

Governor William Sweet: Persistent Progressivism vs. Pragmatic Politics

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From the appearance of the Populist party amid the economic ruin of the depression of 1893 to the emergence of the Progressive party of 1948, a persistent, if unsuccessful, effort to create a reform party has been present on the American political scene. The participants in this movement drew their inspiration more directly from Henry George, Edward Bellamy, and the Social Gospel than from Marx, Engels, or Lenin. Organized after the demise of the Populists into the Progressive party of 1912, the Non-Partisan League in 1915, the Conference for Progressive Political Action in 1922, the Progressive party of 1924, the League for Independent Political Action in 1929, and the Progressive party of 1948, this strain of political activism attempted to forge an alliance between farmers, workers, consumers, and intellectuals that would represent a force to the left of the traditional two parties but to the right of socialism or communism. Never successful nationally, on occasion the liberal left did achieve victory at the level of state politics.¹

American historians have long debated whether the politics of reform in the twentieth century should best be viewed as a continuous narrative or a series of disconnected chapters bound only by a desire to change the status quo.² Although aspects of organized reform politics have been studied in the

¹ The phrase "liberal left" and a brief history of its development can be found in R. Alan Lawson, *The Failure of Independent Liberalism* (New York: Capricorn Books, 1972), pp. 19-46.

² For the historiographic debate over the fate of progressivism in the 1920s see Arthur S. Link, "What Happened to the Progressive Movement in the 1920s?" *American Historical Review* 64 (July 1959):833-51; Herbert Margulies, "Recent Opinion on the Decline of the Progressive Movement," *Mid-America* 45 (October 1963):250-68; Paul Glad, "Progressives and the Business Culture of the 1920s," *Journal of American History* 53 (June 1966):75-89; Jackson K. Putnam, "The Persistence of Progressivism in the 1920s: The Case of California," *Pacific Historical Review* 35 (November 1966):395-413.

Colorado context, especially the Progressive party of 1912,³ scholars have not raised the question of what happened to Colorado's liberal left in the 1920s. At first glance, it would seem unnecessary to pose the issue, for attention has properly focused upon the rise of the Ku Klux Klan within the state, particularly the success of the Klan at the 1924 state elections, and the incompatibility of Klan dominance with the persistence of any viable reform movement has been duly noted.⁴ The rise of the Klan, that is, has been taken as proof positive that progressive reform died in Colorado during the Jazz Age. But clear evidence does exist which demonstrates that the liberal left did continue to influence Colorado politics during the 1920s. The election of William E. Sweet as governor of Colorado on the Democratic ticket in 1922 and his tenure in that office, although brief, was a fragment of the story of liberal left politics in the 1920s.

Sweet was a product of the progressivism of the years before World War I. Having amassed a fortune in business, Sweet retired from active participation in economic pursuits in 1918 and turned his attention to liberal left politics and church work. The intellectual sources of Sweet's deep concern for social problems lay in his father's socialism and the Social Gospel doctrines of American Protestantism. Sweet's biographer contends that the elder Sweet's "uncompromising stand for Socialist principles was a challenge to his son. . . . William E. Sweet's children tell of Sunday-afternoon debates that often lasted far into the evening. It is this influence of their grandfather, more than any other one thing, to which they attribute their father's liberal beliefs." Sweet traced his views on social and economic questions to his reading of Walter Rauchenbush's *Christianizing the Social Order*.⁵ Between 1918 and 1922 Sweet had devoted himself to lecturing on college campuses, writing for religious journals, and ad-

³ Charles J. Bayard, "The Colorado Progressive Republican Split of 1912," *The Colorado Magazine* 45 (Winter 1968):61-78; J. Paul Mitchell, "Progressivism in Denver: The Municipal Reform Movement, 1904-1916" (Ph.D. diss., University of Denver, 1966); Walter Wood Garney, Jr., "Robert Walter Speer and Benjamin Barr Lindsey: The Progressive Dilemma in Municipal Government" (Undergraduate thesis in American Studies, Yale University, 1967); Fred Greenbaum, *Fighting Progressive: A Biography of Edward P. Costigan* (Washington, D.C.: Public Affairs Press, 1971).

⁴ On the Ku Klux Klan in Colorado, see Kenneth T. Jackson, *The Ku Klux Klan in the City, 1915-1930* (New York: Oxford University Press, 1971) and James H. Davis, "The Ku Klux Klan in Colorado" (M.A. thesis, University of Denver, 1962).

⁵ Wayne Williams, *Sweet of Colorado* (New York: Association Press, 1943), pp. 8-9; William E. Sweet to Lennig Sweet, 16 March 1922, William E. Sweet Papers, Documentary Resources Department, State Historical Society of Colorado, Denver (hereinafter cited as Sweet Papers, SHSC).



dressing himself in both forums to "social and industrial questions as affecting the attitude of the church."⁶ In 1922, however, Sweet decided to forego the leisurely pleasures of reform through the written and spoken word for the hurly-burly world of the political activist.

Sweet's drive toward nomination on the Democratic ticket and eventual election as governor of Colorado was geared to attract the support of three principal groups: farmers, suffering from price declines after World War I; organized labor, seeking reform of the economic system through political influence; and middle-class Progressives who had supported either Theodore Roosevelt or Woodrow Wilson as spokesmen for change. In his platform Sweet offered the farmers a cooperative marketing program; to organized labor, the candidate extended a hand of friendship and a promise to destroy the State Rangers, a military force that had often been used to break up strikes and break the heads of union organizers; and to reformers of every persuasion Sweet presented himself as a man anxious to eradicate the injustices of the American economic system and reestablish equal justice for all. In a private letter to James Causey, chairman of the 1912 Progressive party in Colorado, Sweet spelled out his position as a proper progressive deserving of support. The candidate indicated that he had "many progressive ideas, such as the promotion of cooperative marketing association by state and national legislation. I am very much in sympathy with the farmers' bloc in Congress and have opposed the open shop fight which the big business men of the country have been making."⁷

The election returns validated Sweet's calculations that a coalition of farmers, organized labor, and reformers possessed sufficient strength to elect a progressive governor of Colorado in 1922. In a postelection analysis of his victory, Sweet acknowledged his debt to precisely the groups that he had attempted to attract: "I was," he wrote, "the progressive candidate and owe my election to that fact. I think that it is no exaggeration to say that Labor—organized and unorganized—supported me ninety percent strong. With the exception of some of the coal camps, I do not believe there was any defection in the Labor group. . . . When it came to the

⁶ Sweet to James E. Causey, 17 June 1922, Edward Costigan Papers, Western History Collections, University of Colorado Libraries, Boulder.

⁷ Ibid.

farmers, I had their support because of my program for relieving agricultural conditions."⁸ Sweet was not alone in characterizing his success as a triumph for liberal left principles. An article in the *Survey*, a national magazine devoted to progressive ideals with an orientation toward the social work profession, took encouragement from Sweet's election as evidence that reform was alive and well in Colorado. "Governor Sweet," reported the *Survey*, "went out and campaigned fearlessly for a lot of things supposed to be blackly unpopular, and though his election was for some time in doubt, he carried the state in the teeth of organized opposition."⁹

Shortly after assuming office, Sweet found himself faced with an explosive political situation, which, if properly handled, might solidify and expand the coalition that had spearheaded his election, but, if poorly managed, might easily drive a wedge between the various elements of his supporters. Sweet's behavior under these ticklish circumstances reveals much about the governor, the basis of his support among certain interest groups, and the dangers that might disrupt the fragile coalition that had elevated him to the governor's chair.

On 25 March 1923 Senator Samuel D. Nicholson died in office, and the newly elected governor was constitutionally charged with appointing a successor to serve until the November election of 1924. The Denver press immediately began to speculate about a possible replacement for Nicholson and singled out Alva B. Adams of Pueblo as especially available.¹⁰ The *Denver Rocky Mountain News* was particularly perceptive in its analysis of the intraparty context within which Sweet might select Adams as his final choice:

Among state Democrats, interest centers in the appointment of a successor of Senator Nicholson because of the division in the party that marked the primaries last September, and was only partly removed in the November election. This is a division composed of one wing called the "radicals" and the other called the "conservative," but which has become more generally known as the "Sweets" and the "Conservatives."

There are two arguments being advanced: One is that it would be good politics for the governor to name one who, while a conservative, was not embroiled in the campaign of last year that elected him, but stood with the party, and draw that element to him. On the other hand, there are

⁸ Sweet to Alva B. Adams, 11 May 1923, William E. Sweet Papers, Colorado Division of State Archives and Public Records, Denver (hereinafter cited as Sweet Papers, CSA).

⁹ "What Will the Governor Do?" *Survey* 49 (January 1923):489.

¹⁰ *Denver Post*, 25 March 1923; *Denver Rocky Mountain News*, 25 March 1923.

those who assert that it was the so-called "radicals" that elected him. As a matter of political history, it was the result of both factions getting together under the Democratic banner, together with a large number of Republicans, especially Republican farmers, that believed in Sweet's platform, that put him over.¹¹

Sweet, not wishing to disappoint any candidate or important group, proceeded slowly and declared that he would receive all nominations from any source and would take his time to consider the possibilities. His open invitation to accept recommendations for the position elicited responses from national Democratic leaders as well as suggestions from several organized groups within the state.

The issue of appointing a new United States senator was of more than local interest and purport in 1923. Under the leadership of Wisconsin's Robert M. LaFollette, an independent force had emerged in the upper house of the Congress that challenged both Democratic and Republican leadership. Given the close balance between the two parties in the Senate, there was national concern over whom Colorado would send to replace Nicholson. Would Sweet, a Democrat by party affiliation, appoint a regular to the office, thus strengthening the ranks of the Democrats? Or would the governor, a progressive by philosophy, dispatch an independent who, while a nominal Democrat, might join with the LaFollette forces? Given this situation, Sweet quickly received fraternal advice from several Democratic leaders of national prominence. The ailing former president, Woodrow Wilson, sent word that he favored the appointment of ex-Denverite, Huston Thompson, currently a member of the Federal Trade Commission to which Wilson had appointed him. Charles Bryan, brother of William Jennings and a power in the Democratic party, joined with William McAdoo, Wilson's son-in-law and former secretary of the treasury, to advance the name of Morrison Shafroth, son of the former Governor and Senator John F. Shafroth. Even Leonard Wood, governor general of the Philippines, wrote Sweet urging that the governor send Shafroth to Washington. Sweet politely but positively ignored the nominees of Democratic leaders and proceeded to mark out his own path.¹²

¹¹ *Denver Rocky Mountain News*, 1 April 1923.

¹² The bearing of a Sweet appointment on party alignments in the Senate was immediately noted as indicated in an Associated Press release printed in the *Denver Rocky Mountain News* and the *Denver Post* the day following Senator Nicholson's death: "The death of Senator Nicholson and the expected appointment by Governor Sweet of Colorado of a Democrat to succeed him



As governor of Wisconsin, Robert M. LaFollette, Sr. (1855-1925) helped to initiate the Wisconsin Idea—direct primaries, tax reform, railroad rate controls, and similar measures. He ran for president on the Progressive party ticket in 1924.

Closer to home, the governor's invitation to all Colorado citizens to proffer the names of suitable candidates encouraged several interest groups to organize campaigns for individuals sympathetic to their cause. Politically conscious women petitioned Sweet to appoint one of their sex to the Senate, uniting behind Mrs. Lillian Kerr of Colorado Springs as their standard bearer.¹³ Farmers from the northeastern wheat-growing section of the state sent petitions backing John M. Collins, Non-Partisan Leaguer and Democratic

will reduce the Republican majority in the new Senate to nine, making the lineup [sic] fifty-two Republicans, forty-three Democrats and one Farmer-Labor. The change will also weaken by one vote the bloc of regular administration supporters, of which Senator Nicholson was always counted a member" (*Denver Rocky Mountain News*, 25 March 1923; *Denver Post*, 25 March 1923).

A similar analysis was reprinted from the *Chicago Tribune* in the *Denver Post*, which forecast that "ten of the Republicans in the new senate are of independent tendencies or connected with the LaFollette bloc. These, or most of them, will hold the balance of power and will be able to prevent the organization of the senate or compel the Republicans to make terms with them" (*Denver Post*, 26 March 1923). A local reporter for the *Denver Express* agreed, commenting that "Since Gov. Sweet is not only a Democrat, but an avowed progressive, his appointee is sure to be a man of liberal policies, and the strengthening of the 'progressive bloc' is doubly assured" (*Denver Express*, 27 March 1923). The letters of support for Thompson and Shafroth were reported in the *Denver Rocky Mountain News*, 27, 28 March and 10 April 1923; *Denver Post*, 26, 27, 28 March 1923.

¹³ In what today would be recognized as sexist language, the *Denver Rocky Mountain News* reported that "Mrs. Lillian Kerr, the wife of a former district judge of Colorado Springs, is a candidate representing the women, and has announced that her hat—or bonnet—is still in the ring" (*Denver Rocky Mountain News*, 1 April 1923).



The son of Irish immigrants, Edward Keating was a forceful Colorado congressman during the World War I years. He helped to initiate the first federal child labor law and vigorously supported the then "radical" Eight-Hour law.

nominee for governor in 1920. Elements of organized labor endorsed Benjamin Hilliard, a long-time friend of labor, leader of the antimachine forces of the Denver Democratic party, and one-time congressman from the city. Prohibitionists had their own candidate in Wayne Williams, a close associate of Sweet soon to be appointed attorney general of the state.¹⁴ To all of these suggestions the governor responded respectfully but noncommittally, for he had his own purposes to pursue and a political future to protect.

While Sweet bided his time and publically gave the impression that the replacement of Senator Nicholson was an open question, privately he was in communication with several individuals whose advice he solicited on the appointment. Indeed, Edward Keating, one of his closest confidants throughout the months of March, April, and May, had broached the subject of the importance of Nicholson's replacement even before the senator had passed from the scene. Keating, former employee and political ally of Thomas Patterson and once congressman from the Pueblo district, in 1923

resided in Washington, D.C., where he edited the national newspaper of the Railroad Brotherhoods, *Labor*.¹⁵ Although Keating had removed himself from the Colorado scene, he retained his close contacts with the labor movement in the state and his location in Washington, D.C., alerted him to the implications for national politics of Senator Nicholson's impending death. On 22 March 1923 Keating wrote Sweet that "in case the Senator [Nicholson] should die I hope you will refrain from naming his successor until it would be possible for me to lay before you certain information which I believe of such importance as to justify me in making a special trip to Colorado." Keating assured the governor that his interest in the matter was not personal, that he had no ambition to serve in the Senate, but that he was vitally concerned "in the success of the progressive cause, and if we are called on to elect two senators from Colorado in 1924 the contest in our state will be one of the most interesting in the nation."¹⁶

Sweet accepted Keating's offer of consultation prior to appointing Nicholson's successor, no doubt because the governor respected Keating's opinion but also because he hoped that Keating would help unify the divided counsels of organized labor.¹⁷ The difficulties that Sweet hoped Keating might help resolve were two. First, the ranks of organized labor were split over whom to recommend for the Senate vacancy. Second, Sweet had already determined by the first week in April that his initial choice for the position was Alva B. Adams, a selection that the governor feared might not set well with the labor leadership. Keating was uniquely qualified to aid the governor on both counts. The editor of *Labor* had earned the respect and admiration of the organized labor movement in Colorado for past services, and he had been closely associated with the Adams faction of the Democratic party. Thus, Sweet calculated that Keating would sell Alva Adams to organized labor and avoid any break between the governor and his supporters in the labor movement.

Keating arrived in Denver on 9 April and the following day attended meetings with labor leaders after which he met privately with Alva Adams in a conference that Keating had requested but which Sweet had arranged.¹⁸ The consultations

¹⁴ Evidence of farmer support for John M. Collins and organized labor support for Benjamin Hilliard is contained in the political correspondence files of Governor William E. Sweet, CSA. See also *Denver Rocky Mountain News*, 1 April 1923; *Denver Express*, 23 April 1923. Prohibitionist efforts on behalf of Williams were reported in the *Denver Rocky Mountain News*, 1, 8 April 1923; *Denver Post*, 26 March 1923.

¹⁵ Edward Keating, *The Gentleman from Colorado* (Denver: Sage Books, 1964).

¹⁶ Edward Keating to Sweet, 22 March 1923, Sweet Papers, CSA.

¹⁷ Telegram, Hale Smith to Keating, 4 April 1923, Sweet Papers, CSA.

