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The Hatcher Ditch (1846-1928) The Oldest Colorado Irrigation Ditch Now in Use

By A. W. McHendrie*

While it is probable there were irrigating ditches constructed and in use within the present boundaries of the state of Colorado nearly, if not quite, a century prior to this year of our Lord, 1928, none of them are in existence today, nor have they been in use within the memory of any man now living.

Priority number one for the right to beneficially use the waters of a natural stream in this state for irrigation purposes has been awarded to, and is still in use by, a ditch located on the Culebra, a tributary to the Rio Grande River, in Costilla County. The beginning of the construction of this ditch, known as "The San Luis People's Ditch," was April 10, 1852, and the ditch has an officially recorded priority as of that date.¹

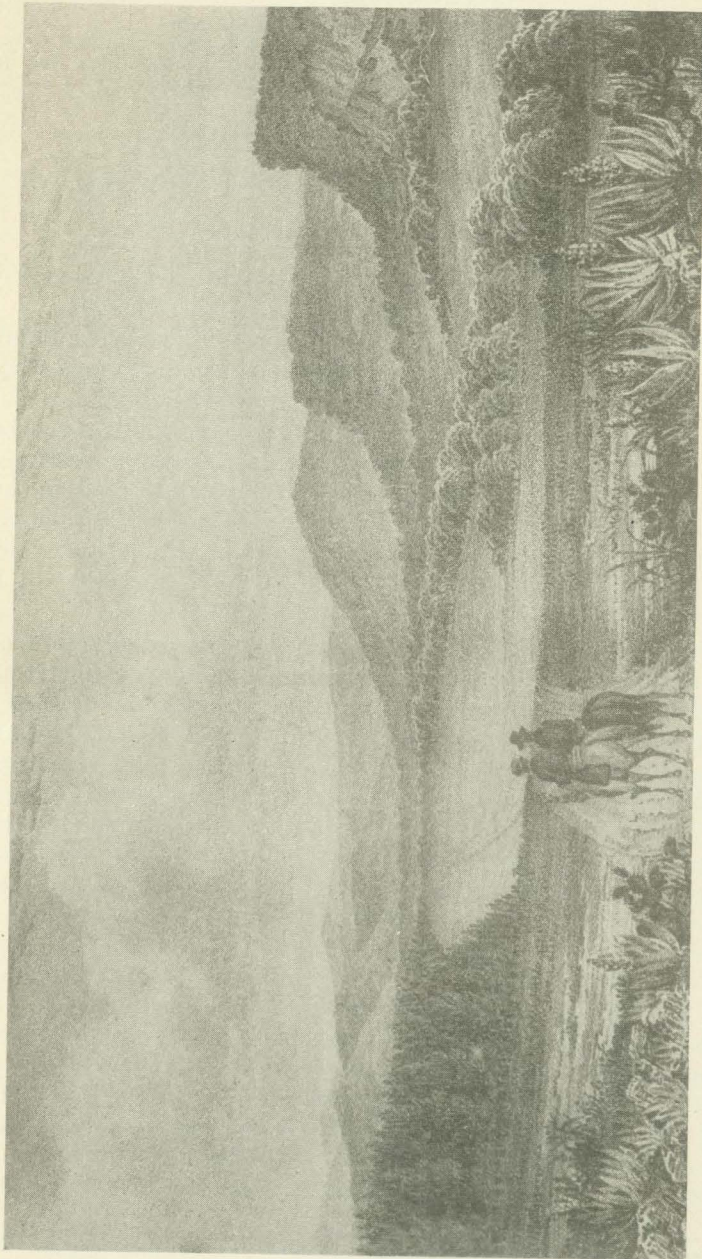
While this ditch is probably entitled to the distinction of being the oldest ditch in Colorado continuously in operation from the date of its construction, nevertheless there is in existence another ditch, the history of which begins about five and a half years earlier and which, with a comparatively brief interruption, has continuously carried water from the stream from which it derives its supply and delivered it to and made fruitful the very tract of land the reclamation of which was the object of its original construction, begun in the latter part of September or the early part of October, 1846.

