we lack to make us the metropolis." Day was safe about his county's lead; however, Lake City's total was never published and quite likely was as large or larger than Ouray's.

Day was on the right track when he predicted that Ouray (and the San Juans in general) was on its way. In a decade this mineral bonanza would be pouring out its treasures, thanks to the efforts of the San Juaners.

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*A W.H. Jackson photograph of
the toll road between Ouray and Silverton.*

The Toll Road Building Career of Otto Mears, 1881-1887

BY MICHAEL D. KAPLAN*

One of the most incredible characters to settle in Colorado during the post-Civil War era was Otto Mears. Later nicknamed “the Pathfinder of the San Juan” because of his road building exploits, he became a leading force in southwestern Colorado transportation development, a major Republican political boss, and an important factor in Indian-white relations in his adopted state.

* I am grateful to Professors Robert G. Athearn and Howard L. Scamehorn of the University of Colorado; Robert Richardson of the Colorado Railroad Museum in Golden; Gordon Chappell with the National Park Service; and John Barnard for assistance with this article. I am also grateful to Sam Cohen of the A and D Copy and Typing Service of Denver for drawing some of the maps that appear in this article.

Born in Russia in 1840, Mears was orphaned soon after his birth and emigrated to America ten or eleven years later in search of his uncles. Arriving in California at the height of the gold rush, he went to Walkerville where he lived with friends of his European family until late adolescence. Upon the outbreak of the Civil War he enlisted in Company H of the California Volunteers. Popular with his fellow soldiers because of his conspicuous bravery, he served with distinction in Kit Carson's campaigns against the Navajo. Upon the expiration of his enlistment in August 1864, he went to Sante Fe where he spent a year as a merchant.

Looking for greener pastures, the young entrepreneur moved to Conejos in Colorado Territory in 1865. The following year he settled at the site of the future town of Saguache, where he engaged in farming, milling, merchandising, and acquired government contracts to supply the Ute with foodstuffs. Realizing that easier access to markets would increase his profit from his various business enterprises, he became interested in improving the roads in his region.

At first he cleared primitive paths from Saguache to various markets in the Arkansas Valley. One day while he was at work on widening the trail on Poncha Pass ex-Governor William Gilpin rode by. The older man suggested that Mears make a first class toll road and use a grade that could eventually be used for a railroad. He further advised the young man to buy a charter for the toll road immediately and begin work at once. Believing Gilpin too visionary, Mears did not follow his suggestion. Later on, however, when more settlers had moved to the area, he decided that it would prove lucrative to implement the ex-governor's scheme.

It was not until 1870, however, that Mears was able to raise the capital to finance the Poncha Pass Toll Road. This initial toll road venture was so profitable that Mears underwrote several other toll road projects during the ensuing decade. His road building activities were interrupted in 1879 by the Meeker massacre. Because of his command of the Ute tongue and because of his close ties with the Ute, he was called upon to serve as the principal agent in the negotiations leading to the removal of the Northern Ute.

In the late spring of 1881, when it became apparent that Ute removal would be accomplished, Mears decided it was time to begin devoting some attention to his own affairs. In the months preceding the expulsion of the Ute, he organized and financed



two new toll road companies, which were incorporated on 31 May 1881. The first was the Dallas and San Miguel Toll Road Company, capitalized at \$25,000, with a twenty-year life, and its directors, besides Mears, were Ira and Charles Munn, Ouray merchants. The object of the company was to build a road from Dallas in Ouray County to Telluride, a distance of about twenty-seven miles.¹ Dallas, at this time, was important because it was the junction of the miners' route south to Ouray or west to the mines at Telluride.² Telluride, besides being characterized by rich ore deposits, was a typical Rocky Mountain mining camp, as the following quotation from the *Ouray Solid Muldoon* suggests: "Telluride has seven lawyers and two dance halls; 0 church[es] and 000 school houses. Mercy, what a wicked village!"³ The toll road, completed in mid-September, was well constructed with grades of only ten percent, a reflection of Mears's increasing expertise in mountain engineering.⁴

The San Miguel and Rico Toll Road Company was the second organization incorporated on 31 May 1881 by Mears. This corporation, like the Dallas and San Miguel Toll Road Company, was capitalized by the Munn brothers and Mears with \$25,000 in capital stock and was organized to build a road from Telluride to Rico. Rico was the thriving mining town with rich

¹ Dallas and San Miguel Toll Road Co. Incorporation File, Colorado State Archives and Records Center, Denver (hereinafter cited as CSA). On 10 December 1884 the capital stock of this company was increased to \$25,000.