¹⁸ *Denver Express*, 9 April 1923; *Gunnison Empire* quoted in the *Denver Democrat*, 28 April 1923;

among the labor leaders, which Keating attended on 10 April did not proceed without division, for the house of labor was divided on a nominee. The majority of labor organizations favored Hilliard. There was also some sentiment within labor for Wayne Williams, while the miners and railroad workers from Pueblo favored Alva Adams. The outcome of the conference was an endorsement of Hilliard, but the conflict and bitterness generated by the discussion was revealed by Williams who felt betrayed by labor's failure to back his candidacy. On 11 April Williams wrote to Sweet's private secretary that "yesterday the conference of labor forces from over the state give [sic] Hilliard an exclusive endorsement. The Adams faction bolted. Labor did not endorse me, my opponents being the Adams Labor faction [and] the jealous Hilliard partisans. . . . While I have many other labor endorsements and could swamp your office with them I shall not do any such thing. But this has hurt me, after fighting for labor for twenty-four years and being 'cussed out' by nearly all of big business for my labor adherence."¹⁹

Despite the support expressed by labor for Hilliard, Keating must have assured Sweet that negotiations with Adams might proceed without a serious threat that the unions would rebel. Such, surely, must be the inference taken from the fact that on 13 April, after Keating had conferred with labor leaders, Adams, and the governor, Sweet wrote directly to Adams indicating his desire to appoint the Pueblo attorney to the Senate. Furthermore, the contents of Sweet's letter to Adams gives additional credence to the notion that Keating had "guaranteed" Adams's acceptability to organized labor, for the governor opened his letter with a perceptive analysis of the part labor had played in his election and indicated that he could not afford to alienate this important base of support.²⁰

Sweet also took the occasion of the 13 April letter to discuss with Adams his crucial concern respecting the appointment: "If I should appoint you as United States Senator it would mean that my own immediate political fortunes



Alva B. Adams was appointed to the United States Senate in 1923 and was duly elected in 1932, serving until his death in 1941.

would be much more closely tied up to you than yours would be to me. In other words, Mr. Adams, your political actions would cause me either to retain the political good-will of the two groups mentioned above [labor and farmers], or possibly to lose it permanently. This was very briefly mentioned during our conversation and I am bringing it up now because I want you to realize that I must be able to rely implicitly on the progressive ideals of the man whom I shall appoint as United States Senator, in order to keep the faith with my own political supporters."²¹ Finally, the governor requested that Adams give assurances in writing of his progressivism, so that Sweet could calm the fears of reform groups, labor in particular, that Adams was a conservative.

Sweet's motives in tendering the Senate seat to Alva B. Adams were varied and complex. First, as the governor indicated in his letter to Adams, he desired to appoint a man whose political principles were sufficiently progressive so as to keep the loyalty of those groups essential to his election and future political career. On the other hand, it must have occurred to Sweet that his appointee's political philosophy need not be a replica of his own and that a man of a somewhat more conservative bent might serve to unite his party and alert wary voters that Sweet was no wild-eyed radical.²²

¹⁹ Sweet to Keating, 9 April 1923 and Sweet to Alva B. Adams, 10 April 1923, in Sweet Papers, CSA.

²⁰ Wayne C. Williams to Smith, 11 April 1923, Sweet Papers, CSA.

²¹ Sweet to Adams, 13 April 1923, Sweet Papers, CSA. The *Denver Rocky Mountain News* reported that "what the results of his [Sweet's] conference with Edward Keating . . . last week are not known. Nevertheless, it is pointed out that Keating was at one time in close touch with Adams and it is entirely possible that he favored his appointment" (*Denver Rocky Mountain News*, 17 April 1923).

²² Sweet to Adams, 13 April 1923, Sweet Papers, CSA.

²³ Precisely this calculation was commented upon by the *Boulder News* and the *Leadville Herald* as quoted in the *Denver Democrat*, 26 May 1923. The *Colorado Springs Farm News* put the situation perfectly when it observed: "Alva B. Adams was not too conservative to support

Second, the governor owed a personal debt to the Adams family, for it had been an endorsement of Sweet by Adams's father, Alva Adams, which had made possible the nomination of Sweet by the Democrats in 1922.²³ Third, Sweet no doubt calculated that an Adams appointment might well strengthen support for the governor in southern Colorado. As the *Steamboat Pilot* assessed the situation, "Location will cut some figure, naturally. At present Denver has one United States senator [Phipps] and the governor. The best politics would be to appoint a man outside of Denver, and the governor will not be unmindful of the political feature, for it is generally recognized that he is ambitious for further political honors." Fourth, as the *Pilot* recognized, Sweet was concerned about his own political fortunes, although by April 1923 he had apparently not made any definite plans for the future.²⁴ Adams assured the governor that "one thing I meant to make clear to you at one of our talks, but if I did not I wish to make clear here. If I should receive the appointment to the Senatorial vacancy, you shall have a clear right of way, so far as I am concerned, in making your choice as to a future candidacy for the Senate both as to time and terms. I would only request that you make a reasonably early determination as to your plans so as to enable me both to make my plans in accordance therewith and to render the most effective aid in bringing to consummation both of our plans."²⁵

Adams responded at length to Sweet's letter of 13 April with repeated pledges of dedication to progressive reform. "If I have not been genuinely and sincerely progressive in my ideals," the candidate confessed, "I am entirely mistaken in myself. . . . I would have difficulty in accurately defining what is meant by progressive, yet I do not think that you and

William E. Sweet as against Fred Sabin in the primaries and William E. Sweet was not too radical to appoint Alva B. Adams. . . . The truth is that Governor Sweet is a radical, with the brakes on, while Senator Adams is a conservative, with the brakes off. These two leaders of Colorado Democracy will be found to differ more in speech than in action" (*Colorado Springs Farm News* quoted in *Denver Democrat*, 16 June 1923).

²³ *Boulder News* quoted in *Denver Democrat*, 26 May 1923. Sweet and Alva B. were also personally connected by the fact that Sweet's grandfather had opened his grain dealers business in a corner of Alva B. Adams's father's hardware store in Colorado Springs in 1872 (see Williams, *Sweet of Colorado*, p. 6).

²⁴ *Steamboat Pilot* quoted in the *Denver Democrat*, 14 April 1923; "I have no desire to succeed Mr. Phipps two years from now and, if it becomes necessary to make a public declaration of that kind, I shall do so. I want to return here to put over some of the things which I have failed to do. Then, if, at the end of four years the people would like to have me consider running against a Republican, who would, naturally, have been Nicholson himself, if he had lived, I am willing to undertake it, if I have my strength and can secure sufficient public and Democratic backing" (Sweet to John A. Rush, 3 April 1923, Sweet Papers, CSA).

²⁵ Adams to Sweet, 18 April 1923, Sweet Papers, CSA.

I would differ in its practical use. It is a matter of political and social sympathy of mental and moral attitude and tendency." Adams also offered the observation that his fortunes depended upon the well-being of farmers and workers, which vouchsafed his allegiance to their cause. As he wrote Sweet: "In addition to the natural inclination of my mind, my personal fortunes prosper or decline as the working men and farmers of Pueblo county prosper or not. It is the pay check and not the dividend checks which go into and support the institutions [banks] in which I am interested. The better the conditions which surround the laboring people of Pueblo the better the conditions which surround my own family."²⁶

Aside from his own personal assurances that he sided with working men and farmers on the basis of "political sympathy and moral attitude" as well as economic interest, Adams marshaled his own friends in the labor movement to petition the governor on his behalf. The Pueblo local of the United Mine Workers presented Sweet with clear evidence that those workers who knew Adams well trusted his liberalism. The leaders of the Pueblo UMW, Felix Pogliano and Mike Livoda, proclaimed that "the charge that Mr. Adams is not a Progressive is without foundation in our opinion. While he has never held a Public Office, we consider that he displayed Progressive tendencies in the last campaign when he supported your candidacy in both the primary and general election." Adams also received praise from the Pueblo Railroad Federated Shop-Crafts, the Salida Railroad Federated Shop-Crafts, the Pueblo Trades and Labor Assembly, and the Pueblo local of the International Brotherhood of Locomotive Engineers.²⁷ Such declarations of affection for Adams were designed to assure Sweet that, despite labor's official endorsement of Hilliard, Adams had friends among the organized workers of his own district. Expressions of such sentiments were designed to convince the governor that he might offer Adams the Senate vacancy without risking the alienation of the Colorado labor movement.

In addition to reflections upon the sources of his progressivism and his sympathy for interest groups to which Sweet felt bound, Adams indicated that he was sensitive to the political implications and possibilities of his appointment for

²⁶ Adams to Sweet, 15 April 1923, Sweet Papers, CSA.

²⁷ Felix Pogliano and Mike Livoda to Sweet, 14 April 1923; "Endorsements for Alva B. Adams as United States Senator," Sweet Papers, CSA.

the governor personally and for the Colorado Democratic party generally. Thus, Adams offered Sweet some sane and realistic political advice looking ahead to the election of 1924. "I recognize," Adams stated, "the large part played by the labor and farmer votes toward your election. I would not have you disappoint your supporters among the progressives of the state. Appreciation for support given, the principles involved, and a proper hope of future support all lead to the same conclusion. You should, of course, endeavor to retain the good will of the labor and farmer groups. We cannot lose these groups and win, though to hold them as solidly in 1924 in the face of the pressure of the presidential election can hardly be expected regardless of your own record and any Senatorial appointment you may make. That there are other voters without whose support success could not have been achieved last year and whose support is essential in the future is well known to you. Your course should be to hold as far as possible the labor and farmers vote and at the same time endeavor to hold and increase if possible the vote for 1924 from the other more scattered sources."²⁸ The meaning implicit in Adams's analysis was apparent: Sweet and Adams would make a good political team, Sweet holding on to his labor and farm supporters, while Adams might attract "other voters" to the Democratic cause in 1924.

The governor was apparently satisfied with Adams's sworn fealty to the cause of progressive reform, and he continued their correspondence and even went so far as to broach the possibility of third party action, if necessary in 1924, to preserve the purity of progressive principles. Adams, while reasserting his solidarity with farmers and workers, was less than enthusiastic about the idea of a third party in 1924. "I believe that while a third party might be a more ardent advocate of such principles," Adams commented, "that it is only through the agency of the Democratic party that they can be put into effect. Any third party movement which divides the Democratic votes means the inevitable election of the Republican ticket. This is even more sure to follow the creation of a strong labor party. Labor can only accomplish its ends through our party. It cannot win alone. The Democratic party may not do all that labor asks [,] but it is friendly to labor and with proper support and education will grant all

²⁸ Adams to Sweet, 15 April 1923, Sweet Papers, CSA.

reasonable and proper demands."²⁹ Adams's political realism and Sweet's concern for ideological purity, although of little importance in the spring of 1923, forecast tensions within the Democratic party that would prove destructive in the 1924 campaign.

Despite a minor disagreement with Adams over the third party issue, by the end of April Sweet was confident that he could safely send Adams off to Washington, D.C., without risking any serious defections among his supporters. On 28 April Sweet wrote Adams that the progressive wing of the Democratic party was satisfied with the proposed appointment and laid out specific plans for the public announcement. "I should like," he informed the senator-to-be, "to make two statements, one to be sent over the country by the associated press, the other to be published locally. I have been thinking that a statement from you to be published in the Colorado papers would be exceedingly opportune. While this may seem to you rather unusual and unprecedented, nevertheless, because of the closely drawn national issues and also because of the keen interest in our state on account of the dominance of the Progressive wing of the Democratic party, it seems thoroughly advisable that such a statement should be made."³⁰ The unusual procedure advanced by Sweet was directed at progressive circles both nationally and locally. The governor desired to assure his friends around the country and around the state that despite Adams's alleged conservatism, the new senator was firmly committed by philosophy and politics to the liberal wing of the Democratic party.³¹

The declaration by Sweet of Adams's designation as Colorado's new senator was delayed, however, until early May for purely political reasons. The governor, while confident that he could persuade progressives that Adams was reliable, did not wish to gamble on the potential displeasure of some Denver Democrats during a mayoralty campaign in the city. Consequently, Sweet deferred making his choice known until after 15 May 1923. He explained his decision to Adams by noting that "Mr. Ben Hilliard has a very strong following locally [in Denver] among the Labor group and any one whom

²⁹ Adams to Sweet, 18 April 1923, Sweet Papers, CSA.

³⁰ Sweet to Adams, 28 April 1923, Sweet Papers, CSA.

³¹ "I am sure you [Adams] will not think me too eager to have the Progressive wing of the Democratic party thoroughly satisfied in the event of your appointment. To that end, I have gone to a good deal of pains to establish your progressive principles and to have whatever ideas I have formulated on the subject thoroughly fortified" (*ibid.*).

Edward P. Costigan, nominated for governor of Colorado on the Progressive party ticket in 1912 and 1914, was described by a contemporary as an "eloquent speaker and a suave and smiling gentleman." A Harvard graduate, he began his legal career in Denver in 1899.



I might appoint . . . might cause some disaffection in the Hilliard-Labor group. I think it advisable not to cause any gossip in the local political field and shall withhold the appointment . . . until after election."³²

But the labor wing of the Sweet coalition was not the only group that the governor had to mollify as he considered the appointment of Alva B. Adams. The urban, middle-class, business and professional spokesmen for progressivism would require assurances that the banker from Pueblo was a reliable friend. Conscious of the task before him, Sweet early began to rally the reformers behind his choice. His first action in achieving this goal was to write Edward Costigan with the request that Costigan comment on the notion that Congressman Taylor, representative of the Western Slope, be selected to fill out the term of Senator Nicholson. Sweet was probably not serious about a Taylor appointment, but dropped the congressman's name simply to elicit Costigan's general thoughts on the problem of the vacant seat. Furthermore, Sweet took the occasion of this letter to assure Costigan that "I am a thorough-going Progressive and should dislike very much to appoint any one in Senator Nicholson's place who was not of the same type of mind as myself although possibly no one available is sufficiently progressive to suit me."³³

Costigan, as Sweet might well have expected, rejected Taylor as suitable for the position—Taylor had voted for the

Esch-Cummins Act and had proven unsatisfactory on the issue of conservation—but did affirm his faith in Sweet's commitment to the progressive cause. "The lines of cleavage [between reformers and reactionaries] are at last so plain," Costigan declared, "that all may define them, and you, yourself, are already so unmistakably arrayed on the side which puts public welfare foremost, that nothing but your own uncertainty or surrender can make your message ambiguous or transfer you to the camp of lost leaders."³⁴ No further communications over the senatorial appointment took place between Sweet and Costigan, and it is doubtful that Costigan was enthusiastic over the final selection of Adams, but Sweet had been careful to consult Costigan on the issue, thus cushioning the blow of Adams's selection when it was finally announced.

Aside from writing Costigan, Sweet planned an additional ploy by which he hoped to outflank the reformist critics of Adams. While the governor and Adams were still engaged in correspondence, Sweet chose three men from Denver, representatives of the liberal left in the city, who conducted interviews in Pueblo and presented the governor with a report assessing Adams's stature as a progressive. Sweet's chosen delegates were Hal D. Van Gilder, an insurance agent, Samuel Jackson, reporter for the *Denver Express* (the only newspaper in Denver that supported liberal causes in general and the election of Sweet in 1922 in particular), and the Reverend George S. Lackland of the Grace Community Church. Lackland was the most prominent of the three, for he had an established reputation as a Social Gospel minister, a friend of labor, and a leader among Denver's professional and intellectual community. A brief summary of Lackland's activities clearly illustrates his attempts to bridge the gap between the church and the working men in the period of 1919 through 1924. He arrived in Denver in 1918 and with the aid and encouragement of church leaders soon built a community center to attract the poor and working-class residents who lived in the Grace Church vicinity. Later, Lackland organized the Denver Open Forum, an annual series of lectures on topics of current interest presented by nationally prominent figures, and the Denver Labor College. As one of his successors in the Grace Church pulpit noted in 1934,

³² Sweet to Adams, 18 April 1923, Sweet Papers, CSA.

³³ Sweet to Edward Costigan, 22 March 1923, Edward Costigan Papers, Western History Collections, University of Colorado Libraries, Boulder.