I refer to what was originally known as "The Hatcher Ditch"; later known as "The Lewelling Ditch"; and still later known as "The Lewelling-McCormick Consolidated Ditch."

This ditch is located on, and draws its water supply from, the Purgatoire or Las Animas River in Las Animas County, Colorado, approximately twenty miles down the river from the city of Trinidad. Technically, perhaps, this ditch is not entitled to an official record of a priority as of the date of its construction, yet it would seem to be worthy of some recognition as the

* Judge McHendrie, a prominent attorney of Trinidad, contributed an article on the "Origin of the Name of the Purgatoire River" to our *Colorado Magazine* of February last.—Ed.

¹ See State Historical Society's *History of Colorado*, Volume 2, page 589, "Irrigation," by Daniel W. Working.



VIEW IN THE PURGATOIRE RIVER VALLEY IN 1846
 This was drawn in 1846 by Lieut. W. H. Emory, accompanying Kearny's Army of
 the West in its conquest of New Mexico.

pioneer in the wonderful development of our agricultural resources made possible by the irrigation of an otherwise barren and fruitless region.

A fairly complete, and certainly interesting, record of the beginning and practically continuous use of this ditch is preserved by the well authenticated statements of contemporaneous writers and deponents, some of which are preserved by official records.

This ditch was built by one John Hatcher, apparently a quite remarkable trapper, Indian fighter, trader, mountaineer and plainsman, whose active and eventful career in southern Colorado and northern New Mexico in the first half of the nineteenth century seems not to have attracted any marked attention from historians and authors writing of that period and of the lives of his contemporaries and associates. Hatcher lived and worked with and for Kit Carson, the Bent Brothers, Jim Beckworth, St. Vrain, Lucien B. Maxwell and others of that time, famed in story and legend. Hatcher was probably the peer of those much better known frontiersmen. At any rate, Lewis B. Garrard, a young man who kept a journal of his life of nearly a year from the fall of 1846, spent in the vicinity of old Fort Bent, on the Purgatoire River and at Taos, among the Indians, traders, trappers and mountaineers of that region, devotes more space in his journal to the career and achievements of Hatcher than to any one or all of the men prominent in that day and time—with all of whom Garrard came into rather intimate contact. Among the many references to Hatcher found in the pages of the book which Garrard compiled from his journal, *Wah-To-Yah and The Taos Trail*, we find this description (page 215):

“Hatcher was always full of stories of an amusing, serious, and often marvelous cast, and we easily persuaded him to recount a few scenes in his wayward, everchanging life. Though he frequently indulged in rough slang, he did not partake of the Westerner's unsubdued nature altogether. I have chosen to select the more strange part of his conversations, as being the more strikingly illustrative of mountain character. He at times, for his own as well as our, amusement, would yarn in the most approved *voyageur's* style, or tell the hardest story of sights within his range. In short, Hatcher was *au fait* in everything appertaining to the Far West; whether mimicking a Canadian Frenchman; cowing down a score of Mexicans in a fandango row; ‘lifting’ the ‘hair’ of a Pawnee; playing poker for beaver at rendezvous, or trading a robe, or sitting with grave face in an Indian council, to smoke the long pipe and discuss with the

aborigines the many grievances to which they consider themselves subject by the innovations of the whites. . . ."

Garrard spent a considerable portion of his time in hunting with the famous white and Indian hunters of that region and saw and relates many tales of their prowess with the rifle. He says of Hatcher (page 239) :

"His was a short, heavy rifle, the stock unvarnished; and, when he brought it to his face, the game most always came. He was the best shot within my knowledge."