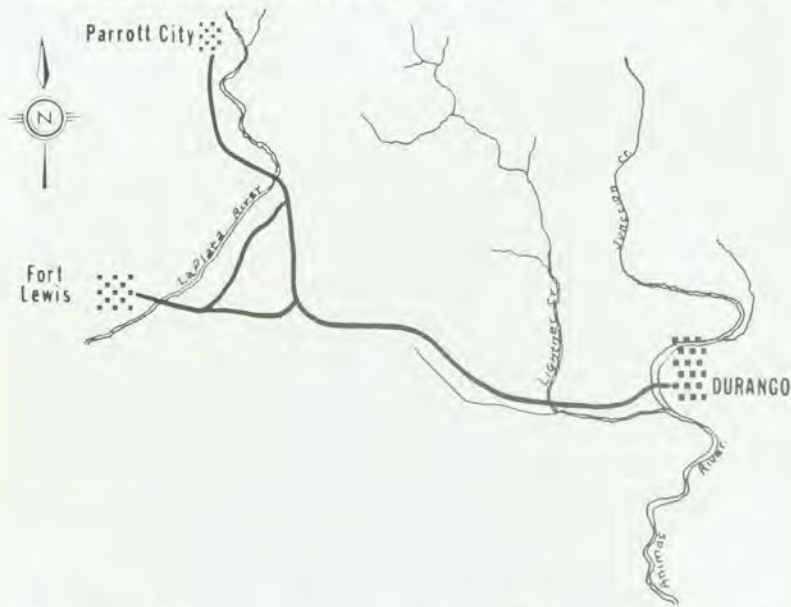
² Josie Moore Crum, *Ouray County Colorado* (Durango, Colo.: San Juan History, 1962), p. 69.

³ *Ouray Solid Muldoon*, 17 August 1883.

⁴ *Ibid.*, 22 September 1881; Helen M. Searcy, "Otto Mears," in *Pioneers of the San Juan Country*, publication of the Sarah Platt Decker Chapter, DAR, Durango, Colorado (Colorado Springs: Out West Printing and Stationery Co., 1942), 1:31 (hereinafter cited as "Otto Mears"). Mears's memoirs are included in Searcy's article and will be referred to as Searcy, "Reminiscences of Otto Mears." The following issues of the *Ouray Solid Muldoon* carry items about the construction of this road: 18 February, 3 June, 8 July 1881. Two toll gates were established on this route at Haskell and Keystone Hill (Crum, *Ouray County Colorado*, p. 69).

ore deposits that Mears had hoped to reach in 1879 when he incorporated the Uncompahgre, San Miguel, and Dolores Toll Road Company, a project deferred by the Meeker massacre.⁵ The new company, like the former one, did not succeed in building a road to Rico, perhaps because the people of Rico did not offer enough inducements. Only a six-mile stretch of road was completed from Vance Junction, near Telluride, to Ames, in the summer of 1882.⁶

Although the San Miguel and Rico Toll Road Company was unsuccessful, Mears was not deterred from investing in yet another toll road venture. On 26 October 1881 he incorporated the Durango, Parrott City, and Fort Lewis Toll Road Company.



A sum of \$15,000 was to be raised by the directors, which included Otto Mears and the San Juan merchants Charles Munn and A. M. Camp, to build a road from Durango to Parrott City by way of Fort Lewis. Mears had purchased an old roadbed in September 1880, which he now used for this project.⁷ He thought

the acquisition would be a good investment because of Durango's seemingly great potential in 1880. The Denver and Rio Grande Railway management planned to build to Durango and give the city an outlet to the north and east. Besides the railroad, another would-be stimulus to Durango's growth was the stationing of 600 troops at Fort Lewis, a few miles outside of Durango, after the Meeker massacre.⁸ In the fall of 1881 Mears decided that the old road he had purchased was inadequate for the needs of the burgeoning city, and he began improving it at once. Construction was finished in the following spring, and it was then sold for a very high price to Colonel Peter Tyler Swaine, an army officer.⁹

In the winter of 1881-82, when the construction crew was finishing the Durango, Parrott City, and Fort Lewis Toll Road, Mears became involved in still another road building venture. In January 1882 he visited Gunnison to determine if the growing mining town presented any chance for profitable investment.¹⁰ Gunnison had "grown from a sage brush patch" to a city of 5,000 and its most optimistic boomers predicted it would become the second largest city in Colorado after Denver.¹¹ After inspecting the "metropolis" he went to Cebolla, a tributary camp. Cebolla, twenty-six miles west of Gunnison, had the richest iron deposits in the state. Mears had first become interested in the area in 1879 and as a result had incorporated the Saguache and San Juan Toll Road Company. Mears, at that time, had planned to build the road from Cebolla to a point on the Tomichi River where it intersected his Poncha, Marshall, and Gunnison Toll Road.¹² He was, however, unable to build this road because of his full-time work with Ute-white relations after the Meeker massacre.