³⁴ Costigan to Sweet, 26 March 1923, *ibid.*

Lackland "became the favorite preacher of labor unions and is deeply endeared to this day."³⁵

The three emissaries from Denver traveled to Pueblo on 30 April 1923 and interviewed Adams and fifteen persons who had direct knowledge of the candidate's political, economic, and social activities. The portrait of the man that emerged from his neighbors' observations was an interesting mixture of the liberal and the conservative. Perhaps that portion of the report submitted to the governor by Van Gilder, Jackson, and Lackland that best captured the ambiguities in Adams's career appeared in a section titled "Adams's Friends." The three Denverites first indicated that "Adams is unquestionably a close friend of Mahlon Hamilton, reigning scion of the town's one big plutocratic family." But the progressive inquirers did not convict Adams on the grounds of guilt by association, for they carefully pointed out that, although Adams professed his close friendship for Hamilton, "he said that he differed with him [Hamilton] politically and that they never discussed politics with each other." The report further concluded that "everyone says Adams has an extremely wide acquaintance with both the employing and working classes and is equally agreeable to all; that he never holds a grudge, and that he is frequently consulted in case of controversies." Of particular interest and importance to the committee of three and Sweet was the finding that "Adams hangs around the labor offices a good deal and is frequently invited to speak before labor unions. . . . Asked how he happened to be associated with the labor unions he said that most of the members were members of his party, that he came in contact with them there and that it was natural for him to take some interest in affairs in which both he and they were involved outside strict party affairs."³⁶ Although the report mentioned that Pueblo labor was not unanimous in its praise for Adams, the three investigators did find enough labor sympathy for Adams's designation as senator to assure Sweet that the appointment could be made without betraying progressive principles or losing the good will of organized labor.³⁷

The deductions drawn by the committee of three reflected

the conflicting aspects of Adams's career. On the one hand, Sweet's investigators concluded that "all people interviewed, including Mr. Adams, agreed that his associates were reactionaries and representatives of big business interests." On the other hand, however, Van Gilder, Jackson, and Lackland reported that "real Progressives interviewed stated that he [Adams] was shifting in his political views and had his ear continuously to the ground."³⁸ The committee made no specific recommendation to Sweet on the Adams appointment, and, although the final summary of findings was inconclusive, it was positive enough so that the governor could be confident that his nomination would not unduly disturb his progressive allies.

Confirmation that progressive reformers distrusted Adams but would go along with the governor if necessary was contained in a letter sent to Sweet by one of his confidants and allies, Otto Bock, a Denver lawyer. Bock began by indicating that he and the governor had previously discussed "the political advantages of the appointment of Adams as United States Senator, and I [Bock] agreed with you that there would be a decided political advantage in the appointment." Upon reflection, however, Bock had had a change of mind. "I believe now," he warned Sweet, "that any political advantage that may be gained through Adams'[s] appointment would be dissipated by loss in Progressive support. There is no question about it that a large percentage of the Progressives would be very greatly disappointed in the appointment of Adams. I fear now that the entire Progressive program in this State would be jeopardized if Adams were appointed by a serious loss to you of Progressive support." Bock also offered the observation that "the great query [among Progressives] seems to be, while Adams may be a Progressive, he has never functioned at it sufficiently to convince other Progressives of the fact."³⁹ What Bock may not have known was that Sweet had taken action that would permit him to convince progressives that Adams was one of their own by sending his three-man delegation to Pueblo.

³⁵ *Ibid.*, pp. 1-2.

³⁶ Otto Bock to Sweet, 11 May 1923, Sweet Papers, CSA. By August, however, Bock had come around to accept Adams as a true progressive. As Sweet wrote Adams, "Among those who were inclined to look with disfavor upon your appointment as Senator, was Otto Bock, an attorney in Denver, and an extreme Liberal. He heard your recent address before the Denver Bar Association and sent word to me . . . that your address was all that he, as a Progressive, could desire, and that he was delighted with it" (Sweet to Adams, 6 August 1923, Sweet Papers, CSA).

³⁵ Rev. Edgar M. Wahlberg, "Grace Community Church Year Book, 1934," p. 2, Colorado Methodist Church Archives, Hiff School of Theology, Denver.

³⁶ "Alva B. Adams," typescript of testimony taken by Van Gilder, Jackson, and Lackland in Pueblo, 30 April 1923, Sweet Papers, CSA.

³⁷ "Summary of Testimony Resulting from Interviews taken by Mr. Hal D. Van Gilder, Sam Jackson, and G. S. Lackland in Pueblo, Colorado, April 30, 1923," p. 1, Sweet Papers, CSA.

That the governor succeeded in convincing all reformers that his selection of Adams was the best possible choice is doubtful, but he felt enough confidence in his behind-the-scenes activities and powers of persuasion that he proceeded without hesitation. Sweet may also have calculated that the progressives had no alternative but continued support of the governor, for as a representative of the liberal left, elected to the highest office in the state, Sweet was something of a rarity in the early 1920s. Nevertheless, Sweet decided to make one last ditch effort to appease the critics of the Adams appointment. The night before making his choice public, Sweet called together Adams and five representatives of progressive sentiments. As the *Denver Express* pointed out, "This action was taken in order to give certain groups in the Democratic party an opportunity to question candidates with regard to their stand on important questions and to offer the governor recommendations concerning the prospective appointee."⁴⁰ Whether the meeting achieved Sweet's purpose is not certain, for its outcome was not reported, but following the governor's declaration that he had chosen Adams to fill the Senate vacancy on 17 May 1923, neither organized labor nor the progressives publically protested.

The *Denver Post*, however, reported the Adams appointment with headlines that proclaimed "GOVERNOR SWEET APPOINTS A MUZZLED SENATOR." The *Denver* newspaper went on to charge that Adams would be merely the progressive mouthpiece of the governor, contending that Adams's statement, released in conjunction with the announcement of the appointment, was a program extracted by Sweet as the price for selecting Adams to fill out Nicholson's term. In fact, the published political creed of Alva B. Adams differed in no wise from statements that the Pueblo banker had made to Sweet during the month of April when the governor was testing Adams's progressivism. The newly appointed senator professed his belief in evolution with the observation that "the vast industrial developments due to steam and electricity have produced a new age, industrially and socially." Consequently, "political and social theories which ignore the changes in world conditions due to these agencies are based upon unsound foundations."⁴¹ From these

⁴⁰ *Denver Express*, 16 May 1923; *New York Times*, 17 May 1923; *Silverton Standard* quoted in *Denver Democrat*, 2 June 1923.

⁴¹ *Denver Rocky Mountain News*, 18 May 1923.

premises, Adams pressed on to indicate that the laissez-faire economic philosophy of Adam Smith was outmoded, that state intervention was a necessity under the new conditions of industry and society, that he opposed child labor, supported the right of labor to organize and bargain collectively, sympathized with farm credit legislation and the cooperative movement, praised the Federal Reserve System, declared his desire to repeal portions of the Esch-Cummins Act, favored Prohibition, and noted his approval of the World Court and the League of Nations. It was a mildly progressive statement, a good reflection of Adams's political philosophy as it had unfolded in his correspondence with Sweet, and as reported by Van Gilder, Jackson, and Lackland to the governor based on their Pueblo investigations. Although the *Post's* charges that Sweet had pressured Adams were false, the governor was sufficiently disturbed that he immediately wired Keating in Washington, D.C., in hopes of warding off any criticism of his selection from nationally prominent progressives. "Adams statement a clearcut definite courageous declaration for progressive principles," read the governor's telegram. "Approves legislative program Farm Bloc. Practically all groups here including Lackland and Hoag [a leader in the Colorado State Federation of Labor] I believe approve this appointment and statement though they might have other preferences. Please do not make any comment derogatory until you have full text Adams statement and have had time to secure counsel and advice from your Colorado friends."⁴² Keating apparently took Sweet's advice and no criticism of the Adams appointment was forthcoming from progressive or liberal sources.

If Governor Sweet was distressed by the way in which the *Denver Post* publicized his choice for the Senate vacancy, he was more sorely distressed by an editorial in the *New York Times*, which adjudged Alva Adams a conservative who "believes in the private ownership of railroads, in preparedness, in the World Court, and can't stomach 'the international politics of Senator LAFOLLETTE and those who agree with him.' To their general lines of domestic policies he also seems opposed, though he favors some changes in the Esch-Cummins Transportation Act." The *Times* editor concluded his analysis of Adams with the observation that "out of the 'progressive' West comes another conservative Senator. He

⁴² Telegram, Sweet to Keating, 17 May 1923, Sweet Papers, CSA.

will be welcome, though a Senator doesn't have to be more than rationally progressive to seem a monument of economic, social and political old-fogyism by the side of vagary-collectors like Mr. LAFOLLETTE and Mr. BROOKHART."⁴³

Sweet's unhappiness at the *Times* evaluation of the Adams statement of political principles was revealed a month later in an article that appeared in the liberal journal, the *Nation*. The author of the piece, William Hard, recounted meeting Sweet in Chicago shortly after the Adams appointment was announced, on which occasion Hard asked the governor "to tell me something about Mr. Adams. I perceived that I had touched on a subject of the tenderest and most sensitive concern to him. 'You've read the dispatch about Adams in the Eastern papers?' he said. 'I have,' I said. 'I thought so,' said he, 'and I came prepared to answer questions like yours. Wait a minute till I go to my room and get a clipping.'" Sweet returned and presented Hard with the Adams declaration of principles as printed in the *Denver Rocky Mountain News*. Upon reading the statement, the journalist for the *Nation* concluded that Adams was no conservative and that "the new Senator from Colorado will be an expanding surprise to the readers of the first dispatch about him in the *New York Times*." Having defended Sweet and Adams from the *Times* accusation of conservatism, Hard proceeded to offer his estimate of both the governor and the senator. "To date," he wrote, "I should say that both Governor Sweet and Senator Adams are what the socialists of Europe would call 'bourgeois liberals.' I fear that Senator Adams is not a reactionary. I fear that Governor Sweet is not a Red."⁴⁴ The *Nation* article undoubtedly pleased Sweet, for here was vindication of his selection of Adams from a national magazine of unimpeachable progressive credentials.

Any analysis of Sweet's handling of the senatorial appointment must conclude that the governor acted with both political skill and foresight. He had managed to keep his labor-progressive supporters in line, while at the same time he extended his political base into the regular Democratic party organization of southern Colorado. Looking ahead to the election of 1924, Sweet must have recognized that he had used the occasion of Nicholson's death to maximum advantage.



But the fragile ties that held the progressive coalition together should also have been apparent to the governor. Organized labor could not unite solidly behind any one candidate for the senatorial position. Farmers were not consulted by Sweet in any serious fashion respecting the appointment. And middle-class reformers were not enthusiastic over the selection of Adams. Although Sweet managed to overcome opposition among his allies to Adams in 1923, the cracks in the progressive alliance were already visible.⁴⁵ In the election of 1924 those cracks widened into gaping holes, stimulated in part by the formation of two Progressive parties in the state both supporting Robert M. LaFollette for president but di-

⁴³ *New York Times*, 18 May 1923.

⁴⁴ William Hard, "Half News," *Nation*, 116 (20 June 1923):176.

⁴⁵ The very day Sweet announced Adams's appointment, the *Denver Express* reported that "A powerful third party looms in the state. Re-alignment of the forces that elected Sweet to office last fall seem almost certain" (*Denver Express*, 17 May 1923).

vided over whether to back Sweet and the Democrats on the state level or to nominate a separate slate of candidates. Caught between the breakdown of his progressive coalition and the emerging political power of the Ku Klux Klan, Sweet went down to defeat in 1924.⁴⁶

The governor's reaction to his loss combined anger at the Klan with disillusionment that his farmer-labor supporters of 1922 had deserted him. In a letter to one of his children shortly after the election, Sweet explained that the loss was "accounted for in various ways, chiefly because of the thorough permeation of the electors of the state by the Ku Klux Klan." But Sweet did not fail to point out that "the laboring element and the farmers deserted me right-handed and left. You might have thought that I had been antagonistic to labor instead of friendly, and that I had never done a thing to help the farmers." Despite his disappointment, however, Sweet resolved to accept defeat philosophically. "If I am to be a progressive leader in politics," he commented, "I must be willing to take defeats as well as victories, and trust that in the long run I shall have more victories than defeats. The people are whimsical, carried away by their emotions, actuated by their prejudices and hatreds, and muddled in their thinking; and one must take all this into consideration in the political game."⁴⁷

The election results of 1924 had convinced Sweet how difficult it was to reconcile pragmatic politics with progressive idealism. With Sweet's loss to the Republican-Klan candidate, Clarence Morely, progressivism disappeared as a significant force in Colorado politics. Unlike the history of reform in many other states, however, progressivism had shown vitality in Colorado during the early 1920s. But with internal factionalism rampant among the reformers themselves, the failure to attract new voters to the Sweet coalition, and Republican victory in 1924, Colorado progressivism suffered a demise if not actual death. The failure of Colorado progressivism in 1924 was partially its own responsibility, caused by an absence of unity among those interests that had elected Sweet in

1922. The nomination by Sweet of Alva B. Adams to fill out Nicholson's term in the United States Senate presaged some, although certainly not all, of the factors that led to this state of affairs.

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⁴⁶ The emergence of cultural politics, ethnic conflict, and the failure of the farmer-labor coalitions to cooperate also seems to explain the poor showing of Robert LaFollette and his Progressive party in the presidential election of 1924 (see David P. Thelen, *Robert M. LaFollette and the Insurgent Spirit* (Boston: Little, Brown and Co., 1976), pp. 180-92).

⁴⁷ "William E. Sweet to Dear —," 8 November 1924, quoted in Williams, *Sweet of Colorado*, pp. 159-61.

Insurgency in Colorado: Elias Ammons and the Anticonservation Impulse

G. MICHAEL MCCARTHY

Historically, one of the most significant aspects of the conservation movement that came to the American West at the beginning of the twentieth century was the hostility it generated among large numbers of western people. Although the western anticonservation movement ultimately ended in failure, while it was in existence it constituted one of the most important protest movements in American history. Because of its significance, the motives and the attitudes of those involved in the protest are worthy of study. The purpose of this essay is to undertake such an examination by focusing on the insurgent philosophy of one key man, Elias M. Ammons, in one key state, Colorado, in hopes that it might illustrate some of the environmental aspirations, tensions, and realities of the times.¹ In many ways the anticonservation movement was the most significant "lost cause" since the Civil War; men like Ammons were—and still are—critical figures in the context of both western and national history.

Throughout the entire conservation period, from 1891 to approximately 1915, no state, collectively, reflected opposition to the conservation policies of the federal government more than Colorado; and no state produced an insurgent with the intransigence of Colorado cattleman-politician Elias Ammons.² Between 1900 and 1912, using a variety of platforms



¹ The term "insurgent" was applied to anticonservationists by their opponents. In time it became the most popular term in usage (see, for example, *Denver Republican*, 19 March 1909). For a full account of Colorado's conservation difficulties, see G. Michael McCarthy, *Hour of Trial: The Conservation Conflict in Colorado and the West, 1891-1907* (Norman: University of Oklahoma Press, 1977).

² A native of Franklin, North Carolina, Ammons moved to Colorado when he was eleven years old; for the next decade, while he was educated in Denver, he lived on family ranches on Deer Creek, in Jefferson County, and on Turkey Creek near Denver. In 1885 he launched his first business venture—a ranching partnership with Thomas F. Dawson near Castle Rock, south of Denver. By 1890 the Dawson-Ammons partnership was one of the largest in Colorado. One of

from which to express his views, he was the busiest and most effective of Colorado's anticonservation leaders. At Cripple Creek in the summer of 1901, for example, he engaged in one of the major debates of the decade, challenging Gifford Pinchot, chief of the forestry bureau of the Department of Agriculture and titular head of the entire American conservation movement. Again, at Glenwood Springs in December 1905 and at Denver in March 1909, he publically debated Pinchot in two more critical confrontations. In August 1904 he was the primary spokesman for insurgent Coloradoans before Theodore Roosevelt's Public Land Commission when it met in Denver for a series of hearings. On numerous occasions—most notably when he stumped for Democratic gubernatorial candidate John Shafroth in 1908—Ammons engaged in campaigning for politicians running on anticonservation tickets. Whether writing memorials for the state legislature, serving as a delegate to national conventions, such as the National Conservation Congress that met in Saint Paul in 1910, or presenting his views directly to the president, Ammons almost obsessively crusaded against federal land policies. Above all, he used cattlemen's conventions as a platform. Before both the National Livestock Association and the Colorado Cattle and Horse Growers Association in every year between 1905 and 1911 he presented his case to the "people."

Ammons effectively articulated most of the major anticonservationist concerns and protests of the time. His primary contention was that the federal government had overstepped its legal and ethical bounds in dealing with that part of the public domain that lay within the boundaries of Colorado. Specifically, he charged that the government had created a vast network of federal forest reserves, most of them including large amounts of nontimbered lands and all of them completely "locked up" from local settlers; it had enacted an "illegal" and unreasonable code of regulations for the reserves, including a tax on whatever stock raising was conducted on them; and it had created a ranger corps to oversee

the state's most respected young cattlemen, Ammons was elected to the legislature in 1890, serving through 1894. By the late 1890s, immersing himself in the silver crusade and anticonservation, he had become one of Colorado's most promising and popular politicians; elected to the state senate in 1896, he served through 1902 before temporarily retiring from politics. Presumably it was Ammons's years of experience in forest reserve areas, as a rancher on both the South Platte and the Plum Creek reservations, that brought about his extreme anticonservation attitude (G. Michael McCarthy, "Elias Ammons and the Conservation Impulse" [M.A. thesis, University of Denver, 1964], pp. 4-24).

reserve operations that was both unresponsive to and contemptuous of the needs of local settlers. Not content with the reservation of Colorado timberlands, then, the government had begun formulating plans for the leasing of the nontimbered grasslands of the public domain.³

The net effect of federal action, Ammons and other anticonservationists concluded, was the wholesale violation of both the political and the economic rights of the state and its citizens. Acting in collusion with the industrial "East," the autocratic Roosevelt administration not only had undermined Colorado's political sovereignty, but, by denying the state the same rights to "settle and build" accorded earlier states, the federal government had set Colorado on the road to economic ruin.