At the time of the construction of the ditch which is the subject of this article, and for a long time prior thereto, Hatcher was and had been in the employ of Bent, St. Vrain & Company, then maintaining Fort William, or Old Bents Fort, on the north bank of the Arkansas River, seven or eight miles below the present town of La Junta, as a trading post. The company was also engaged in ranching and live-stock raising on ranches located on the Cimarron, Vermejo and Ponil Creeks in northern New Mexico. Hatcher was one of Bent's best traders and at one time was foreman at Bents Old Fort.²

In the summer of 1846, Bent, St. Vrain & Company conceived the idea of initiating ranch operations on the Purgatoire River. For some reason it was deemed desirable to locate this ranch approximately midway between Bents Fort and the ranches of the company in northern New Mexico. The commonly accepted reason for selecting this particular location, among the old settlers on the Purgatoire, was that it was part of a colonization program which St. Vrain and Bent desired to put into operation on the Vigil and St. Vrain grant, in which Charles Bent had obtained an interest. It is said that the reason Hatcher finally abandoned the ranch, as hereinafter set forth, was because his superiors discovered that this spot was not within the confines of that grant.

However that may be, Hatcher left Taos in September, 1846, with three wagons, sixteen yoke of oxen and fifteen or sixteen Mexican laborers for the Purgatoire River to make a settlement.³ The Bent and St. Vrain Company furnished the cattle, mules and tools to take out a ditch and farm the land designated. The site selected, as afterwards disclosed by the establishment of the ranch, was on the Purgatoire River, about seven or eight miles below the present station of Hoehnes on the Santa Fe Railroad. The exact location of the lands selected for farming, as after-

² See Lewis H. Garrard's *Wah-To-Yah and the Taos Trail*, Note to page 158.

³ See deposition of Calvin Jones, taken on August 6, 1885, before E. J. Hubbard, referee, "In the matter of the Adjudication of Priorities of right to the use of water in Water District No. 19," now on file as a part of the records of the office of the Clerk of the District Court in Las Animas County, Colorado, at Trinidad (Exhibit A following this article).

wards established by the surveys and records hereinafter referred to, is in the southeast quarter of section twenty-one and the northeast quarter of section twenty-eight, township thirty-two, south, range sixty-one west of the sixth P. M., Las Animas County, Colorado. Traveling with ox wagons, it probably took Hatcher from ten days to two weeks to reach his destination

The construction of the ditch must have been commenced immediately and carried on with reasonable diligence that fall, as there was about a mile and a half of the ditch completed by the next spring and there was apparently no work done during the winter, as will be discussed later.

The headgate of the ditch was located, as fixed by the official records hereinabove referred to, at a point at or very near the southwest corner of the northwest quarter of the southwest quarter of section sixteen, township thirty-two, range sixty-one. From that point the ditch ran in a generally southeasterly direction, paralleling the general course of the river, for a distance of approximately a mile and a half and terminated by wasting its return waters into the river at a point approximately one-eighth of a mile south of the northeast corner of section twenty-eight, of the above township and range. The location of the headgate was about half a mile above the ford or crossing of the Purgatoire River by the Santa Fe Trail from Bents Old Fort, then known as the Bents Fort Trail or the Mountain Trail, and later as the Army or Military Trail. This crossing was the ford used by Kearny's Army of the West in the early part of August, 1846, on his expedition to Santa Fe.⁴ This ford was later known as the "Fisher Crossing" by reason of the fact that a man by the name of Fisher occupied the land immediately below and adjacent to the ford under a "squatter's" right or claim.⁵ Garrard refers to the location of the Bent farm as being "in the Purgatoire Valley, below the crossing of the Santa Fe Trail." (Page 238.)

It is probable that Hatcher only worked on the ditch during the fall months and did not spend the winter at the ranch as Garrard tells of Hatcher coming into camp on the Vermejo the next March, and says (page 158): "A few mornings following camp was enlived by the sight of Hatcher's comical phiz. He

⁴ See map of Lieut. W. H. Emory, Chief of Topographic Engineers, made a part of H. Ex. Doc. No. 41, 30 Cong., 1st Session, "Notes of a Military Reconnaissance."