Miners in Cebolla were in great need of a road to transport the tons of iron ore being mined. As a result, a flamboyant character named Sylvester Richardson constructed a road along the route of Mears's proposed toll road. Richardson, a colony planner, prospector, and road builder, found that although this road was a prosperous venture, he did not have the time to manage it properly and sold it to Mears in 1882. Although total

⁵ San Miguel and Rico Toll Road Co. Incorporation File, CSA.

⁶ Vance Junction was a new town site named after Captain J. W. Vance who owned a farm adjoining the would-be metropolis (*Silverton La Plata Miner*, 4 February 1882); the exact date of the completion of this road is unknown, but Mears was still working on it in June 1882 and probably finished it soon after (*Ouray Solid Muldoon*, 2 June 1882).

⁷ Durango, Parrott City and Fort Lewis Toll Road Co. Incorporation File, CSA; *Saguache Chronicle*, 17 September 1880; *Ouray Solid Muldoon*, 25 February 1881.

⁸ *Durango Herald*, 1 September 1881; Juretta L. Olsen, "Fort Lewis, Colorado: The Early Years, 1878-80," pp. 88-89, typescript, 1970, Center of Southwest Studies, Fort Lewis College, Durango, Colorado.

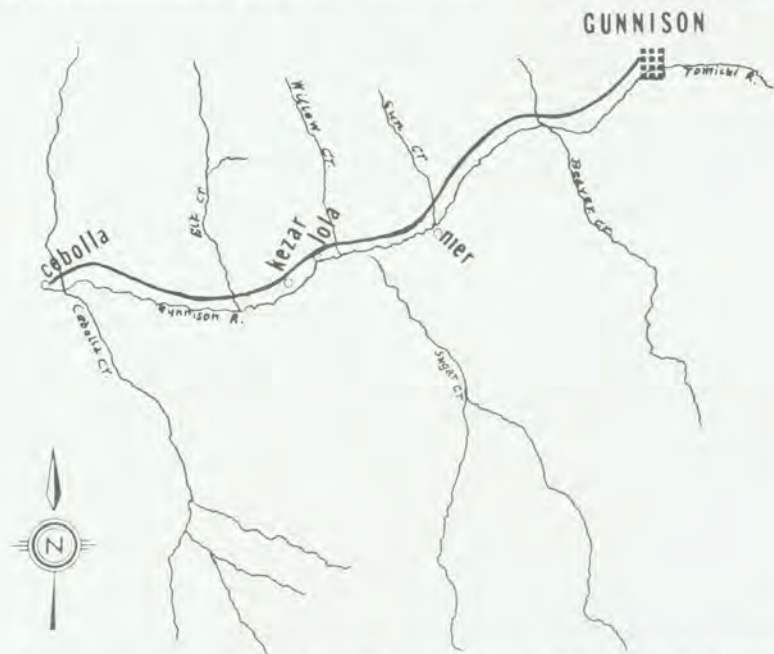
⁹ *Durango Record*, 21 January 1882; Searcy, "Otto Mears," p. 31; the toll road was sold to the county in 1890 for \$2,500 (*Durango Herald*, 7 March 1890).

¹⁰ *Gunnison Daily Review*, 6 January 1882.

¹¹ *Ibid.*, 13 June 1883.

¹² *Ibid.*, 6 January 1882; Saguache and San Juan Toll Road Co. Incorporation File, CSA.

construction costs amounted to \$2,000, Mears purchased it for one-half of the price, "a business deal" asserted one historian, "altogether too typical of Richardson."¹³ The purchase of the Gunnison-Cebolla Toll Road was Mears's only new venture for



the ensuing year and a half. He spent most of his time between January 1882 and the summer of 1883 immersed in political activities. During this period he served as a representative from Saguache to the state's Sixth General Assembly, which convened in Denver in January 1883.

Completion of the legislative session brought time for new additions to Mears's toll road system. He incorporated the Ouray and Canyon Creek Toll Road Company on 20 August 1883. Capitalized at \$30,000, this corporation was organized to build a road, approximately ten miles long, from Ouray to the Sneffels district. Mount Sneffels was an area extremely rich in valuable ore and many unsuccessful attempts had been made to connect it by road to Ouray. The rough terrain necessitated roadbeds too precipitous for ordinary travel. Between 1876 and 1880 there had been four successive companies incorporated to

build toll roads from Ouray to Mount Sneffels, but the task was so difficult that no construction was completed. The fifth toll road company, organized in February 1880, was more successful and did build a road between the two towns.¹⁴ However, this road was so poorly constructed that it soon became evident to residents of the area that a better-built road was necessary. As it seemed an obviously profitable project, Mears decided to build his road.