Politically, Ammons's argument was relatively simple: he opposed the concept of federal land reservation in a sovereign state as a matter of principle. As one historian has written, he was a "firm believer in states' rights, and his conception of representative government admitted no form of autocratic or bureaucratic administration."⁴ His opposition, then, both to forest reserves created in Colorado and to the establishment of a leasing system on the public grasslands was entirely consistent with his political beliefs.

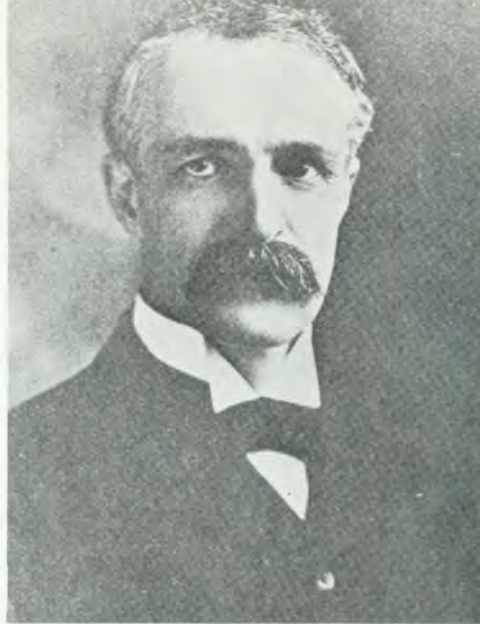
Ammons expressed his states' rights sentiments often, usually isolating Pinchot for particular criticism in the process. Essentially he took the position that the government had no right either to "sequester vast tracts of land" in any state or to "assume jurisdiction over such tracts lying within a state."⁵ When the government "usurped" the right, however, Ammons believed that through its promotion of forest reserves and leasing it came to threaten the very political integrity of the state. In effect it became a "landlord," and Colorado citizens became tenants subservient, variously, to Roosevelt, "king" Pinchot, and "Crown Prince William" (William Howard Taft). On more than one occasion Ammons contended that through its control of Colorado land, and lands of other western states, the federal government had attained

³ As of 1912 Colorado contained seventeen forest reserves, by that time designated "national forests," comprising over thirteen million acres of land. Strict regulations governed their use (George S. Clason, *Free Homestead Lands of Colorado Described* [Denver, Colo.: Clason Map Co., 1915], p. 5).

⁴ James H. Baker and LeRoy R. Hafen, eds., *History of Colorado* 5 vols. (Denver: Linderman Co., 1927), 1:684.

⁵ *Denver Times*, 17 March 1909.

Gifford Pinchot
(1865-1946)
served in the
federal division
of forestry from
1898 to 1910,
when he was
dismissed by
President
William Howard
Taft for
criticizing
administration
coal lands policy.



William Howard Taft was in Pueblo, 22 September 1909,
on a presidential trip to Colorado to mark the
opening of the Gunnison Tunnel near Montrose on 23 September.



a “very dangerous political power” that did not typify “the sort of government our forefathers established, not one which independent manhood should want to keep in effect.”⁶ In one memorable speech before the Colorado Cattle and Horse Growers Association in 1907, Ammons summed up virtually his whole argument:

This is a question between the nation and the state. It is a question of whether we are to have control of our own lands or the government is going to become a landlord and place us under a system of tenantry. Do you want it? . . . Do you not realize what you are doing when you lie down and let the government come in and usurp your rights? Will you turn this land over to a prince [Pinchot] under a system as foreign to our principles as is the government of Russia?⁷

If Ammons was concerned about the political ramifications of federal conservation, he was also concerned about its economic effects. His attitude, typical of the time, was that nothing was more important to Colorado than its settlement and the development of its land and natural resources; anything that discouraged settlement and development also retarded the economic prosperity of the state. Ammons believed that conservation was dangerous because of the principle of land reservation: the withdrawal of valuable mining, farming, and grazing land from human entry naturally discouraged settlement, and this, in turn, depressed economic productivity. If, as he said, “all value comes from development and . . . conservation means retaining the resources of the country in their present [undeveloped] position,” he wanted no part of it.⁸

Part of Ammons’s concern stemmed from his fear of eastern economic “colonialism.” Like many other Coloradoans, he had viewed the national gold crusade of the 1890s as an eastern campaign to destroy the silver-oriented economy of the West; by the same token, barely a few years later, he saw the federal conservation program as having the same intent and effect. His fear was not necessarily extreme. It was a matter of fact that eastern economic policies “tended to restrict the . . . West to a colonial economic pattern” at the

⁶ *Denver Republican*, 27 September 1908; *Gunnison News-Champion*, 16 October 1908; American National Livestock Association, *Proceedings of Eleventh Annual Convention, 1908* (Denver, Colo.: Smith-Brooks Publishers, 1908), p. 102.

⁷ *Denver Republican*, 1 February 1907.

⁸ *Steamboat Pilot*, 19 October 1910.

turn of the century.⁹ In any event, whether he was correct in his contention that "eastern states" wanted to manipulate the West "for their own use" or not, Ammons persisted in his belief that Colorado would remain economically subservient to them until it was allowed to develop a strong, independent economic system of its own.¹⁰ Parity with older states, then, was essential. If conservation interfered with it, it was not tolerable.

Another consideration was the "social" aspect of an underdeveloped economy. A Democratic progressive operating within the reform milieu of the Progressive era, Ammons was genuinely concerned about the quality of life in Colorado. Significantly, he believed that the level and the nature of land settlement and development had a direct bearing on it. Fewer settled or deeded lands meant, in Ammons's words, "less tax money coming in" to the state treasury; consequently, it was difficult for the state to fund adequately social and political services vital to the welfare of Colorado's citizens. "If not interfered with," he said, "most of the public lands in this state" would "speedily be settled up, go into private ownership, be improved, and contribute their share toward the maintenance of our state and local institutions."¹¹ Widespread federal land reservation, however, could only retard the process.

When Ammons spoke of either the political or the economic destructiveness of conservation, he cited both the federal administration of forest reserves and the projected leasing program as examples of it. The alleged maladministration of the reserves particularly distressed him. It was bad enough, he said, that reserves had been created to begin with; what was worse was that one injustice had been compounded by others. His main argument was that the Act of 1897, which officially had opened up forest reserves to legitimate settler activity for the first time—since their creation, did not work in Colorado.¹² Instead, antagonistic rangers and the standard

federal bureaucracy had combined to bar settlers from the land after 1897 just as before. Ammons had reason to worry about such conditions; as a rancher living on the edge of the Plum Creek Reserve, his life as well as the lives of his neighbors depended to a great extent on the availability and the accessibility of proximate natural resources such as timber, water, and minerals. To him any impediment to resource development, no matter how well-meaning it might have been, threatened the very existence of a class of people whose lives were somewhat tenuous to begin with.

Partly at fault, in Ammons's opinion, were unrealistic forest reserve regulations, usually conceived by easterners in the forestry bureau who had little or no knowledge either of western land conditions or of the needs of western people. Speaking of his own early ranching days on the South Platte Reserve, for example, he recalled that its regulations were "absolutely bad," made by men who "never saw the west side of the Mississippi River" and who knew "nothing of the conditions in this state."¹³ One effect of such regulations was the discouragement of new settlement in or near reserve areas. Ammons claimed that governmental rules drove prospectors "out of the state" by holding up "three-fourths of the mining claims on which patents were asked," that they had the same kind of impact on lumbermen, cattlemen, and "irrigation interests"—by "giving" the government ownership of reserve water—and that, in general, they made the "investment of capital a dangerous venture." At the same time, he said, the regulations did serious economic damage to people who already lived in reserve areas but were not allowed to use the natural resources on them. Referring to restrictions placed on timber cutting and cattle grazing, for example, Ammons concluded that "no settlers could touch them [the reserves] or anything on them." For that reason the various rules were, at best, an "everlasting nuisance" causing "suffering" to those who lived in the vicinity of any forest reservations.¹⁴

⁹ Samuel P. Hays, *The Response to Industrialism, 1885-1914* (Chicago: University of Chicago Press, 1957), p. 116.

¹⁰ *Steamboat Pilot*, 19 October 1910.

¹¹ American National Livestock Association, *Proceedings of Tenth Annual Convention, 1907* (Denver, Colo.: Smith-Brooks Publishers, 1907), p. 77; U.S., Congress, House, *Congressional Record*, 59th Cong., 2d sess., 1906, 41, pt. 4:3536 (hereinafter cited as *Cong. Record*).

¹² One of the most significant aspects of the General Revision Act of 1891, under which presidents were empowered to create forest reserves, was that it did not provide for the use of the reserves by settlers who lived in or near them. They were, in fact, "locked up" until the passage of the Act of 1897; that law, theoretically at least, allowed mineral prospecting, livestock grazing, and the use of timber by "legitimate" settlers.

¹³ *Proceedings of a Conference between Special Land Commission Appointed by President Roosevelt and Prominent Stockmen of the West* (Denver, Colo.: Smith-Brooks Publishers, 1905), p. 299 (hereinafter cited as *Conference between Land Commission and Stockmen*). As an example of unrealistic regulations, Ammons cited a provision that prohibited the grazing of stock within 400 yards of "any living spring" on the South Platte Reserve. Ammons maintained that "there was no such spot in the entire South Platte Reserve, even on the highest rock" (*Conference between Land Commission and Stockmen*, pp. 299-300).

¹⁴ *Denver Republican*, 27 September 1908; *Conference between Land Commission and Stockmen*, p. 300.

Of all the reserve regulations, none outraged Ammons and other insurgents more than the "grazing tax" put into effect by the federal government in January 1906. In general terms, Ammons complained that Colorado stockmen believed that "the government has not treated them right in the matter of a grazing tax" and that it had not given them a "square deal." The forces behind the plan were not Colorado citizens but "a lot of people who do not know a ranch from a pink tea party."¹⁵ On technical grounds, Ammons firmly believed the tax to be unconstitutional, in that it was decreed by a federal bureau rather than enacted by Congress, and he went so far as to make a personal declaration to that effect to Roosevelt in December 1905. More practically, however, he feared the economic impact that the tax had on small stockmen struggling to survive in their businesses. His contention was that such stockmen, especially if they were marginal operators, were in constant danger of being driven off the forest ranges entirely, leaving them exclusively to cattle barons.¹⁶

Compounding the problems caused by reserve regulations were the rangers who were charged with enforcing the laws. Because of their "hostile" attitude toward pioneer settlers, Ammons believed that the rangers actually threatened to bring about the physical "destruction of people who have gone and built homes" in the mountain areas. Ammons counted himself among them, claiming that he had been "picked out to be destroyed" by Plum Creek rangers who strictly enforced "restrictions placed around him" in his use of the reserve. Presumably it was such firsthand experience that prompted Ammons to denounce rangers as often and as passionately as he did. His frequent messages to the Roosevelt administration on the subject of ranger enforcement were blunt and straightforward, reflecting at least a certain amount of familiarity with local problems. Colorado's "army of range riders," he said, threatened to "choke the state forevermore." Residing on the state's federal reserves "are men who are living in

¹⁵ *Denver Republican*, 30 January 1906; *Denver Rocky Mountain News*, 30 January 1906. The tax was designed by federal conservationists to make cattlemen "pay their way" on the reserves; fees collected from them by rangers were to be plowed back into the reserves in the form of improved federal administration. The tax ranged from 20c to 35c a head for cattle for a "regular" grazing season, and from 5c to 8c a head for sheep. Grazing quotas established by forest bureau officials ranged from 7,000 head of cattle on the San Isabel Reserve in southern Colorado to 40,000 head on the White River Reserve in northwest Colorado.

¹⁶ The tax was designed, in part, to drive small cattlemen off the range. Conservationists believed that the reduction of operators on the range—by whatever means—would improve conditions by ending chronic overgrazing and allowing depleted grasslands to be restored (Gifford Pinchot, *Breaking New Ground* [New York: Harcourt, Brace and Co., 1947], p. 269).



A cartoon from the Steamboat Springs Pilot, 21 October 1908.

terror, whose American hearts are subdued, and who are held down through fear of the ranger. Is this true Americanism?"¹⁷

While Ammons constantly attacked forest reserves and their administration as detrimental to Colorado's economic development, he accorded almost equal time and concern to the leasing idea. Unlike the forest reserves, which were actually in effect during the conservation era, the leasing proposal never was translated into law.¹⁸ Nonetheless, even as a concept, it distressed Ammons.

Part of his resistance derived from his states' rights philosophy. If leasing legislation was enacted, he said, it would "put half of this state under federal jurisdiction," creating "two systems of government whereby one-half [of the state] is governed by its people, while the other half will be under the absolute rule of some bureau in Washington." Put this "bureaucratic system into effect," he insisted, "and you

¹⁷ *Conference between Land Commission and Stockmen*, p. 301; *Glenwood Avalanche-Echo*, 7 December 1905; *Denver Rocky Mountain News*, 17 March 1909; *Gunnison News-Champion*, 16 October 1908.

¹⁸ The intent of the conservationists was to "stabilize" the open range: its control through federal leasing ostensibly would reduce land fraud, the overgrazing of stock, and range wars. Coupled with leasing would be federal range improvement programs and studies in the growth, care, reseedling, and management of grasslands. A half dozen leasing bills were introduced in Congress between 1900 and 1912, but all eventually were defeated.

THE REPUBLICAN PARTY ENDORSES
THIS AND ITS MINIONS PRACTICE
IT IN COLORADO EVERY DAY.



A cartoon from the Steamboat Springs Pilot, 21 October 1908.

have got a different system of government here [in Colorado] over which you have got no control." As he had in the past, Ammons stubbornly adhered to the political theory that "our constitutional law proceeds on . . . the widest liberty of action for the individual and the restriction of official power." If leasing promised that the federal government would have absolute authority in land matters and that "the citizen" would have "no power to thwart its will," then even as an abstract concept it was dangerous both to Colorado and to its citizenry.¹⁹

Ammons, too, emphasized the social and the economic "evils" of leasing. Like forest reserves, he argued, leasing would impede the settlement and the development of the state's natural resources. Simply stated, if most range lands were under federal control, they would be "impossible to sell" to prospective settlers. Consequently, whatever settlement and economic development took place, whatever taxes were raised, and whatever social services were generated would be

extremely limited. "We want this country developed," he said, emphasizing a familiar theme, and "you can never build these cities and towns on the leasing proposition."²⁰

Another aspect of Ammons's opposition to leasing (an element also present in his antireserve rhetoric) was his fear of monopoly. He firmly believed that if the federal government controlled the range, Colorado's best grazing lands would be leased to large operators rather than small ones.²¹ The result would be the monopolization of the range by cattle kings who controlled much of it already. As early as 1901 Ammons took the position that leasing "would result in driving out of the business the small cattle owners and would place the raising of beef in the hands of great trusts." And as late as 1907 he still had not changed his mind. In that year he charged that leasing bills before Congress were "being pushed by the big stockmen" rather than "little fellows" and that "the selfish wishes of a few great cattle companies ought not to stop nor hinder the further development of the public lands." Throughout the conservation era that attitude remained constant: leasing—in theory or in practice—was hardly "in keeping with the vaunted 'square deal' we have heard so much about."²²

Finally, whether in terms of states' rights or economics, Ammons usually clearly defined his primary concern—the settlement of Colorado by small stockmen and homesteaders. His ultimate hope was that Colorado land, for better or for worse, could be freed from federal control so that the settler might "put his individual brand upon the land and call it home." In the overall context of the conservation era the "main question to me," Ammons said, "is one of the settlement of the country." It was in that spirit that he fought against conservation; and it was in that spirit that he posed one decade-long question to Roosevelt's conservation planners: "My friends, it may be right to reserve land for the

¹⁹ American National Livestock Association, *Proceedings of Tenth Annual Convention*, p. 78; *Conference between Land Commission and Stockmen*, p. 100.

²⁰ Ammons was not wrong. Often large cattlemen supported "conservation" because of the stability federal control would bring to the range, which they then could dominate without interference from small owners. Conversely, federal conservationists often favored large owners over small ones for the same reason: monopoly created stability. It was not unreasonable, then, to expect that the government would lease first and foremost to cattle barons (Samuel P. Hays, *Conservation and the Gospel of Efficiency* [Cambridge: Mass.: Harvard University Press, 1959], pp. 262-66).

²¹ *Proceedings of the Twelfth Convention of the Trans-Mississippi Commercial Congress, 1901* (Cripple Creek, Colo.: *Morning Times-Citizen Press*, 1901), p. 149; *Cong. Record*, 59th Cong., 2d sess., 1906, 41, pt. 4:3535-36.