⁵ See deposition of Calvin Jones above referred to. Also verified statement of claim filed in this adjudication proceeding on Sept. 29, 1881. Also verified supplement statement of claim filed in this proceeding March 6, 1886. Also deposition of John Jackson given before the referee in this proceeding, February 28, 1882. Also deposition of Dolphus Malone given before the referee in said proceeding February 28, 1882 (Exhibits A, B, C, D and E).

had been absent during the winter with George Bent & Company on a mule trading expedition in the interior of Mexico."

Frank DeLisle, the wagon master for Bent, St. Vrain & Company (Garrard, page 8), had probably been in charge of the ranch during the winter, as Garrard speaks of DeLisle having "the company wagons and boys on the Purgatoire, this side of Raton," at the time of the murder of Governor Bent at Taos on January 19, 1847 (page 120). Garrard also says that DeLisle came into Fort Bent with the company wagons from the Purgatoire early in February, 1847 (page 123), when William Bent was organizing an expedition to go to Taos for the purpose of avenging his brother's death and to recover the cattle and mules which it was reported the Mexicans had driven off from the Cimarron and Vermejo ranches. Twenty-three men composed this little company, of which Garrard, Lucien B. Maxwell, Tom Boggs, Manuel La Fevre, Lajeunesse and Louis Simmons were members. Garrard says (page 125): "Five of us were mounted, the rest were to get animals at the Purgatoire, ninety miles distant." (This is almost the exact distance from Old Bents Fort to the Hatcher Ranch by the present road.)

When the expedition got to the Vermejo Ranch they were met by a messenger who reported that Colonel Price, in charge of the U. S. army, had given battle to the rebels at Taos and had captured the principal offenders. Maxwell, Boggs and La Fevre went on, but the remainder of the party stayed at the Vermejo and Ponil Ranches till about the first of April. During this time and after Hatcher had joined them, Hatcher borrowed Garrard's mule, as his own was in poor shape after the winter's work, to make a round trip back to Bents Fort. (Garrard, page 158.)

About the first of April Hatcher and Garrard went into Taos, arriving there on the evening of April 4. The next morning the first American court held in this region convened for the purpose of trying the culprits who had participated in the Taos uprising the January before. (See "The First Term of the American Court in Taos, New Mexico," by Francis T. Cheetham, Esq., of the Taos Bar, in the *New Mexico Historical Review*.)

Hatcher and Garrard attended these trials, of which Garrard in his book gives a most interesting account. Hatcher served on the petit jury, as did Maxwell, La Fevre and Simmons. (See copies of the records contained in Mr. Cheetham's work above noted.) Hatcher and Garrard apparently jointly participated in many of the stirring scenes of that court week. They together visited the prisoners in the jail and had an extended conversation with a raw Missouri lad, a member of Colonel Price's army,

which is set out in detail in Garrard's book. They lent the sheriff their rawhide lariats to be used as hangmen's ropes in the execution of the condemned prisoners. They assisted the sheriff in "greasing" with soft soap these stiff riatas so they would be more pliable and effective in accomplishing the purpose for which they were to be used. They, with six of their ranch companions, formed a part of the guard which marched the condemned men to the place of execution, and formed one side of a hollow square of soldiers and guards within which the execution took place.

Shortly after the execution, and probably about April 11 or 12, Hatcher concluded that he had better return to the ranch on the Purgatoire. (Garrard, page 209.) Accordingly, Hatcher and Garrard, later joined by others in the employ of Bent & St. Vrain, started for the ranch. The party stopped at the Cimarron Ranch of the company, from which Hatcher was to take mules, horses and cows to the farm. (Page 238.) Two days were spent in gathering this stock. The incidents of the journey from Taos to the Purgatoire Ranch are set out in detail in Garrard's book in Chapters XVIII, XIX, XX, XXI. One chapter (XIX) is devoted almost entirely to a quoted recital by Hatcher of his experience on a visit to Hades—located in the bowels of the Spanish Peaks—which he claimed he had made some years previous. It appears, however, that this lurid and picturesque adventure had its inspiration in an unusually large quantity of "Taos Lightnin'," or native whiskey, which Hatcher had unwisely imbibed at one sitting while on a solitary beaver trapping expedition on the headwaters of the Purgatoire.