In mid-August 1883 Mears had the proposed Ouray and Canyon Creek Toll Road surveyed. It was decided, because of the difficulty of the project, to divide the work into two parts. Bad weather beginning in early fall did not permit completion of the road until the following summer. The first part was finished about mid-September 1883, and the remaining portion completed a year later. The Ouray and Canyon Creek Toll Road, when finished, was an engineering triumph. Having grades of three to eleven percent and, at the steepest places only thirteen percent, it was one of the best-built roads in the Rocky Mountains.¹⁵

Although Mears had done both Ouray and Mount Sneffels a service in building the road, there were soon many complaints about the high toll rates charged. He decided to sell the road to Ouray County in return for county bonds. The transaction was made in 1885 or 1886. When the matter became known to the taxpayers of Ouray County, they complained that Mears had been given too much for the road and that the transaction had been made without their knowledge or consent. The citizens of the mountain town demanded a judicial inquiry into the affair and received one.

What happened next is unclear. Mears, in his memoirs, gives a very muddled account of this episode. Evidently, the judge ruled that the sale was illegal and Mears was forced to appeal the case the following year. Using his influence with a state legislator, Mears was able to obtain a nonjury trial; and the new judge ruled in his favor and declared the Mears-Ouray County transaction legal. The Ouray and Canyon Creek Toll Road was accordingly sold to Ouray County in return for county bonds.¹⁶

¹⁴ D. H. Cummins, "Toll Roads in Southwestern Colorado," *The Colorado Magazine* 24 (April 1952):103. This last named road company was called the Mount Sneffels and Ouray Toll Road Company. Its history can be traced in: *Ouray Times*, 6 March, 29 May 1880; *Ouray Solid Muldoon*, 1 December 1882.

¹⁵ *Ouray Solid Muldoon*, 17, 31 August 1883, 11 August 1884.

¹⁶ Searcy, "Reminiscences of Otto Mears," p. 31.

In the early months of 1882, while Mears had been planning the Ouray and Canyon Creek Toll Road enterprise, he became interested in constructing another toll road from Ouray to the Red Mountain mining district, a distance of twelve miles. Red Mountain was an area over eleven thousand feet in elevation, almost inaccessible from Ouray. In the decade prior to 1882, before the fabulously rich Yankee Girl Mine was discovered, the area had been prospected with mixed success. The discovery of the Yankee Girl Mine marked a new era for the district, and with a great influx of people into the area, the rush became the largest in Colorado since Leadville. Reporting on the rapid growth of Red Mountain, David F. Day stated that "never in the history of the San Juan country has a camp made such wonderful strides in the direction of permanent prosperity as Red Mountain. Three weeks ago there was not a building to be seen on the spot where Iron-ton now stands. Over one hundred buildings of various dimensions under headway, and the inevitable dance hall in full blast."¹⁷

The rapid growth of the Red Mountain region made the construction of better roads to the area imperative. Situated midway between the towns of Silverton and Ouray, Red Mountain was virtually isolated in winter because of the rugged terrain and the frequent avalanches. During the remainder of the year, the prohibitive freight rates caused only the richest ore to be transported out. It was obvious, therefore, to the residents of both Ouray and Silverton that it would be extremely profitable to build a toll road to Red Mountain because the revenue accruing from the freight charges would more than defray the costs of the risky undertaking.

Although Silverton, it appeared, had easier access to Red Mountain, for the terrain made building a toll road feasible, the townspeople did not take advantage of their geographical advantage. Ouray, with greater natural obstacles to overcome, was more enterprising, began building first, and was the first to reap the benefits of a toll road to Red Mountain. But this task was accomplished only after the expenditure of enormous sums of money and effort had been coupled with the engineering genius of Otto Mears.

Before Mears became interested in the project, two abortive attempts had been made to build an Ouray-Red Mountain road. The first corporative effort was launched in 1877, but lack of

¹⁷ *Ouray Solid Muldoon*, 13 April, 30 March 1883.

capitalization resulted in bankruptcy a year later.¹⁸ In 1880 the Ouray and San Juan Toll Road Company was incorporated for the purpose of building a road to Red Mountain Park by way of Mineral City and Poughkeepsie Gulch, and here too the terrain was so difficult that the company attracted few investors;¹⁹ the probable returns did not seem to justify the necessary heavy cash outlay, and the corporation was finally taken over by the Ouray County Commissioners.²⁰ The discovery of the rich deposits of ore at the Yankee Girl Mine in August 1882, and the resulting Red Mountain rush, made the Ouray County Commissioners even more desirous of completing the Ouray and Red Mountain toll road, but they could not raise enough money to finish the task.²¹