¹⁹ *Cong. Record*, 59th Cong., 2d sess., 1906, 41, pt. 4:3535; *Conference between Land Commission and Stockmen*, p. 102; Alvin T. Steinel, *History of Agriculture in Colorado* (Ft. Collins, Colo.: State Agricultural College, 1926), p. 157.

future, but what about the fellow who wants it today?" Typically, he supplied his own answer: "Give him his chance. If he finds a piece of ground upon which he thinks he can make a living, let him have it. Give him an opportunity to show what it is good for and give him the right to have free land around him and let him work out his own destiny."²³

In the fall of 1912, after a decade of singular anticonservation crusading, Ammons carried his fight to a higher level in seeking the governorship of Colorado. Without doubt, years of anticonservation agitation well equipped him for the campaign. By that time his arguments were fully formulated and his constituency fully developed. Running almost exclusively on an anticonservation platform, Ammons forcefully emphasized the theme that "under the guise of conservation both the administrations of Roosevelt and Taft have worked upon the policy that the resources [of Colorado] should be exploited for the benefit of the general government and that the state was not entitled to any particular advantage." As he had said often before, "permanent development" under leasing and forest reserve systems was "practically impossible . . . to the permanent detriment of Colorado." Ammons's theme apparently had some impact on Colorado's voters. On election day he defeated his nearest challenger, Progressive Edward P. Costigan (a staunch conservationist) by 48,000 votes.²⁴

During the next two years Ammons attempted to implement ideas at the executive level that he had advocated as a private citizen. Anticonservation, said the *Denver Rocky Mountain News*, was a "watchword and a sacred trust" with him, and certainly his actions in 1913 and 1914 proved it.²⁵

Ammons's first campaign as governor was to have anticonservationists placed in upper levels of the Woodrow Wilson administration where they might impede the progress of the Roosevelt-Taft (and now Wilson) program. For example, he promoted Colorado insurgent (and former governor) Alva Adams for the position of secretary of the interior. When Wilson seemed inclined to retain Taft's secretary, Chicago

²³ American National Livestock Association, *Proceedings of Tenth Annual Convention*, p. 75; *Proceedings of Eleventh Annual Convention*, p. 101.

²⁴ *Denver Rocky Mountain News*, 31 August 1912; Colorado General Assembly, *House Journal of the State of Colorado, 1913*, p. 27. Overall, Ammons probably won less because of his anticonservation views than because the Republican party was split between Clifford Parks (the regular party nominee) and Edward P. Costigan (the Progressive party nominee). In the presidential election, of course, Woodrow Wilson defeated Theodore Roosevelt and William Howard Taft for the same reason.

²⁵ *Denver Rocky Mountain News*, 18 January 1913.

lawyer Walter L. Fisher, Ammons protested that his reappointment would be a "slap in the face of every Colorado citizen" because he had never been west of Saint Louis.²⁶ In the end the appointment went to Franklin K. Lane of California. If Ammons was unhappy that Adams had lost, at least he was satisfied that the office had gone to a westerner.

With the same kind of energy, Ammons also campaigned to have a Coloradoan—insurgent Congressman Edward Taylor of Glenwood Springs—named chairman of the crucial House Public Lands Committee. Ammons opposed Wilson's prime candidate, James M. Graham of Illinois, on the same grounds that he opposed Fisher: Graham was a proconservation holdover from the Roosevelt-Taft years who consistently had shown his "extreme bias against every good interest of the West."²⁷ Specifically, he had supported Gifford Pinchot during the Pinchot-Ballinger controversy of 1910.

Declaring that Graham's appointment would be tantamount to "an announcement that public land legislation is to be placed in the hands of our bitterest enemies," Ammons, along with other westerners, put enough pressure on Speaker of the House Champ Clark that he ultimately selected Scott Ferris of Oklahoma over Graham. If he had not succeeded in having Taylor installed as chairman, Ammons was not dissatisfied with Ferris. In a congratulatory telegram to him, Ammons once again displayed his insurgent concerns: "What we people of Colorado want is reasonably fair treatment. . . . We have not had it during the past ten or twelve years of ultraconservation administration."²⁸

If Ammons believed that his efforts would curtail federal conservation activity in Colorado, he was quickly proved wrong. Within days after Wilson's inauguration the leasing idea was revived in Congress by outgoing Secretary of the Interior Fisher. Essentially, it proposed to establish in law the principle of federal leasing of grazing lands to stockmen and coal and mineral lands to miners and mining corporations, to contest the cession of any public lands to individual states, to control all water power sites, and to charge the Forest Service

²⁶ *Ibid.*, 1 February 1913.

²⁷ Elias Ammons to Champ Clark, Speaker of the House of Representatives, 8 January 1913; "Records of the Governor: Elias Ammons, 1913-1915," Ammons Collection, Colorado State Archives and Records Service, Denver (hereinafter cited as Ammons Collection, CSA).

²⁸ Ammons to Oscar Underwood, chairman of the House Ways and Means Committee, 2 January 1913; Ammons to Scott Ferris, chairman of the House Committee on Public Lands, 28 January 1913, Ammons Collection, CSA.

with responsibility in the overall maintenance of the program. Ammons moved quickly to challenge the idea, demanding federal recognition of the "rights" of Coloradoans to "settle, improve and make productive our lands and resources," to become "citizens instead of tenants," to attain "the right of trial in the courts in place of the star chamber proceedings of the bureaus," to enjoy the "blessings of self-government instead of the bureaucratic principle of tenure by permit," and to be rid of the "cloak of misinterpretation" that covered conservation in general and leasing in particular.²⁹

The first phase of the new leasing movement actually began in early 1914. A bill was introduced into the House providing for the withdrawal from public entry all public lands suspected of bearing "radium ores" and their subsequent leasing by the federal government. The proposed action was in response to a recently developed theory that processed radium extract was capable of retarding the growth of cancer in the human body. As it was, most radium-bearing ore mined in the United States was shipped to Europe for processing; American clinics and hospitals then were forced to pay exorbitant prices to buy it back for use in the United States. Federal officials maintained that governmental control of ore-bearing lands would halt the flow of the ore to Europe and give Americans cheaper access to their own product; through leasing the government could control the disposition of the land, the nature of its mining tenants, and, to a large extent, where the mining companies ultimately sold their product. If Ammons saw the logic in the action, he did not show it. The leasing of such lands, he said, was "the most vicious thing we have had to contend with" yet.³⁰ Immediately he launched a statewide speaking campaign against it. And, at the same time, he helped to mobilize Edward Taylor and insurgent Colorado Senators John Shafroth and Charles Thomas against it in Congress.

Ammons based his opposition to leasing on the same principles he had held before 1914. One was states' rights. In a letter to Secretary of the Interior Lane he wrote that "I would not feel that I was doing my duty to my state government if I did not at least say a word in defense of my state's right to . . . property within its boundaries."³¹ Even more

blunt was his message to the Colorado state legislature. In part he said:

The people must awake and demand their rights *now*. The present policy is damnable—the way the federal Government has held back, has retarded our growth. . . . Do you know that Colorado has [only a small portion of its land and water] in service; that the federal Government has the balance . . . within its mailed fist and will not turn it loose so it can serve its master, Man? Do you gentlemen realize that the United States Government holds two-thirds of this great state of Colorado within its iron grip? Forty million acres! Think of it!³²

Clearly Ammons planned to pursue an antileasing policy on states' rights grounds.

The governor also expressed economic concerns—just as he had in the past. In general he maintained that the government's plan was but another attempt on the part of "Eastern people" to manipulate the western economy. He assumed that it was the "entering wedge" of a larger movement to put all western mines on a leasing basis. Whether or not Ammons was seriously worried about a conspiracy, he definitely was concerned about what threatened to be the economic "paralysis of one of Colorado's most promising resources."³³ In 1913 some 500,000 acres of Colorado land were tied up in the mining of such radium-bearing ores as pitchblende, carnotite, and vanadium; leasing, to Ammons, clearly threatened the viability of such operations. His main fear was that leasing would cause miners to desert the projects completely, with resultant damage to the overall economy of the state. In the end, Ammons's worries were in vain; in the spring of 1914 the radium-leasing bill failed to pass Congress. On the other hand, Ammons's concern that the leasing of radium-bearing lands was but the "entering wedge" for the leasing of other lands was not at all ill-founded.

In March 1914 conservationists introduced a bill in the House calling for the leasing of coal, oil, phosphate, gas, potassium, and sodium-bearing lands. Ammons instantly resumed his opposition to leasing, noting in a letter to a member of the House that "almost every bureau in the West has been steadily trying to gain ground on this [leasing] point" and that he did not believe that "the government has the right to do anything with the land but dispose of it."³⁴

²⁹ *Denver Rocky Mountain News*, 6 March 1913.

³⁰ *Ibid.*, 30 December 1913.

³¹ Ammons to Secretary of the Interior Franklin K. Lane, 3 January 1914, Ammons Collection, CSA.

³² *Denver Rocky Mountain News*, 4 February 1913.

³³ *Ibid.*, 5 February 1914, 30 December 1913.

³⁴ Ammons to Congressman W.B. Jones, 13 February 1914, Ammons Collection, CSA.

Strongly urging Edward Taylor to fight the bill in the House, he offered perhaps the clearest expression of his philosophy to date:

We are trying to support a state government here and we cannot do it unless we have property to tax. It must be evident to anyone that without land to tax it would be impossible to build institutions or maintain a state government at all, and it should be equally evident that we will be crippled just in proportion as our territory is withheld from taxation. Up to the time the land is taken up after entry there is no value in it whatever. It is the settlement and development of the land and the population that make it valuable. The general government should be interested in increasing values here and it should, therefore, offer every possible inducement to the new settler. To my mind there can be no excuse whatever for changing the time-honored policy of the Government and placing our lands and resources on a royalty basis to pay taxes into the federal treasury instead of the state treasury.³⁵

As he had in the past, Ammons adroitly mobilized Colorado's congressional delegation in opposition to the leasing bill. One powerful ally was Charles Thomas, to whom he wrote that "I have been fighting for fifteen years against the taking away of the sovereignty of our state, our territory, and our resources, and here is a bill . . . which strikes a fatal blow at the sovereignty of the state." "This proposition," he wrote to Taylor, "is an insult to the good citizens of every one of the Western public land states, a direct blow at their state sovereignty. . . . I do not believe you can go too far in resisting" the bill.³⁶ During lengthy, often heated, congressional debates throughout the spring of 1914, Ammons's emissaries joined with other congressional insurgents to fight the bill. Although it finally passed the House in late 1914, it did not clear the Senate until 1920, five years after Ammons had left office. With little doubt the governor and his congressional supporters had some effect on the outcome of the issue.

Presumably when Ammons left office in 1915, it was with the feeling that he had achieved something important for the people of Colorado. Realistically, of course, he had not. Certainly he had done nothing for those Coloradoans who believed that conservation was good; and because forest reserves, grazing fees and regulations, ranger legitimacy, and the leasing principle were as firmly entrenched in Colorado after 1915 as before, Ammons also failed the state's anticonservation sector.

On the other hand, Ammons's ultimate failure was not of extreme importance—no more so, for example, than whether he was "right" or "wrong" in doing what he did. What was important about Ammons was what he believed and what meaning his beliefs had in the context of his time. Significant is the fact that he represented a substantial number of people holding a particular, pervasive ideology—the "land ethic"—at a critical point in American history. Significant, too, is the fact that this ideology reflected some of the main components of turn-of-the-century American life—states' rights, political independence, and economic individualism. To understand Gifford Pinchot was to understand new, emerging national concerns about society and its environment; by the same token, to understand Elias Ammons was to understand ideas about society and environment that had spanned decades of American history.

Finally, Ammons's ideology is important in the context of the present day. In the midst of an energy crisis and growing controversies over strip mining, oil shale development, and land use, his protestations suddenly become remarkably topical. In June of 1913, addressing delegates to the first Western Governors Conference in Salt Lake City, he launched one of his many attacks on conservation: "Outrage? Yes! Who is better able to decide our fate than ourselves? We are just as brainy, just as competent as our forefathers who said to King George, 'we are well able to govern ourselves.' That spirit helped us to gain our American independence. It is the same spirit that is causing us to demand that we be given back what is our own."³⁷ The statement was relevant then. Given our environmental concerns now, especially with regard to what role the federal government will play in future energy-resource development, it still is.

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³⁵ Ammons to Edward Taylor, 23 March 1914, Ammons Collection, CSA.

³⁶ Ammons to Charles S. Thomas, 13 July 1914; Ammons to Edward Taylor, 24 June 1914, Ammons Collection, CSA.

³⁷ *Denver Rocky Mountain News*, 7 June 1913.

The Election of 1896: Two Factions Square Off

WILLIAM L. HEWITT

In the mid-1890s two powerful factions were at odds within the Republican party on both the national and the state level. One group supported the single gold standard and favored William McKinley for the Republican presidential nomination in 1896. The opposition group supported the silver cause. Before the Republican State Convention in Colorado was to convene to select delegates to the National Republican Convention, Colorado's two Republican senators, Henry Moore Teller and Edward Oliver Wolcott, intensified their involvement in state politics, for membership on the delegation to attend the national convention in Saint Louis, Missouri, was a significant barometer of political prestige and power within the state.

Some of Senator Teller's friends supporting silver insisted that he should allow his name to be put forward for the position of chairman of the state delegation.¹ Teller's chief political opponent in this contest was his colleague from Colorado, Senator Wolcott. Wolcott had been friendly toward the McKinley faction prior to his move to Colorado from Cleveland, Ohio. Mark Hanna, McKinley's campaign manager in 1896, was an old friend of Wolcott, and this association and Wolcott's firm negative position on the silver question led to his recognition everywhere as the leading McKinley supporter in Colorado.²



Henry M. Teller



Edward O. Wolcott

Wolcott was a wealthy lawyer and financier. It was reported that he was an enthusiastic poker player, engaging in \$100,000-a-night games while in Washington, D.C. His sympathies may not always have been with his constituents: "although he was representing Colorado, Wolcott lived so much of the time at the family home in Woodlawn [Massachusetts] that he became known as the 'third Senator from Massachusetts.' He did build a big country home, Wolhurst, on the Platte south of Denver, and there he entertained his friends from the East on a manorial scale."³

Teller conceded a tremendous advantage to the pro-McKinley faction by announcing that he did not want to be a delegate to Saint Louis. Leading Democrats on the side of the silver forces—such as John P. Jones, Isham G. Harris, George G. Vest, and Francis M. Cockrell—looked to Teller to fight outside of the Senate. It was their contention that a determined struggle by the silver forces might drive the Republican gold advocates from the Saint Louis convention and force the Democratic silver advocates to emulate their position and unite for the silver cause.⁴

¹ I am indebted to Professor Gordon Gillson of Adams State College for his kind assistance with the preparation of this manuscript.

Thomas F. Dawson, *Henry Moore Teller: A Brief Account of His Fifth Election to the United States Senate, Together with A Sketch of the Preceding Political Events in the Contest for Bi-Metalism in the National Campaign of 1896* (Washington, D.C.: Judd & Detweiler, 1898), p. 9.

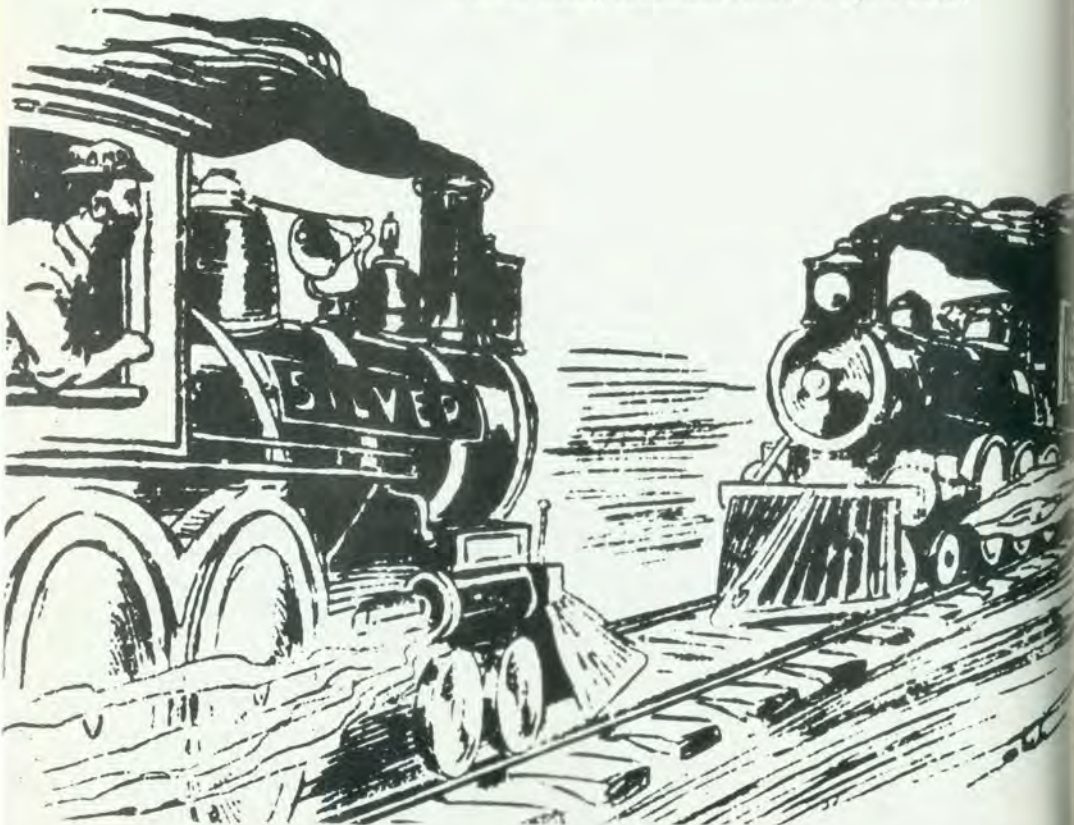
² Elmer Ellis, *Henry Moore Teller: Defender of the West* (Caldwell, Idaho: Caxton Printers, 1941), p. 250; Thomas F. Dawson, *Life and Character of Edward Oliver Wolcott*, 2 vols. (New York: Knickerbocker Press, 1911), 1:240.