Apparently about 11 or 12 days were consumed by Hatcher and his party in their journey to the ranch, which would have brought them to that spot somewhere near the 24th or 25th of April. Garrard's description of the scene of this pioneer farming operation is vivid and delightful. He says (at page 249):

"The spot selected for cultivation was in a handsome, level bottom, a mile in length and from fifty to two hundred yards in width. The gentle curving of the shallow River of the Souls, its banks fringed with the graceful willow and the thorny plum, on which were affectionately twined the curling tendrils of the grape and hop; the grouping of the slender locust and the outspreading umbrageous cottonwoods, with the clustering currants dotting the greensward, gave a sweet, cultivated aspect to the place; while the surrounding hills, within their sheltering embrace, seemed to protect the new enterprise. The *caballada*, half hid in the luxuriant thickets, and the cows standing idly

over the running waters in the quiet shade, with whisking tail, and others in the secluded vistas reposing in sheer plentitude, served much to increase the domestic countenance of the first farm on the Purgatoire.

"William Bent's party consisted of himself, Long Lade and two others. They had plows and the *acequia* (ditch) by which the land would be irrigated, was nearly finished; the dam, to elevate the water in this, was yet to be constructed; so the following morning we went hard to work. For two days we labored as though the embryo crop depended upon our finishing within a specified time. When the water flowed in the *acequia*, we watched the bits of wood and scum floating with the first tide, with intense interest and satisfaction."

So we have the testimony of an eyewitness of the first diversion of water for irrigation from the Purgatoire River and of the establishment of what is probably the oldest farm within the boundaries of the state of Colorado which is still under irrigation by the same ditch with which it was first irrigated. Some two or three days later Garrard left the ranch for Bent's Fort, and from there returned to his native state.

Some time a little later in the spring of 1847, however, Calvin Jones, the old trapper whose deposition has been heretofore referred to in footnote 3, on his way from Taos to Bent's Fort, passed by this farm, and states in his deposition that he saw Hatcher and his men farming on the Las Animas River on the lands which at the time of the deposition (August 6, 1885) were owned by S. W. Debusk.⁶ He states that some of the men were planting corn and had at that time about sixty acres planted on a tract of land which lay in the bend of the river. At that time there was about a mile and a half of the ditch completed, and the water was running in it. From this it is obvious that he visited the place some time after Garrard left. He states that the ditch obtained its water from a point about two miles above the old adobe house at a slate bluff about one-half mile above Fisher's Crossing. Jones continued on his way to Bent's Fort, and as appears from his deposition, in the following July met Hatcher on the road above Bent's Fort on the Arkansas River. Hatcher told Jones that the Indians had come and first stolen his horses and mules and ordered him off, but he would not go. Later they came back and killed his cattle and told him they would kill him if he did not go, that the country was theirs and no-

body should settle it. The Indians killed all of Hatcher's cattle except three head, and he fixed up a cart with the "four" (fore) wheels of a wagon and came into Bent's Fort.

Thus ended, for a time, the first farming operations on the Purgatoire River. Jones, in his deposition heretofore referred to, further states that he was on this same land again in 1854 and 1855. That at the time of that visit "the ditch was plain and the corn hills and rotten stubs could be seen all over the fields that Hatcher used to farm in 1847."

The next occupation of the Hatcher farm was apparently in 1862 or 1863. One William B. Walker testified in the adjudication proceedings hereinabove referred to that he went to the old Hatcher farm with other parties in 1862 or 1863, and "marked off and took up lands at the old Hatcher place at a cabin which was very old. There was a ditch near the cabin and it ran around the base of the hill on which the old adobe house now (August 6, 1885) stands. The land shows that it had been farmed and the ditch that it had been used to water the land. I was acquainted with John Hatcher, the reputed owner of this land." Walker's deposition does not state whether or not he and his associates made any effort to reopen or use the old ditch.