At this juncture the commissioners invited Mears to examine the work already done on the project. They asked him to look at the financial records of the Ouray and San Juan Toll Road Company to determine whether or not it would be profitable for him to complete the project. After doing the necessary research, he decided that it not only would be possible to build the road, despite the rugged country, but that it would be extremely lucrative for him to do so. On 14 June 1883 he agreed to build the road in return for controlling interest in the company.²²

Upon the completion of negotiations with the Ouray County Commissioners, Mears was ready to embark upon what was to be the most difficult road construction he had ever attempted. The principal problem, besides financing, was building a roadbed in the Uncompahgre Canyon. With only two possible roadbed sites, on the canyon floor near the Uncompahgre River or in the cliffs high above the river, the construction problem of overcoming a flooding river or of blasting 800-foot quartzite cliffs seemed unsurmountable.²³

Mears finally solved the construction problems of the canyon by deciding to blast a roadbed into the quartzite cliffs by lowering men on ropes from the rim of the canyon. Constructed hundreds of feet above the canyon floor, the road would last longer than one built on the canyon bottom. The dynamite charges were to be equipped with fuses long enough to allow the

¹⁸ *Ibid.*, 28 November 1884.

¹⁹ *Ouray and San Juan Wagon Road Co. Incorporation File*, CSA.

²⁰ *Ouray Solid Muldoon*, 28 October 1882, 27 April 1883.

²¹ *Ibid.*, 28 November 1884.

²² *Ibid.*, 11 May, 15 June 1883. David F. Day, the editor, was so jubilant about the transaction that he engraved a crowing rooster above the 15 June article.

men to be pulled to safety before the explosives were ignited, a workable but expensive solution. A quarter-mile stretch, for example, blasted just south of Bear Creek Falls, at an average height of 580 feet above the canyon floor, cost over \$1,000 a foot.²⁴

The road was finished in mid-September 1883.²⁵ At a cost of nearly \$10,000 per mile, it was probably the finest achievement in toll road engineering in the United States. The easy grades of the road (less than eleven percent) made it economically feasible to haul the ore hitherto relegated to dumps. To facilitate transporting the ore by team-drawn wagons, Mears planned an ingenious system whereby ore cars would be put on an iron railway built on the side of the toll road, filled, and then rolled downhill from Red Mountain to Ouray, where the cars would be emptied and then pulled by horses back up to Red Mountain.²⁶ The iron railway scheme proved unfeasible, however, and was not built.

Despite the abortive iron railway project, Mears earned much money from the Ouray and San Juan Toll Road. He added to his profit by operating a hotel at Bear Creek Falls.²⁷ During the summer and early fall, the hotel was filled with tourists attracted to the area by the beautiful mountain scenery. An ex-

The toll road at Bear Creek Falls, photographed by W.H. Jackson.



citing description of the road's marvels was written by the rugged frontier editor David F. Day:

In point of scenic grandeur the road is unequaled on the continent. Leaving the mountain clad village of Ouray, it ascends by serpentine and easy grade to a level with bluffs above town, where it winds in a southerly direction around cliffs, through wooded parks and over bridges spanning wild and romantic gulches to Bear Creek Falls: here the route passes over the head of the roaring cataract, 253 feet above the boiling cataract below, and entering the quartzite bluffs, coils round them upon a bed of solid rock from 600 to 800 feet above the river, for a distance of two miles, when the Uncompahgre river is crossed. At this point is afforded one of the grandest views in all the land. A few hundred yards below the waters of the Uncompahgre and Red Mountain creek join and go roaring down a box canyon on either side of which is margined with precipitous bluffs of red sandstone, dark slate and bright quartzite capped with mountains, crags and peaks of gray trachyte, reaching from their quartzite base into the land of perpetual snow.²⁸

Mears operated the Ouray and San Juan Toll Road for a little over eight years until he was forced to sell it to Ouray County. The principal point of contention was the exorbitant rates charged for using the road. Most people who used the road believed that it was outrageous to be assessed five dollars for a team and wagon, two and a half dollars for a trail wagon, and a dollar a piece for saddle animals. One irate customer expressed his displeasure by throwing a chain over the toll gate and hauling it away. In 1891, after years of haggling, Mears sold the Ouray and San Juan Toll Road Company to Ouray County at a price that was less than the cost of building it.²⁹ He exercised his influence on the state's Twelfth General Assembly to have a bill passed that would reimburse him for the construction costs of the road, but Governor Charles S. Thomas vetoed the measure for political reasons.³⁰

The construction of the Ouray and San Juan Toll Road caused great consternation among the people of Silverton, for with all the rich Red Mountain ore being shipped through

²⁴ *Ibid.*, 28 November 1884.