³ Robert L. Perkin, *The First Hundred Years: An Informal History of Denver and the Rocky Mountain News* (New York: Doubleday & Co., 1959), p. 384.

⁴ *Denver Rocky Mountain News*, 18 April 1896. The *Denver Rocky Mountain News* was owned and operated by Thomas Patterson, a Democrat, and to some extent, a supporter of Populism (Peter H. Argersinger, *Populism and the People's Party* [Lexington: University Press of Kentucky, 1974], p. 227).

Thus, a fight within the state Republican party developed around Teller and Wolcott. At the time of the Teller announcement that he would not be a delegate, a group of Denver political leaders headed by Archibald M. Stevenson, head of the Tramway Company, visited Teller in Washington, D.C. The *Denver Rocky Mountain News* suggested that the visit by Stevenson was linked to the Teller announcement. The group was said to espouse the position of the McKinley-Wolcott faction in Colorado: "The visiting Coloradoans, it is presumed, have convinced . . . Senator [Teller] . . . that their future depends upon preserving the Republican state organization intact, and that they have abandoned all efforts to drive or lead their party into the service of silver and will submit their future course to the local party dictum."⁵ It was also suggested that Stevenson had assured McKinley and Thomas B. Reed that they could induce Teller to accept their position. By supporting the nominee of the party, the Stevenson group would retain federal patronage if McKinley were elected, and by courting Teller, they retained their influence

"The Irresistible Force and the Immovable Obstacle,"
Denver Rocky Mountain News, 18 April 1896.



and control of the party organization. Without the party behind him, Senator Teller could not be reelected when his term expired in 1897. Teller had further jeopardized his position with the state party leaders by announcing his unequivocal support of the silver cause in a speech delivered in the Senate.⁶ Teller's support could go so far as to drive him from the Republican party if silver were not an integral part of the party platform and if a gold bug were nominated. With the announcement of his position, Teller had determined the lines of battle.

This declaration precipitated a flood of messages from Denver Republicans pointing out that Teller's emphatic support of silver was going to destroy his party's chance of success locally. Teller assured them that Stevenson was willing to abide solely by Teller's instructions in determining a course of action at the national convention.⁷ Stevenson, however, placed himself adroitly between the two factions. He led the Wolcott crowd and would benefit from any success they had, and if the Wolcott men were defeated, Stevenson had the assurance from Senator Teller that Teller would support him as a delegate to the National Republican Convention in Saint Louis.

On 28 April 1896 Wolcott sent a letter to the Colorado press and to the chairman of the Colorado Republican Committee, Irving W. Howbert, a Colorado Springs banker. In the letter Wolcott asserted that the Colorado delegation to the national convention should fight for a free coinage plank, but after a reasonable effort, it should "accept the will of the majority."⁸ Wolcott was convinced that free silver could not possibly be embraced by the Democratic or the Populist parties. Wolcott's stand resulted in a general and persistent attack upon his position from all quarters within the state. He received hundreds of letters demanding his resignation from the Senate. Many personal threats were conveyed to him, and he was even burned in effigy and called more contemptible than Judas Iscariot and Benedict Arnold. Party leaders may have been ready to support McKinley and his position on silver, but the people of the State of Colorado "were silverites, if not Populists, and the silver sentiment was so strong that it

⁵ *Denver Rocky Mountain News*, 18 April 1896.

⁶ *Denver Rocky Mountain News*, 30 April 1896; U.S., Congress, Senate, *Congressional Record*, 54th Cong., 1st sess., 1896, 35, pt. 4:4558-62.

⁷ *Denver Rocky Mountain News*, 10 May 1896.

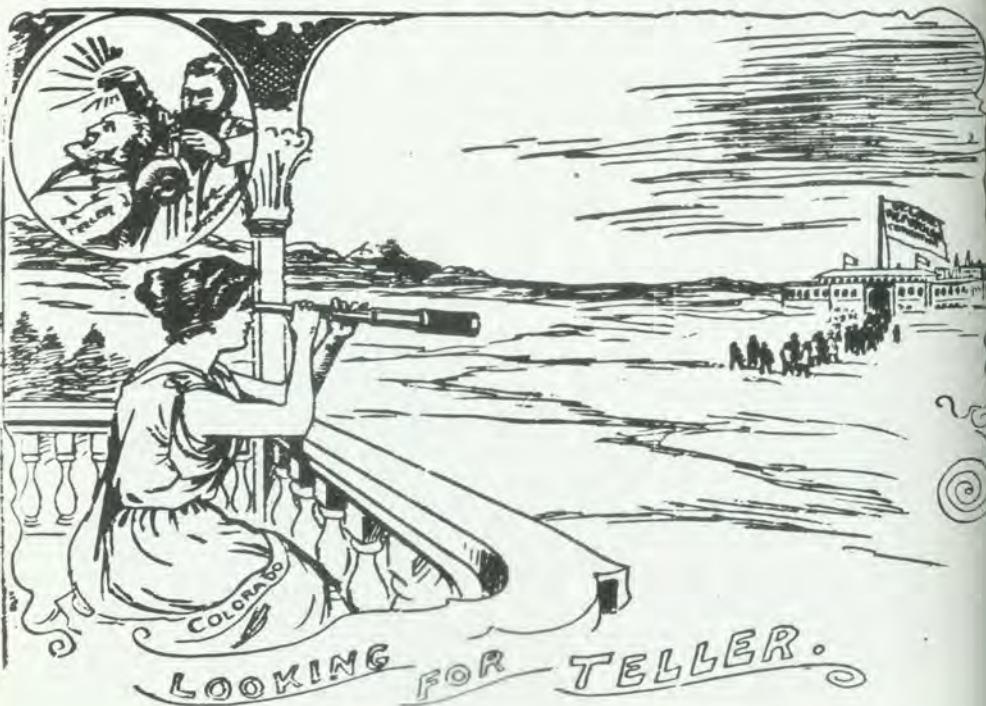
⁸ Dawson, *Edward Oliver Wolcott*, p. 237; Ellis, *Henry Moore Teller*, p. 250.

accepted none but the most direct and most pronounced avowel."⁹

Wolcott had discussed his position with Teller prior to announcing it publicly.¹⁰ Although Senator Teller had urged Wolcott not to publish his position as "its sentiments were at complete variance with those of Colorado people generally," Wolcott replied that he had received many favorable letters indicating to him that Republicans in Colorado would support the nominee, whoever he might be. Senator Teller disagreed, believing that Republicans who gave such advice were a minority and were opportunists seeking an office and sacrificing "anybody and everything to get it."¹¹

While the state party leaders began a campaign to unite their forces in support of Wolcott, the *Denver Post* increasingly pictured Senator Teller as the champion of Colorado interests. Teller's failure to participate immediately in the ensuing battle, and Stevenson's influence on Teller, were portrayed in a cartoon on the front page of the *Denver Rocky*

Denver Rocky Mountain News, 19 April 1896.



Mountain News.¹² Teller took action and countered Wolcott's letter to Chairman Howbert with one of his own, attempting to unite silver forces in the state with the anti-Stevenson-Wolcott-McKinley faction. Teller declared that he wished "to say to the State Convention, through you [Howbert], that I do not desire to go to the national convention, and cannot go unless the State delegation is in accordance with any ideas in declaring that in the coming campaign the silver question is the paramount issue. The State Convention should act with the full knowledge that I do not intend to support a candidate on a gold-standard platform or a platform of doubtful construction."¹³

In order to ensure his political strength in Colorado, Teller was forced to assume a more active involvement in state party affairs. Party members looked to the upcoming state primaries to see which political leaders were in control. It was reported that the party organization had sent out the "word" that the primaries were to be carried for Senator Wolcott and A.M. Stevenson, for the party leaders desired that Stevenson lead the Colorado delegation at the National Republican Convention in Saint Louis. One Denver official, Henry Brady, the city license inspector, worked so hard for Wolcott that he did not even have time to attend to his official duties. Teller's strength diminished to such a low point that the press predicted a victory within the party for the Wolcott faction, and as a result, Teller's position in the national Republican party would be further threatened when the Wolcott forces appeared to be in control of state politics.¹⁴

The week before the State Republican Convention was to assemble on 14 May in Pueblo, the state primaries were held. The tenor of the state Republicans was exposed on 9 May in the *Denver Rocky Mountain News* with a cartoon depicting the state Republican leaders donning Teller's clothing in mock reflection of his position.

⁹ Dawson, *Edward Oliver Wolcott*, pp. 232, 240, 231.

¹⁰ Wolcott had made inquiries in the state in March 1896 and concluded that silver was an important issue in Colorado but bolting the party at the Republican National Convention was too radical a move (James Edward Wright, *The Politics of Populism: Dissent in Colorado* [New Haven, Conn.: Yale University Press, 1974], p. 207).

¹¹ *Denver Rocky Mountain News*, clipping, 5 May 1896; Thomas F. Dawson Scrapbook, *Public Men*, vol. 61, book 1, p. 33, Documentary Resources Department, State Historical Society of Colorado, Denver (hereinafter cited as Dawson Scrapbook, SHSC).

¹² A cartoon depicting Stevenson as the master of hypnosis over Teller.

¹³ Ellis, *Henry Moore Teller*, p. 253; Dawson, *Henry Moore Teller: A Brief Account of His Fifth Election*, p. 9, *Denver Rocky Mountain News*, 8 May 1896; *Denver Evening Post*, 5 May 1896.

¹⁴ *Denver Evening Post*, 5, 7 May 1896.



Denver Rocky Mountain News, 9 May 1896.

The political lines formed in this struggle offer an interesting and revealing glimpse into Teller's position. On the one side were Henry Brady, Stevenson and the Tramway Company, and Wolcott. Stevenson preferred to be a free silver exponent, but like Wolcott he would not bolt the national convention. With Teller on the other side were Governor Albert W. McIntire, Sheriff Webb of Denver, ex-county clerk Joseph H. Smith, and Denver Mayor Thomas S. McMurray.

The fight focused on Arapahoe County, for this county had a large contingent of anti-Wolcott Republicans. It was felt that a Teller victory in the county would squelch the opposition. The primaries were carried, however, by the Wolcott-Stevenson faction, and the victory apparently resulted from vilification of Teller by the press. It was announced that only 31 of the 120 precincts were won by the McMurray-Teller faction. From these results the *Denver Rocky Mountain News* predicted that the state convention would also be carried two-to-one for the Wolcott-Stevenson faction.¹⁵

The victory for the Wolcott-Stevenson faction was diminished by the charge of widespread corruption. In one precinct it was reported that "the saloon bums and hoboos actually and literally drove the regular judges and committee men away from the polls after indulging in all kinds of outrageous performances, ending in snatching away the challenge book . . . and the judges were forced to close the ballot box and go away to preserve the votes already cast."¹⁶ These blunders naturally strengthened the Teller-McMurray forces prior to the state convention.

Despite the victory, Wolcott's position was at its lowest just prior to the convention. A number of events had conspired to thwart his plans. Sentiment in the West was opposed to eastern influence in western affairs. Wolcott, despite his eastern connections, had been elected to the Senate from Colorado because "republican candidates for the legislature, with few exceptions, made the canvass with the clear understanding that if elected they would vote for Wolcott to succeed himself."¹⁷ Wolcott's management of the party organization paid off in his reelection. His work for silver during the extra session of Congress in 1893 had also worked in his favor. But his alignment with McKinley negated any positive influence his earlier service may have had with silver men.

Wolcott's eastern sympathies would contribute a great deal to his ultimate defeat in the state. During the Venezuelan crisis, Wolcott put himself in the unenviable position of appearing to support Great Britain. In debate in the Senate, Nathaniel P. Hill of New York assailed Richard F. Pettigrew for his criticism of the administration. Wolcott rose to Pettigrew's defense and Hill, in rebuttal, referred to Wolcott as "my friend—my English friend from Colorado—who has tributes for English statesmen, English soldiers, English policies and everything English." This resulted in the *Denver Rocky Mountain News* calling for Wolcott's resignation on 9 May 1896.¹⁸ He was accused of unpatriotic acts and siding with Great Britain in the Venezuelan crisis.

In addition, the state Republican leaders had decided not to support him, and he asked for nothing more than their protection to keep him from being censured by the convention. He had come to the realization that his position was weak, vis-a-vis Teller, and no personal advantage could be gained with an unsuccessful fight.¹⁹

Thus, the battle lines were drawn for the state nominating convention, scheduled for 14 May. The *Denver Evening Post* reported on 11 May that Stevenson was in complete control of the State Republican Convention. The attack of the Stevenson forces focused on Denver Mayor McMurray. During the first thirty-four years of Denver's corporate history the Republicans had been strong enough to retain political control of the

¹⁵ R.G. Dill, *Political Campaigns of Colorado, with Complete Tabulated Statements of the Official Vote* (Denver, Colo.: John Dove, 1895), p. 270; *Denver Rocky Mountain News*, 9, 10 May 1896.

¹⁶ *Denver Rocky Mountain News*, 10, 11 May 1896.

¹⁷ Dill, *Political Campaigns of Colorado*, pp. 270-71; Ellis, *Henry Moore Teller*, p. 252.

¹⁸ *Denver Rocky Mountain News*, 7 May 1896.

¹⁹ *Denver Evening Post*, 12 May 1896.



A.M. Stevenson



T.S. McMurray

city government. Usually their control was absolute. McMurray broke that tendency in 1895 by being nominally a Republican, but he headed a nonpartisan movement pledged to reforms "to some extent reflecting a public sentiment rendered abnormally sensitive by the great financial reverses of 1893-94."²⁰ The assault against this heretic from the Republican ranks would have been successful had it not been for a change of tactics by Stevenson.

Stevenson realized that he had not assessed the situation properly. The decline in Wolcott's position probably influenced him. His supporters began to understand that an avalanche for Teller would greatly imperil them. So they announced on 11 May that Stevenson had experienced a change of heart and would follow Teller from the convention if he chose to bolt. This revelation did not coincide with his earlier utterances and cast suspicion on his motives. It also undermined his cause among the delegates.²¹ Now, the Wolcott-Stevenson alignment was displaying signs of weakness.

The Arapahoe County Convention assembled on 12 May in Denver. The factional fight over control of the Arapahoe delegation was transferred to the convention floor. The Stevenson men attempted to retain their hold on the party by

literally shouting down the opposition from the outset. The chairperson of the Central Committee of the convention was Mrs. Carrie Kistler. When McMurray rose and contested the actions of the Stevenson-controlled county Central Committee, Mrs. Kistler ruled that it was a point well taken. Pandemonium ensued and lasted throughout the afternoon. Opposing groups shouted, sang songs, and screamed to the point that they were described to be in a "perfect frenzy of joy." Tempers rose, resulting in oaths, derisive epithets, and two fist fights. The fight was over the seating of delegates. The Stevenson men attempted to block the seating of the pro-McMurray men. A vote later in the evening carried the issue for the Stevenson crowd by a two-to-one margin. The report of the Central Committee was read to the convention at 12:30 A.M. After sparring for control of the convention, the Stevenson forces were jubilant over the seating of their delegates, and the convention adjourned at 3:00 A.M. The Stevenson crowd had won a skirmish but not the battle. Judge James L. Hodges, a Teller supporter, explained the position of the pro-Teller leaders to William Smith prior to the Arapahoe County Convention.

"Bill we have just got to hold that hall, and in order to do so, we must commit some overt act."

"Just name your act, Judge, and I am with you."