In the early summer of 1865, however, one J. W. Lewelling settled upon the land formerly farmed by Hatcher, and reopened the old Hatcher ditch and irrigated the lands originally farmed and irrigated by Hatcher. The use of the ditch and the lands irrigated thereby continued through Lewelling and his successors in interest and title.

On September 29, 1881, S. W. DeBusk, then the owner of the Lewelling or Hatcher lands, filed a petition in the District Court of Las Animas, Colorado, asking that an adjudication of priorities of right to the use of water in Water District No. 19 be had, and particularly that the rights of the ditch designated in the petition as the Lewelling Ditch be awarded.⁷ This was the initial step in the adjudication of the water rights on the Purgatoire, or Las Animas River. In response to that petition Judge Caldwell Yeaman, then the presiding judge of that court, now deceased, appointed the late E. J. Hubbard, a member of the bar of Las Animas County, as referee to take testimony and submit a report. On a hearing had before the referee on February 28, 1882, the location of the headgate of the Lewelling ditch, the date of the opening up of the ditch by Lewelling—June 1, 1865—

⁷ See verified petition and statement of claim filed in the above adjudication proceedings on September 29, 1881 (Exhibit B).

⁶ In 1857 Kit Carson and William A. Bransford testified that they visited the ranch in the spring of 1847 and witnessed the farming operations being conducted there. See L. R. Hafen, "Mexican Land Grants in Colorado," in the *Colorado Magazine*, IV: 88.

the acreage irrigated thereby, and the continued use thereafter were all established.⁸

Later, and on March 6, 1886, the said S. W. DeBusk signed a supplemental verified claim as to the Lewelling Ditch, making claim that this ditch was identical with the original Hatcher Ditch and praying that a priority be awarded to said Lewelling Ditch as of the date of the original construction by Hatcher, in September or October, 1846.⁹

At the hearing before said referee in support of this claim, the depositions of Jones and Walker and others hereinabove referred to were taken and each of them testified that the Lewelling Ditch as now in use was identical as to its points of diversion and physical construction, with the Hatcher Ditch, and that the lands then and theretofore, since June 1, 1865, irrigated from the Lewelling Ditch, were the same lands originally cultivated and irrigated by Hatcher. In this proceeding S. W. DeBusk gave similar testimony.¹⁰

Maps and engineering testimony introduced in this hearing located by section numbers the point of diversion and the course of the ditch and the lands irrigated thereby, which are hereinbefore given.

Later on in this proceeding the trial judge (Judge Yeaman) denied the prayer of the owner of the Lewelling Ditch to have its priority dated back to the fall of 1846, upon the grounds that the testimony showed that while the Lewelling Ditch was identical with the Hatcher Ditch in all respects, nevertheless there had been an abandonment of the original ditch from July, 1847, until the reopening thereof by Lewelling on June 1, 1865; that there was no privity of interest in either the lands or water rights between Hatcher and Lewelling, and that therefore Lewelling had merely initiated an appropriation as of the date of his reopening the old ditch and he was only entitled to a priority as of that date.

Before the final decree was entered in the adjudication proceedings, and on October 21, 1886, the then owners of the Lewelling Ditch consolidated this ditch and the water rights thereto belonging with a ditch known as the McCormick Ditch, located on the south side of the Purgatoire River, a mile or so above the headgate of the Lewelling Ditch. The original construction

⁸ See depositions of Jackson, Malone, DeBusk and others taken on Feb. 28, 1882, and on file with the Clerk of the District Court of Las Animas County (Exhibits D, E and G).

⁹ Verified supplemental statement of claim by S. W. DeBusk on file in the above adjudication proceedings with the Clerk of the District Court, Las Animas County (Exhibit C).