²⁵ *Ouray Herald*, 29 June 1906; *Denver Times*, 20 August 1902; *Ouray Solid Muldoon*, 17 August 1883.

²⁶ *Ouray Solid Muldoon*, 14 September 1883.

²⁷ *Silverton La Plata Miner*, 21 July 1883.

²⁸ *Ouray Solid Muldoon*, 15 June 1883.

²⁹ *Ibid.*, 28 November 1884.

³⁰ *Silverton Standard*, 21 May 1927; *Ridgway Herald*, 26 February 1891.

³¹ *Denver Republican*, 6 December 1906; Colorado, General Assembly, *Senate Journal*, 12th sess., 1889, pp. 600-601; *Durango Democrat*, 25 December 1910.



Otto Mears

David Day

Ouray, Silverton faced economic disaster unless it, too, could build a road to Red Mountain. The Silverton newspapers reflected the mood of the townspeople and editorials alternated between boasts about the town's potential and despair about its bleak future. David F. Day thoroughly enjoyed the situation, and after reading one particularly misleading article in the *La Plata Miner*, he commented that "Silverton has a boom. We saw it going by, a few days since—three gamblers, two women and a 'yaller dog'."³¹

The city fathers of Silverton finally realized that to compete with Ouray they would have to build a road to Red Mountain, and they also knew that Otto Mears had the capital and the expertise to build such a road. Many did not want him to do the job; Mears's detractors, led by the editor of the *La Plata Miner* George Raymond, believed that Silverton could not afford such an expensive project, nor did they wish to increase Mears's

monopoly of toll roads. Raymond also believed that what was really needed was a railroad between Silverton and Red Mountain, and if the Denver and Rio Grande Railway would not build one, he thought someone other than Mears, who would charge less exorbitant rates, should be found.³²

The Denver and Rio Grande Railway officials refused to build a connection between Silverton and Red Mountain because it seemed financially unsound. Since no one could be found, Silverton's leaders were forced to ask Mears to consider the job. Mears went to Silverton in the early fall of 1883, examined the terrain, and, after a conference with the local officials, he agreed to build the road.³³

"The Hatchet is buried," announced the *Ouray Solid Muldoon* after Day learned of the verbal contract between Mears and the town of Silverton. Day then listed the terms of the agreement. In return for building a toll road between Silverton and Red Mountain, Mears would receive \$25,000 in municipal and county bonds.³⁴ It was also understood that he would have complete control over its operation. The arrangement, Day asserted, would be beneficial to both parties as the outlet to the Red Mountain mines would help make Silverton prosperous and Mears would earn a good return upon his investment.

Although Mears and the county commissioners had made a verbal contract, before both parties signed the written agreement on 28 June 1884, there was much maneuvering to make the agreement more favorable to each side. Mears wanted a contract that would give him as much latitude as possible. An editorial in the *Silverton Democrat*, commenting on his efforts to avoid a binding contract, pointed out that "Mr. Mears' forte is in having contracts that will shrink or swell as the weather is wet or dry, and that seem one way by the sun and another way by the moon." This same editorial charged that Mears, in order to gain favorable contracts, had seen to it that county commissioners of both Ouray and La Plata counties would be elected only if he could easily manipulate them.³⁵

When the contract was signed in late June 1884, after hard bargaining, the terms of the verbal contract made the preceding fall were kept, but the following stipulations were added:

³² There were numerous editorials in the *Silverton La Plata Miner* in the late summer and early fall against having Mears build the road (see 13 October 1883). David F. Day suggested that Raymond was an opponent of Mears because Raymond wanted to go into the toll road business himself (*Ouray Solid Muldoon*, 19 October 1883).

³³ *Ouray Solid Muldoon*, 28 September 1883; *Silverton Democrat*, 29 September 1883.

³⁴ *Ouray Solid Muldoon*, 28 September 1883.

³⁵ *Silverton Democrat*, 28 June 1884.

1. There should be a continuous down grade from the summit [of Red Mountain] to Silverton.
2. The maximum grade should be no more than 350 feet to the mile.
3. There should be no curves so sharp as to prevent six animals from exerting their whole force upon the load at every point.
4. The width of the road should be such as to allow teams to pass each other at all points.
5. Ample provision should be made for drainage and for protection to winter traffic.³⁶

Mears began building the Silverton-Red Mountain Toll Road on 8 July 1884, a little more than a week after signing the contract. With 359 men working on the road, the construction went rapidly; despite the rugged terrain, the road was completed in late November.³⁷

The opening of the road was the occasion of a large celebration. A group of distinguished Ouray residents interested in the booming San Juan region arrived in Silverton on 5 December. A banquet was held, during which speeches of congratulation were given by some of the guests; a dance followed, open to everyone.³⁸