To hold the hall, the Teller faction took positions in it early in the evening. Much to the surprise of the Stevenson forces, the "*The Situation at the Republican Convention To-Day*," Denver Evening Post, 12 May 1896.



²⁰ Jerome C. Smiley, *History of Denver, with Outlines of the Earlier History of the Rocky Mountain Country* (Denver, Colo.: Times-Sun Publishing Co., 1901), pp. 638-39.

²¹ Denver Evening Post, 11 May 1896; Denver Rocky Mountain News, 11 May 1896.

pro-Teller group was there when the latter arrived the next morning.²²

Later, there was a rush to propose resolutions at the county convention, but mention of Senator Wolcott was noticeably absent. Stevenson held a meeting with Pueblo and El Paso county delegates and determined that Wolcott had their support. The delegates were also positive that no censure would be passed against Wolcott at the state convention in Pueblo. Their hope was that Wolcott would be selected a delegate and this would cause Teller to withdraw, paving the way for Stevenson to lead the delegation.²³

The silver men in Washington, D.C., viewed with disdain the events in Arapahoe County. Reports indicated that McKinley's managers in the state asserted that the president would not veto a free silver bill if it reached his desk. Teller was asked about it and replied that "it is all buncombe. . . . I have heard reports that McKinley's Colorado friends are making this statement, but I am satisfied that they have not been authorized to do so by Mr. McKinley. I do not believe that he has or will make any such statement. Silver will not receive any recognition at the St. Louis convention, and Mr. McKinley will not be nominated by acclamation and the gold men will prepare the platform."²⁴

A rumor was rampant just preceding the state convention that Wolcott had viewed the scene in Arapahoe County and had decided to have Henry Brady push his bid for nomination. Wolcott supporters attempted to do this by assembling proxy votes for Wolcott, acquired by paying as much as \$50.00 each. If this failed Wolcott threatened to bolt the convention. After the convention's endorsement of Teller, Wolcott reversed himself. Stevenson informed the Wolcott men that the party could not afford to carry them.²⁵

It appeared that Wolcott realized that riding in Stevenson's boat would not necessarily get him across the river. He presumably wrote a letter to a delegate, Jake Saunders,

²² Dawson Scrapbook, p. 167, citing Thomas F. Dawson, SHSC; *Denver Evening Post*, 12 May 1896.

²³ *Denver Evening Post*, 13 May 1896.

²⁴ *Denver Evening Post*, 14 May 1896. Teller received correspondence in March from James B. Belford, a Denver lawyer, that intimated the misleading statements of the McKinley-group. It was reported that McKinley would not use the power of his office, if elected, to prevent silver legislation. Teller also got a portent of what to expect from the state party leaders. It was suggested that A.M. Stevenson was trying to "harness" the Republican party to his charriot to receive boodle and patronage if a Republican was elected (James B. Belford to Teller, 26 March 1896, Henry Moore Teller Collection, SHSC).

²⁵ *Denver Evening Post*, 14, 15 May 1896; *Denver Rocky Mountain News*, 14 May 1896.

which was read before the convention, stating that he did not want his name to be used, attesting to his high regard for the party and not wanting to cause contention. It was later revealed that Wolcott's friend, Saunders, had manufactured the communique to extricate his friend from an unenviable political predicament.²⁶

At the State Republican Convention in Pueblo, a carefully worded resolution supporting Teller was passed. Senator Teller was chosen unanimously to lead the Colorado delegation at Saint Louis. The other delegates to Saint Louis were selected by ballots and were instructed by the tenth plank of the platform to "act in harmony with the views of the Honorable Henry M. Teller as to the course to be pursued by the Colorado delegation in the national convention."²⁷

The possible motives of Senator Wolcott and Senator Teller aroused considerable speculation. Both men were attempting to consolidate their political strength. Teller viewed his reelection prospects with concern, for his term would expire in 1897 and he needed the assurance of strength in the state.²⁸ Wolcott may have been seeking the vice-presidential nomination if Levi P. Morton, vice-president under Benjamin Harrison and governor of New York, was nominated for president in Saint Louis. The thought was that Morton could carry the northeastern states, while the nomination of Wolcott for the vice-presidency would placate the silver men of the West. Wolcott gave lip service to McKinley, possibly because of the growing number of McKinley endorsements for the nomination. Wolcott might also have been seeking the ambassadorship to Great Britain.²⁹

This victory for Teller consolidated his political base in Colorado prior to his espousal of the free silver issue at the Republican convention in Saint Louis. Since Teller had dominated the state convention, Senator Wolcott, his ideological opponent, withdrew his name as leader of the state delegation to the national convention rather than face defeat. Wolcott read the political currents of the nation accurately but committed political suicide in Colorado by *not* proclaiming

²⁶ *Denver Evening Post*, 14 May 1896; *Denver Rocky Mountain News*, 14, 18 May 1896.

²⁷ Dawson, *Henry Moore Teller: A Brief Account of the Fifth Election*, p. 10; *Denver Evening Post*, 15 May 1896.

²⁸ Teller had difficulty securing reelection in 1891 due to the inability of factions to reconcile (Ellis, *Henry Moore Teller*, pp. 202-4; Elias M. Ammons to Teller, 21 January 1891, Henry Moore Teller Collection, SHSC; Wright, *Politics of Populism*, p. 207).

²⁹ *Denver Rocky Mountain News*, 29 April, 11 May 1896.



"Is There Any Doubt Which Side of It Colorado Republicans Should Be On," *Denver Rocky Mountain News*, 7 May 1896.

wholeheartedly and unequivocally for free silver. Wolcott's demise was expressed cogently by a contemporary: "to the eastern reader his fate would seem strange, but it nevertheless is true, that Mr. Wolcott's political reverses were due to silver—to the opinion in Colorado that he was not sufficiently radical in his advocacy of the coinage of that metal."³⁰ Wolcott served out his term as senator and then lost his seat; he never held public office in Colorado again.

Henry Moore Teller accurately appraised the Colorado political situation and marshaled substantial "grass roots" strength.³¹ He had clarified the course of action he was ready

to pursue if the Republican party adopted a platform that included the gold standard. He had popular support from the start, but through the state convention he had consolidated his support among Colorado political leaders. He knew he had the probable backing and support of his delegation to the National Republican Convention.³² He did not know what success his position would have with the major parties. Speculation could lead him to the assumption that many of the delegates from the western states would sympathize with the free silver position and bolt the party. The Montana, Idaho, and Utah state conventions endorsed Teller's position but refused to recommend that their delegates bolt the Republican party if the coinage plank was unsatisfactory.³³ Where would they go? If the opposition party should take a strong stand in favor of silver, would an expedient alignment with Democrats in 1896 mean political suicide in their home states? Teller, by obtaining the endorsement of the Republican convention in Colorado, assured his political survival at home. His position in national affairs was more tenuous. Prior to the state convention the local press was already predicting a McKinley nomination.³⁴ Teller's next battle clearly would focus on his political relationship with the national Republican party.

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³⁰ Dawson, *Edward Oliver Wolcott*, pp. 31, 233-39. The political cartoon indicated the resulting low regard for Wolcott in the *Denver Rocky Mountain News*.

³¹ Colorado Populist leaders, such as Thomas M. Patterson and Charles Thomas, in ascendancy after Waite's flourish, had ridden to power on the free silver cause (Wright, *Politics of Populism*, pp. 204-7). Teller's position coincided with Patterson's and Thomas's on the silver issue, ensuring him support from the political leaders of the state in his reelection bid.

³² Assurance of support by the delegation was by no means absolute (Earl B. Coe to Teller, 10 May 1896; J.M. Dowling to Teller, 18 May 1896; Dorsey to Teller, 4 June 1896, Henry Moore Teller Collection, SHSC; *Denver Rocky Mountain News*, 16, 17 May 1896).

³³ Ellis, *Henry Moore Teller*, p. 254.

³⁴ *Denver Rocky Mountain News*, 11 May 1896.

Senator T. M. Patterson, the Colorado Supreme Court, and Freedom of the Press

BY ROBERT E. SMITH

Senator Thomas M. Patterson, although fighting what he regarded as abuses by influential corporations in politics at the national level, engaged these forces most tenaciously in Colorado and particularly in Denver. Thoroughly convinced of the dismal influence exerted by corporations on state and local governments, he steadily attacked his special targets, the private utility companies of Denver. Patterson believed that this group transparently opposed the rights of the common people, and from 1892 to 1912 he threw the full weight of his Denver newspapers against this formidable adversary with varying degrees of success. Along the way, his editorial policies precipitated a unique collision with the Colorado Supreme Court on the issue of freedom of the press.

Colorado historians generally agree that abuses of corporate power and influence permeated the state capital from 1890 to 1910.¹ Utility franchises, lucrative and ineffectively regulated, stimulated a system of alliances between utility companies and officials in municipal and state offices. The fact that until 1903 the state legislature and the governor

¹ Carl Ubbelohde, Maxine Benson, and Duane A. Smith, *A Colorado History*, revised centennial edition (Boulder, Colo.: Pruett Publishing Co., 1976), pp. 213-22, 245-56, 269-80; Roland L. DeLorme, "Turn of the Century Denver: An Invitation to Reform," *The Colorado Magazine* 45 (Winter 1968):1-15; Clyde L. King, *The History of the Government of Denver with Special Reference to Its Relations with Public Service Corporations* (Denver, Colo.: Fisher Book Co., 1911); Robert L. Perkin, *The First Hundred Years: An Informal History of Denver and the Rocky Mountain News* (Garden City, N.Y.: Doubleday, 1959), pp. 407-8. Other sources in which municipal and state corruption are a continuing theme include: William H. Tolman, *Municipal Reform Movements in the United States* (New York: Baker and Taylor Co., 1895); Benjamin B. Lindsey and Rube Borough, *The Dangerous Life* (New York: H. Liveright, 1931); Benjamin B. Lindsey and Harvey J. O'Higgins, *The Beast* (New York: Doubleday, Page and Co., 1910); George Creel, *Rebel at Large: Recollections of Fifty Crowded Years* (New York: G.P. Putnam's Sons, 1947); Edward Keating, *The Gentleman from Colorado, A Memoir* (Denver, Colo.: Sage Books, 1964); Frances A. Huber, "The Progressive Career of Ben B. Lindsey, 1900-1920," (Ph.D. diss., University of Michigan, 1963); Roland L. DeLorme, "The Shaping of a Progressive: Edward P. Costigan and Urban Reform in Denver, 1910-1911," (Ph.D. diss., University of Colorado, 1965).



The growing city of Denver in 1906.

controlled the administrative boards of the city of Denver further complicated the general corruption and vote buying. Consequently, warfare raged continuously for control of city hall.²

The Colorado state government did possess revocation rights over charters "injurious to the state," but under the pressures brought about by the rapid growth of Denver, utility franchises had been granted without including regulations to limit unwarranted expansion, increases in rates, or quality of services.³ By 1900 consolidation had replaced competition in all of the vital public services, and the survivors were enjoying enormous profits and a sense of security, all based on controlling the Denver City Council and influencing the state administrative and legislative branches.⁴

Scarcely a year passed that Patterson did not actively engage in battle with a privately owned utility, always arguing that the people of Denver were entitled to the benefits of cheap water, transportation, light, and gas. Calling attention to the dangers of private control, he pointed to municipal

² For an excellent account of the general conditions, see DeLorme, "Turn of the Century Denver: An Invitation to Reform," pp. 1-15.

³ LeRoy R. Hafen, ed., *Colorado and Its People: A Narrative and Topical History of the Centennial State*, 4 vols. (New York: Lewis Historical Publishing Co., 1948), 1:349. The original gas franchise, issued in 1869, remained in effect for fifty years without any provision for payment to the city (King, *History of the Government of Denver*, p. 80).

⁴ King, *History of the Government of Denver*, pp. 79, 80, 131-57.



"Enough Said,"
 Denver Rocky Mountain News, 30 August 1903.

ownership as the only way out of corporate abuse.⁵ Operating from this premise Patterson filled the *Denver Rocky Mountain News* with merciless caricatures of the city's utility corporations. Inevitably, he attracted the unqualified hostility of the Denver power structure, and the hatred thus generated was reinforced by Patterson's steady defense of the rights of organized labor.⁶

The leader of the "utilities crowd," William G. Evans, presided over the Denver Tramway Company and a small coterie of other leaders that included: Edward B. Field, Jr., director of the telephone company; Walter S. Cheesman, owner of the water company; Daniel Sullivan, controller of the Denver Gas and Electric Company; and David H. Moffat,

⁵ Reflecting Patterson's fondness for quoting statistical evidence, his *News* pointed to the smaller cost of lighting in twelve other cities as proof of how Denver's citizens were being exploited (*Denver Rocky Mountain News*, 6 August 1897).

⁶ *Ibid.*, 14-17 March 1897. For an account of Patterson's role as defender of organized labor, see Robert E. Smith, "Thomas M. Patterson: Colorado Crusader," (Ph.D. diss., University of Missouri, 1973), pp. 161-215.



The son of Colorado territorial governor John Evans, William Gray Evans (1855-1924) was president of the Denver Tramway Company from 1902 to 1912. (The company's power house is pictured here.)





Walter S. Cheesman



David H. Moffat

founder of the First National Bank, heavy investor in railroad and mining operations, and major stockholder in the streetcar franchise.⁷

At first Patterson's criticisms contained strongly partisan overtones. During the early 1890s with almost continual attacks on municipal corruption, the *News* hammered away at the "Republican gang."⁸ However, when the occasion demanded, Patterson quickly condemned any element of the Democratic party that he believed had been subverted by business interests.⁹

When voting irregularities appeared to have been engineered by Democratic office holders in the spring of 1901, Patterson's *Denver Rocky Mountain News* assailed members

of his own party, especially Thomas Maloney, chairman of the Democratic Central Committee. The opposition *Denver Times* happily noted that Patterson's outraged attacks were splitting the Democrats.¹⁰ The chief issue, said the *Times*, was the identification of the real boss of the Democrats; the affair had severely strained Patterson's relationship with both Maloney and Denver's rising young mayor, Robert Speer. In the summer of 1902 the Republican press insinuated that Patterson was losing his grip on Democratic politics.¹¹ By September, Patterson publicly conceded that the political views of the *Denver Rocky Mountain News* carried no influence with the Democratic machine in Denver, an organization whose power was increasingly identified as Mayor Speer, who in turn seemed quite comfortable in his relationship with the corporations.¹²

Following the failure of a reform effort to secure a home rule city charter for Denver,¹³ in March 1904 a second convention followed, drafting a plan more to the liking of the corporations. When ratified, it featured few significant reforms and left the city power diffused. Moreover, Speer forces swept the first election under the charter, for the public utility companies, as part of an effort to give Colorado politics a myth of bipartisanship, generally supported Speer in municipal campaigns while reserving control of the state government to the Republicans. This situation led reformist judge, Ben Lindsey, to observe that "the beast is bipartisan."¹⁴

¹⁰ *Denver Rocky Mountain News*, 3-6 April 1901; *Denver Times*, 7 April 1901.

¹¹ *Denver Times*, 10 April, 4, 7 September 1902; by June the *Times* claimed that Patterson had dissolved the "partnership" with Speer (*Denver Times*, 13 June 1901); *Denver Republican*, 5, 15 July 1902.

¹² *Denver Rocky Mountain News*, 3-7 September 1902; *Denver Times*, 5, 8 September 1902. Privately, Patterson observed that the entire utilities gang and their political allies were a "tough proposition," and, probably regretting his support of Speer early in the mayor's career, lamented that "we do not know men as well before they are elected as we do afterwards" (T.M. Patterson, Washington, D.C., to T.J. O'Donnell, Denver, Colorado, 9 December 1902, T.J. O'Donnell Papers, Western History Collections, University of Colorado Libraries, Boulder).

¹³ This measure seemed destined for victory, but the Denver Tramway Company, alarmed over restrictions on its freight-carrying privileges under the charter, led the utility companies to force selection of election managers instructed to defeat the charter by intimidating voters and stuffing ballot boxes (J. Richard Snyder, "The Election of 1904: An Attempt at Reform," *The Colorado Magazine* 45 (Winter 1968):18; Benjamin B. Lindsey, *The Rule of Plutocracy in Colorado: A Retrospect and a Warning* [Denver, Colo.: n.p., 1908], pp. 15, 16, pamphlet, Benjamin B. Lindsey Papers, State Historical Society of Colorado, Denver).

When the proposal lost in a narrow election, the *News* charged that 10,000 illegal votes had been allowed by corporation-controlled officials (*Denver Rocky Mountain News*, 8 December 1903; *Denver Republican*, 9 December 1903).

King, *History of the Government of Denver*, pp. 233-46; Perkin, *First Hundred Years*, p. 410; DeLorme, "Turn of the Century Denver," p. 1.