¹⁰ Deposition of S. W. DeBusk taken before referee in said proceeding and on file with the Clerk of the District Court of Las Animas County (Exhibit G).

of the McCormick Ditch was begun on January 1, 1864. A joint headgate was constructed for the consolidated ditches, located at or very near the northwestern corner of the southwest quarter of the northwest quarter of section 17, township 32 S., range 61 W., about a mile and a half above the headgate of the old Hatcher or Lewelling Ditch. A new and larger ditch was constructed from that point down to a point on the old Hatcher Ditch a little less than one-half mile below the original headgate of the latter ditch. From that point on throughout its course the old Hatcher Ditch was enlarged down to a point very near its terminus, where the old ditch turned abruptly to divert its return water into the river. From that point the Consolidated Ditch was extended, as enlarged, some three or four miles and new lands brought under irrigation.

In the final decree the Consolidated Ditch, under the name of "The Lewelling-McCormick Consolidated Ditch," was awarded three separate priorities, as follows:

Las Animas River Priority 13 for 5 cu. ft. of water per second, as of date January 1, 1864, the time of the original construction of the McCormick Ditch; Las Animas River Priority 18, for 4 cu. ft. water per second, as of date June 1, 1865, the time of the reopening of the Hatcher Ditch by Lewelling; Las Animas River Priority 52, for 10 cu. ft. per second, as of October 21, 1886, the time of the enlargement and extension of the Consolidated Ditch.¹¹

While technically the trial court was probably correct in awarding the Lewelling Ditch its priority of date June 1, 1865, nevertheless it has always seemed to me that in view of the identity of the Lewelling Ditch with the Hatcher Ditch, it might have been, without too flagrant a violation of the rules of construction, awarded Las Animas River Priority No. 1, as of date approximately October 1, 1846. If this had been done it would at least have made a permanent record to commemorate what was doubtless the first permanently successful effort in this state to reclaim arid land by irrigation. The purpose and effect of this pioneer movement in Colorado have survived to this date and would seem to be worthy of a wider recognition than has thus far been accorded.

¹¹ Final decree of the District Court in the matter of the Adjudication Priorities of right to the use of water in Water District No. 19, entered August 10, 1903.

EXHIBIT A—STATEMENT OF CALVIN JONES BEFORE E. J. HUBBARD IN THE MATTER OF THE ADJUDICATION OF PRIORITIES OF RIGHT TO THE USE OF WATER IN WATER DISTRICT NO. 19, MADE MARCH 6, 1885, AT TRINIDAD, COLORADO.

Calvin Jones, sworn and examined, on his oath says: My name is Calvin Jones. Reside in the County of Las Animas, Colorado. Age 64 years. Post Office Alfalfa in said county. Am a farmer. I was acquainted with what is now Las Animas County in 1846-47, and have been familiar with it ever since. In those years, '46-'47, I was well acquainted with John Hatcher. In 1846, in September, I saw John Hatcher leave Taos with three wagons and sixteen yoke of oxen and twelve or fifteen men for the Las Animas River to make a settlement. In the spring of 1847 I saw Hatcher and these men on the Las Animas River. They were farming on lands now owned by S. W. DeBusk. The men were camped along the ditch in houses made of cottonwood logs. Hatcher himself lived on the north side of the river, opposite of the land he was farming. Some of the men lived with him. Some were planting corn. They had about sixty acres planted. It laid in a river bend. There was about one hundred and thirty acres under the ditch. Beside the land planted at that time there was about a mile and a half of the ditch completed and water running in it. The part not completed was plowed several furrows wide around the base of the hill, but at that time the ditch was not shoveled out. Several men were working on this part of the ditch. This ditch obtained its water from a point about two miles above the old adobe house at a slate bluff about a third of a mile above the Fisher's crossing on the south side of the Las Animas River. The ditch was about three feet on the bottom and four on the top and would carry eighteen inches of water, but at that time it had only about six or eight inches of water in it. It ran very swift and I estimated that it fell about ten feet to the mile. It ran to a southeast course, nearly the same general course as the river. It returned the waste water to the Las Animas River at a point about two hundred and fifty yards east of the houses. The ditch at that date was built by peon labor and would cost about one hundred and fifty dollars (\$150.00). A peon at that time could be hired for about eight dollars (\$8.00) per month. In the month of July, 1847, I met Mr. Hatcher on the road about Bent's Fort on the Arkansas River. He passed me on the Greenhorn. He told me the Indians had killed all his cattle but three head and he had fixed up a cart with the four wheels of a wagon. They had first