The people of Silverton had good reason for the merrymaking. The new toll road, besides making travel to Ouray and Silverton easier, decreased the freight rates on products hauled between the two towns. With the freight charge decreased mine owners were encouraged to transport already mined low grade ore. This encouraged the discovery of new ore deposits. The Red Mountain area boomed and continued to do so for more than a decade.³⁹

The toll roads between Ouray and Silverton became famous not only because of their impact on the region's economy but also because of the beauty of the country they traversed and because they were extremely well engineered. They were the best designed, most carefully constructed, and most expensive roads ever built in the Rocky Mountains. As the roads became more well known, they acquired picturesque nicknames that gradually replaced the names originally given by Mears. Within a few years after construction the roads were called the "Rainbow Route," a name given by David F. Day to describe their rainbow-like shape. Later the roads became popularly known as the "Mil-

³⁶ *Ibid.*, 12 July 1884.

³⁷ *Ibid.*, 22 November 1884.

³⁸ *Del Norte San Juan Prospector*, 6 December 1884.

³⁹ *Saguache Chronicle*, 5 December 1884; *Ouray Solid Muldoon*, 11 July 1884; *Silverton La Plata Miner*, 6 December 1884.

lion Dollar Highway." This nickname was probably acquired because of the popular belief that the roads cost one million dollars to build.⁴⁰

During the summer of 1884, while he was overseeing the construction of the Silverton and Red Mountain route, Mears was approached by the commissioners of San Juan County with another toll road proposition. This new venture involved the building of a road from Silverton to Mineral Point by way of Howardsville, Eureka, and Animas Forks.⁴¹ A county-owned road already existed between Silverton and Mineral Point, but it was in very poor condition. Because it cost the county \$3,000 to \$4,000 yearly to repair, in addition to the expensive damage done by the annual spring flood of the Animas River, travel on this road was difficult, particularly for wagons. Several wagons had been abandoned in the mire between Silverton and Animas Forks.⁴²

An inadequate transportation system, the county commissioners realized, prevented full development of the mining towns along the upper Animas River as low grade ore from these places could not be transported profitably into Silverton. Thus, they were willing to make financial sacrifices as an inducement, offering Mears the old road in addition to \$15,000 in county warrants and complete control over the new route, if he would build one.⁴³

The proposition of the county commissioners was so attractive that Mears agreed to the terms and signed a preliminary contract in August 1884 and a final contract in October.⁴⁴ He could not start work on the new enterprise until the following spring, as he was in the process of completing the Silverton and Red Mountain Toll Road.

While waiting for good weather so he could begin construction of the Silverton and Animas Forks route, he decided his profits would be increased on his Saguache and San Juan Toll Road if an extension was built. The extension would meet the Denver and Rio Grande tracks along the Gunnison River. Accordingly, he incorporated the Sapinero and Barnum Toll Road Company on 2 December 1884. This road was completed in the

⁴⁰ *Silverton Standard*, 3 February 1912, 21 May 1927.

⁴¹ *Silverton La Plata Miner*, 23 August 1884.

⁴² *Animas Forks Pioneer*, 9, 30 August 1884.

⁴³ *Silverton La Plata Miner*, 23 August 1884.

⁴⁴ *Ibid.*; *Animas Forks Pioneer*, 18 October 1884.

summer of the following year at a cost of \$10,000 and proved to be an extremely lucrative investment.⁴⁵

Construction proceeded on the Sapinero and Barnum and the Silverton and Animas Forks routes in the summer of 1885. Mears, Fred Walsen, and H. E. Wheeler, the underwriters of the Sapinero and Barnum Toll Road Company, incorporated the Silverton and Animas Forks Toll Road Company on 31 July 1885.⁴⁶

While the Silverton and Animas Forks company was being organized, the route was surveyed and the road work was begun. The building began at Silverton and went rapidly, and by mid-July 1885 the road was completed as far as Eureka. However, the stretch from Eureka to Mineral Point presented many more construction problems. The main objective was to build the road in such a way that snow slides would not destroy it during the spring run-off. While building the road up the slopes partially solved the problem of snow slides, many engineering problems were encountered and construction was protracted until early October 1886 when the Animas Forks-Mineral Point section was finished. Operated profitably by Mears until 1896, he then sold this route to the Silverton Northern Railroad Company for use as a trackbed.⁴⁷

The Silverton and Animas Forks Toll Road was the last one built by Mears, and its completion marks a watershed in his life. For the one and one-half decade previous to 1886, Mears's principal achievements in transportation had been in the construction of these toll roads; in the future he would be primarily interested in the construction and operation of railroads.