¹⁴ Charles A. Johnson, *Denver's Mayor Speer*, p. 68; Lindsey, *The Beast*, p. 159. Lindsey gained national fame for his pioneering work in the concept of juvenile courts. For additional information on his work, see Charles Larsen, *The Good Fight: The Life and Times of Ben B.*

⁷ Patterson described Evans as the "most conscienceless boss that ever bestrode a suffering people" (*Denver Rocky Mountain News*, 24 June 1905).

Charles A. Johnson, *Denver's Mayor Speer* (Denver, Colo.: Green Mountain Press, 1969), pp. 61-71, 119-36; King, *History of the Government of Denver*, pp. 99, 159, 210; Allen duPont Breck, *William Gray Evans, 1855-1924: Portrait of a Western Executive* (Denver, Colo.: University of Denver, 1964). See also the *Denver Rocky Mountain News*, 4 April 1897 for a description of the "corporate snake." An unsigned manuscript-chart, "The System," claimed to diagram the apparatus through which the corporations controlled Colorado. DeLorme has written that the handwriting on the chart, located in the Edward Costigan Papers, Western History Collections, University of Colorado Libraries, Boulder, points to authorship by George P. Winters, an attorney for the reform State Voters League (DeLorme, "Turn of the Century Denver," p. 14).

⁸ Examples may be found in Smith, "Thomas M. Patterson," pp. 294-95.

⁹ Johnson, *Mayor Speer*, pp. 73-90. As early as 1897 Patterson attacked the corporations' "new found Democratic Allies" (*Denver Rocky Mountain News*, 23 February 1897; Lindsey, *The Beast*, p. 126).

ETERNAL VIGILANCE IS THE PRICE OF A CHARTER.



WATCHING THAT CHICKEN COOP.

Patterson summarized the desolate situation in Colorado: a Republican city council, nominated by a Republican convention dominated by city corporations, had collaborated closely with the Democratic machine to the point of asking the machine to nominate election judges that would insure corporation victories. The water and tramway companies, according to Patterson, caused Republican and Democratic executive committees to work in close embrace, the one suggesting the scoundrels who should stuff the ballot boxes and forge returns and the other appointing them as fast as they were suggested. Thus, the corporations received renewal of their franchises, the books were kept closed, an administration stuffed ballot boxes and forged returns, and a mayor approved everything.¹⁵

Having engineered a Democratic machine victory, the utility companies turned to the task of electing a Republican governor. While Patterson's struggle against corporate influence had many lively moments, the events surrounding the 1904 election resulted in the most sensational confrontation of his public career and involved the issue of freedom of the press.

The Republicans, after beating down a challenge from their progressive wing, renominated Governor James H. Peabody, whose chief claim to fame was his controversial effort to quell the Cripple Creek labor disturbance in 1903 and 1904.¹⁶ The Democrats countered with former governor Alva Adams, who campaigned on the slogan, "Citizens must vote if they are to win over the money interests." The campaign featured extensive demands for reform by both the *Denver Rocky Mountain News* and the *Denver Post* and, with public hostility toward Peabody on the rise, Adams won by ten thousand votes.¹⁷ The *Denver Post*, although hostile to Patterson, called the election "distinctly" his victory and grudgingly admitted

Lindsey (Chicago: Quadrangle Books, 1972); Lincoln Steffens, "Ben B. Lindsey: The Just Judge," *McClure's Magazine* 27 (October 1906):563-82. For studies of reformer Edward Costigan, see DeLorme, "Shaping of a Progressive" and Fred Greenbaum, *Edward Costigan: Fighting Progressive* (Washington, D.C.: Public Affairs Press, 1971). Patterson regularly published the ideas of Costigan, Lindsey, and John Rush. For an example, see Rush's article on taxation under the Speer administration in *Denver Rocky Mountain News*, 17 May 1908.

¹⁵ *Denver Rocky Mountain News*, 5 May 1904.

¹⁶ For a summary of Governor Peabody's actions and Patterson's role in the episode, see Robert E. Smith, "Thomas M. Patterson," pp. 190-202.

¹⁷ *Denver Post*, 21 September 1904. Patterson's influence in the state convention had been strong enough to force compromise candidates for many offices, including Adams (*Denver Times*, 4 November 1904; *Denver Post*, 22 September 1904). The Patterson-Adams political alliance dated to at least 1888 when Adams placed Patterson's name in nomination for governor (*Pueblo Chieftain*, 13 September 1888); *Denver Republican*, 10, 11 November 1904; *Denver Rocky Mountain News*, 10 November 1904.

A photograph taken
of Governor James
Hamilton Peabody
in 1903, after his
January
inauguration.
Within a year,
Peabody's
Republican
administration was
confounded by labor
disturbances in the
state.



that by long odds he was the ablest man in the state. To all appearances, the Democrats had gained a nineteen to fifteen margin in the state senate, and voters had approved an amendment that would increase the size of the Colorado Supreme Court, thus opening the way for possible future Democratic appointments to the court.¹⁸

However, the lame duck Republicans, desperately trying to maintain themselves in power, turned to the still friendly state supreme court, which promptly invalidated the votes in ten Denver precincts on the grounds that ballot stuffing had occurred. This cut Adams's majority to a thin margin.¹⁹ Nevertheless, Adams's election still appeared to be secure until Governor Peabody, in a complicated deal with the utility corporations, agreed to appoint two business-oriented judges to the court in return for help in challenging Adams's election. Eventually the lame duck legislature declared Adams's victory to be void on grounds of general voting irregularities. Peabody became governor again on 16 March 1905 and, as part of the deal, he in turn resigned within twenty-four hours,

¹⁸ The campaign was recognized as the finest ever made in the state (*George's Weekly* [Denver], 13 November 1904). Democrats expressed "exhilaration" over the end of Peabodyism (*Denver Rocky Mountain News*, 10-13 November 1904).

¹⁹ The ruling also converted two Republican senators and six Republican representatives from losers to winners. The court also erased Democratic senatorial successes in Boulder and Las Animas counties (*Denver Rocky Mountain News*, 9, 20 January 1905; Snyder, "Election of 1904," pp. 24, 25).

allowing Republican Lieutenant Governor Jesse McDonald to become governor.²⁰

This game of gubernatorial musical chairs infuriated reformers of all parties, including Patterson. In a series of bitter editorials and articles, the *News* accused the legislature and the state supreme court of being the tools of the utility corporations and the Republican state machine. Moreover, in some detail, the stories described a meeting between attorneys for the utilities and railroads for the purpose of selecting the two new court appointees to be named by the governor. One candidate, the stories claimed, was selected by the utilities and the other by the railroads.²¹ Patterson accused the state supreme court justices of base and political motives, improper methods, and outright dishonesty. Referring to the court as a "great judicial slaughterhouse," he published a cartoon depicting the chief justice as the "Lord High Executioner" in the act of beheading Democrats.²²

Patterson fully realized that he was exposing himself to legal charges when he climaxed the assaults with a front page story in which he declared his complete responsibility for everything that had been written. He predicted that he would be summoned by the court, saying, "I know that . . . the tribunal to try me will be pretty much like a court-martial, only there will be no reviewing court or officer or other tribunal to interfere with whatever the court shall decide. I consider the proceedings against me as a direct assault upon the freedom of the press, and I shall defend that ancient and important prerogative of a free people with all my power."²³ The Colorado Supreme Court cited Patterson for contempt. A lengthy trial followed, with a verdict of guilty almost a

²⁰ Marjorie Hornbein, "Three Governors in a Day," *The Colorado Magazine* 45 (Summer 1968):243-60; Johnson, *Mayor Speer*, pp.78-81.

Business representatives apparently failed to convince state legislators that they could get away with declaring Peabody the winner without alienating their constituents. Hence, the compromise was reached on McDonald (*Denver Times*, 15-17 March 1905; Colin P. Goodykoontz, ed., *Papers of Edward P. Costigan Relating to the Progressive Movement in Colorado, 1902-1917* (Boulder, Colo.: University of Colorado, 1941), pp. 40-48; Ubbelohde, Benson, and Smith, *A Colorado History*, p. 266; Snyder, "Election of 1904," p. 25; Lindsey, *The Beast*, pp. 203-6.

²¹ *Denver Rocky Mountain News*, 1 January, 24-30 June 1905; Lindsey, *The Rule of Plutocracy in Colorado*, p. 38; Keating, *Gentleman from Colorado*, pp. 101, 102. The *News* also claimed that President Theodore Roosevelt had denounced the Republican plans (*Denver Rocky Mountain News*, 4 January 1905).

²² *Denver Rocky Mountain News*, 28 June 1905. The Colorado Supreme Court had also turned out several Democratic county officials (*Denver Times*, 27 June 1905).

²³ *Denver Rocky Mountain News*, 30 June 1905. Patterson scornfully rejected the advice of a colleague that at least he might tell the court that he had not composed some of the particularly abusive headlines (Keating, *Gentleman from Colorado*, p. 102).



"I know that . . . tribunal to try me will be pretty much like a court-martial. . . . I consider the proceedings against me as a direct assault upon the freedom of the press." Thomas M. Patterson

foregone conclusion, in spite of an impressive list of defense counselors that included Senator Henry Moore Teller, Charles S. Thomas, John Rush, Horace Hawkins, James Belford, and E. F. Richardson.²⁴ However, the most remarkable aspect of the proceedings occurred when the court permitted Patterson to issue a final statement.

Patterson said that as a lawyer he realized the importance of maintaining the image of an unsullied judiciary in order to keep the respect and confidence of the people. However, he continued, the articles in the *Denver Rocky Mountain News* represented his own deep conviction, and he would not admit to being a libeler. Arguing the case for what he called "constructive contempt," he wondered if it had come to pass that because men were judges, the publisher of a newspaper could not tell the truth about them. Offering to prove every one of his accusations and challenging the court to call for an investigation of them, Patterson declared that he refused to be bound by any system that prevented any individual from telling the truth. Defiantly, he concluded that "if no other result is to come from these proceedings beyond my own punishment, then the arousing of the public to the danger of such a power in the hands of any body of men, a great good will have been accomplished."²⁵

²⁴ Keating, *Gentleman from Colorado*, p. 104.

²⁵ *Denver Rocky Mountain News*, 28-30 November 1905; *Denver Times*, 28-30 November 1905.

The audacity of Patterson's declaration invited a stringent penalty, but it seems likely that the court feared that martyrdom would only reinforce his cause. Certainly any imprisonment would have drawn national attention to Colorado, since Patterson was a United States senator at the time. In rendering a verdict, the court declined to comment or to allow an inquiry into the validity of Patterson's charges, omitted any jail sentence, and settled for a \$1,000 fine, which one historian has described as a "cowardly slap on the wrist" to a person of Patterson's wealth and position.²⁶ Even this proved to be too much for Justice Robert Steele, who dissented from the majority decision with as bitter an arraignment of the integrity of his colleagues as Patterson had delivered.²⁷

Reaction to the case overwhelmingly favored Patterson, although the *Denver Republican*, frequently labeled by the *News* as the primary corporation newspaper, complained that after admitting his guilt, Patterson arrogantly had piled "insult upon insult in a most sinister manner." While condemning his "radicalism," the *Republican* conceded that his concluding speech had been "remarkably adroit."²⁸ Naturally, those who agreed with Patterson applauded his performance and courage. Judge Lindsey approvingly called his speech one of the most scathing arraignments ever addressed to an American bench of justice, and Edward Keating, editor of Patterson's newly acquired *Denver Times*, observed, "Senator, you know I have always admired you, but this is the greatest day of your life."²⁹ Years later the *Denver Express*, in evaluating Patterson's reform activities, judged his battle for freedom of speech as the greatest moment of his career.³⁰

Most significantly, the *Pueblo Chieftain* supported Patterson's contention that criticism of the courts constituted a legitimate function of the press. Patterson's efforts to secure a reversal failed when the United States Supreme Court, with two dissenting opinions, refused to take jurisdiction. However,

Complete coverage can be found in the reply that Patterson and his lawyers filed in answer to the attorney general's suit (*Colorado Reports*, vol. 36, pp. 281-355).

²⁶ Perkin, *The First Hundred Years*, p. 412.

²⁷ *Denver Republican*, 6 February 1906. Steele generally took a more liberal view than his colleagues, and Keating credits him with creating the concept of the juvenile court, which Lindsey made famous (Keating, *Gentleman from Colorado*, p. 102).

²⁸ *Denver Republican*, 21, 30 November 1905.

²⁹ Lindsey, *The Beast*, p. 212. In recounting the rise of Patterson's support across the state, Keating also mentions a drive by a mining camp editor to pay Patterson's fine by collecting a penny from each sympathizer. The drive was halted by Patterson, who feared such a move might incur ridicule from his enemies (*Gentleman from Colorado*, p. 103).

³⁰ *Denver Express*, 24 October 1913.

journalistic support appeared for Patterson's struggle against the advance of autocratic methods of "arbitrary power," and many years after Patterson's death, other legal decisions sustained his position. For Patterson the trial was a significant victory, since the court in effect had fled from a showdown on his charges, and, at least for a few days, he became the most popular man in the state.³¹

Patterson's popularity never extended to the corporations or their Republican and Democratic allies, and in June 1905 Mayor Speer celebrated a victory during yet another struggle with Patterson for control of the Democratic State Committee. Doggedly, however, the senator continued to publicize growing national sentiment for public ownership of public utility companies and rebukes to local and state bossism.³² Until 1913, when he sold the *Denver Rocky Mountain News*, Patterson frequently functioned with nonpartisan reformers to score occasional victories over the Democratic city and Republican state political machines, including the defeat of four of the Colorado Supreme Court justices who had found him guilty of contempt.³³

However, many reform efforts in Colorado, tardy in fulfillment and lacking staying power, suffered from an internal weakness. In contrast to the strength of an entrenched opposi-

³¹ *Pueblo Chieftain*, 1 December 1905; *Colorado vs. Patterson*, 205 U.S. 454, 1906; Arthur Johnson, entry in diary, 15 April 1906, Mrs. John Gurtler Papers, Western History Collections, University of Colorado Libraries, Boulder. Johnson was Patterson's nephew and served as his secretary during his term in the Senate.

B.O. Fowler, "Liberty Imperilled through the Encroachments of the Judiciary," *Arena* 35 (January 1906):189-94; William E. Doyle, "Patterson Vindicated," *Dicta* 18 (July 1941):169-72; Elmer Ellis, *Henry Moore Teller: Defender of the West* (Caldwell, Idaho: Caxton Printers, 1941), p. 365.

³² *Denver Post* 14, 21 June 1905; *Denver Times*, 8 November 1905. Typical of Patterson's zeal in reporting the success of reformers outside Colorado, the *News* gave impressive coverage to Joseph W. Folk, governor of Missouri. Praising Folk's reform efforts, Patterson warned that in order to win elections in Colorado, the Democratic party must be truly democratic (*Denver Rocky Mountain News*, 11, 12 November 1905).

³³ At the state level in 1908 and 1910, the *News* helped carry Colorado for William Jennings Bryan, twice supported the successful candidacy of Democrat John Shafroth for governor, and aided the Democrats in achieving control of both houses of the state legislature (*Denver Rocky Mountain News*, 5 November 1908, 10 November 1910). Patterson also succeeded in excluding the Speer machine from management of the Democratic State Convention in 1906 (*Denver Rocky Mountain News*, 13 September 1906). Lindsey credited Patterson's personal and political influence for several of his own positions (Lindsey, Denver, Colorado, to Patterson, Denver, Colorado, 11 October 1904, in the Benjamin B. Lindsey Papers, Library of Congress, Washington, D.C.). In addition, Patterson helped to erode the appeal of the Speer organization by publishing excerpts from a memorandum book containing lists of payments made by the Denver Gas and Electric Company to public officials during the campaign of 1906 (*Denver Rocky Mountain News*, 15-17 May 1908); spearheaded an amendment to the city charter in 1910, which eventually led to municipal ownership of the waterworks (*Denver Times*, 16 April 1910); blocked Speer's efforts to achieve a United States Senate seat (Keating, *Gentleman from Colorado*, p. 328); and briefly displaced the Speer machine in 1912 (*Denver Post*, 23 May 1912). For an account of these and other episodes in the continuous Speer-Patterson battle, see Smith, "Thomas M. Patterson," pp. 298-339.

tion supported by their corporate allies, the strong-willed Denver reformers could not or would not restrain their own factional differences. Nevertheless, throughout the struggle, Patterson gave generous and dedicated newspaper support to his reform allies, and in those victories that were achieved, Patterson and his newspapers played a major role. When Progressive Edward Costigan later spoke of Patterson's "splendid advocacy against dishonest elections,"³⁴ Coloradans could remember almost all of that occasion when the owner of the *Denver Rocky Mountain News* faced the challenge to freedom of the press by the Colorado Supreme Court with courage, stubbornness, and a flair for making the most of the drama.

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³⁴ *Denver Express*, 24 October 1913.