His toll road achievements were considerable. Since 1870 he had built a transportation network approximately 450 miles long at a cost of about \$400,000; and this toll road system had an enormous impact upon southwestern Colorado. Settlers and freight could be moved into the area cheaply and a lower grade ore could be shipped out profitably. It was no accident that the San Juan region experienced a period of dramatic growth during the operation of Mears's toll roads.

As important as Mears's construction achievements were, they were always exaggerated by Mears himself, who enjoyed

playing the role of San Juan's benefactor. He claimed, for example, except to close business associates, that he built the roads at a loss and that he never made a profit from them.⁴⁸

This assertion is not even remotely true. He never explained why a man of his renowned business acumen would continue to build toll roads if they were unprofitable. A detailed cost account of Mears's financial affairs was done by Robert Weitbrec in 1887. Weitbrec was a railroad man and speculator from southern Colorado who wanted to invest in the Silverton railroad, which Mears was then building. Weitbrec examined Mears's business records to determine the degree of his managerial ability. During the course of his investigation, he uncovered revealing information about the toll road operation. Weitbrec found that in 1887 Mears still operated six toll roads, of which he owned 55.12 percent, worth \$113,000. Fred Walsen, the other major stockholder had invested \$86,000 and owned 41.94 percent of the stock.⁴⁹ In order to calculate the net return upon the investment, Weitbrec listed the earnings and the expenses to determine the net profit. This list discloses much about the operation of Mears's toll road system:

Toll Road	Earnings	Expenses
Ouray and Lake Fork	\$12,471.57	\$ 3,110.00
Dallas and San Miguel	9,394.35	5,232.72
Ouray and San Juan	6,073.35	1,983.36
Ouray and Canyon Creek	3,660.28	2,310.33
Silverton and Red Mountain	1,581.08	462.10
Silverton and Animas Forks	684.82	1,028.20
	\$33,865.45	\$14,126.71
Net:	\$19,738.74	
Net Miscellaneous earnings:	7,569.80	
Total Net:	\$27,308.54	

Approximate return on cash invested: 13 percent.⁵⁰

In addition to the good financial return on the toll roads, Mears derived other benefits from them. In building this system in the San Juan area, he was repaid with support for his political

⁴⁵ Arthur Ridgeway stated, for example, that except for the toll roads to Red Mountain, Mears's toll roads "were not even moderately remunerative" (Ridgeway, "The Mission of Colorado Toll Roads," *The Colorado Magazine* 9 [September 1932]:169).

⁴⁶ Robert Weitbrec, "1888 Journal," p. 71, SHSC. These figures were arrived at after \$105,000 of Ouray and Lake Fort Toll Road stock in 1887 was deducted.

⁴⁷ Robert Weitbrec, "1888 Journal," pp. 68-72.

⁴⁵ Sapinero and Barnum Toll Road Co. Incorporation File, CSA.

⁴⁶ Silverton and Animas Forks Toll Road Co. Incorporation File, CSA.

⁴⁷ *Silverton La Plata Miner*, 20 May, 27 June 1885; *Del Norte San Juan Prospector*, 11 July 1885; *Silverton San Juan*, 14 October 1886; Silverton Northern Railroad Co. Corporation Book, Documentary Resources Department, State Historical Society of Colorado (hereinafter cited as SHSC).

candidates. In 1926 the *Denver Rocky Mountain News* described Mears's hold over the San Juan:

In political affairs in this state for a number of years, Mr. Mears was the balance of power in Republican state conventions, and without his consent neither governor nor senator could be chosen because he held in the hollow of his hand a tier of southwestern counties which, cast solidly, turned the convention one way or the other.⁵¹

After 1887 most of Mears's active life was devoted to railroad enterprises, but he never lost his interest in road building. During the early years of the twentieth century, for example, he was one of the leading Colorado advocates of improved-surface automobile roads. He saw the bright future of the automotive industry, realizing that automobiles and trucks would replace the horse-drawn vehicles, and when perfected these automotive vehicles would facilitate the growth of tourism, commerce, and industry in his state. Thus, he used his celebrity status to promote interest in state highways and also lobbied successfully for legislative appropriations for new roads.

The building of his toll road system and his part in the campaign to convert them to a modern road network constitutes Otto Mears's most significant long-term contribution to Colorado's transportation development. It is ironic, in view of the Herculean efforts Mears made on behalf of his railroads and the importance that he and others attached to them, that ultimately his toll roads would be more influential. The Rio Grande Southern, the last of his railroads to remain operational, was torn up more than twenty years ago, but his toll road network is still important because it serves as the foundation of the county and state highway system in the San Juan. Mears was right when he predicted the importance of a good transportation system in southwestern Colorado.

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⁵¹ *Denver Rocky Mountain News*, 1 September 1926.