stolen his horses and mules, then came and ordered him off but he did not go. That they came back and killed his cattle and told him that they would kill him if he did not go off. That the country was theirs and nobody should settle in it. I was on this land in 1854 and 1855. The ditch was plain but the corn hills and rotten stubs could be seen all over the fields that Hatcher used to farm in A. D. 1847. This man, John Hatcher, is the man mentioned in a history of Las Animas County, written by Dr. Beshoar as the first settler in said county. Hatcher derived his claim to this land from St. Vrain, who furnished him with cattle, mules and tools to take out this ditch and farm this land. I am familiar with the present Lewelling Ditch, which took its water from the same point where the Hatcher Ditch took its supply of water and followed the line of the Hatcher Ditch. I have known the Lewelling Ditch as having been in constant use since 1866, and I know the Lewelling Ditch to be the successor to the Hatcher Ditch.

His
(Signed) CALVIN (X) JONES
Mark.

In the presence of E. J. Hubbard.

EXHIBIT B—EXCERPT FROM VERIFIED PETITION AND STATEMENT OF CLAIM FILED BEFORE E. J. HUBBARD, REFEREE, SEPTEMBER 29, 1881, BY S. W. DE BUSK.

The Lewelling Ditch takes its beginning on the south bank of the Purgatoire or Las Animas River in Precinct No. 8, County of Las Animas, and one-fourth of a mile or thereabouts above the ford of the river known as Fisher Crossing. It was constructed in 1865 by J. W. Lewelling and has been in continuous use ever since.

EXHIBIT C—VERIFIED SUPPLEMENTAL STATEMENT FILED ON MARCH 6, 1886, BY S. W. DE BUSK.

This ditch was begun in the fall of 1846 and completed in May, 1847.

The headgate or beginning point of the said John Hatcher Ditch was at a point immediately at or very near the west boundary line of the Fisher claim or ranch or grant of land in the SW $\frac{1}{4}$ of section 16, township 32, south, range 61. It returns its water to the river in the NE $\frac{1}{4}$ of section 28, township 32, south, range 61, at east spur of hill on which the old adobe dwelling house stands.

The length is about two miles; width four feet on top and three feet on bottom.

There is about 200 acres of land under said ditch, 60 acres of which, being mostly in the E $\frac{1}{2}$, SE $\frac{1}{4}$ of section 21, township 32, south, range 61, west, were plowed and planted to corn and irrigated by Hatcher in 1847.

In July, 1847, the Indians drove Hatcher off and the ditch remained abandoned until 1865. In 1865 J. W. Lewelling reopened the Hatcher Ditch, taking water from same point in the SW $\frac{1}{4}$ of section 16, at or very near the west or upper line of the Fisher Ranch. S. W. DeBusk cultivates same 60 acres originally cultivated and irrigated from the John Hatcher Ditch.

EXHIBIT D—EXCERPT FROM TESTIMONY OF JOHN JACKSON BEFORE E. J. HUBBARD, REFEREE, GIVEN ON FEBRUARY 28, 1882.

I think the Lewelling Ditch was built in the spring of 1865. It was taken out about a half mile above the Fisher Crossing of the Purgatoire River.

EXHIBIT E—TESTIMONY OF DOLPHUS MALONE GIVEN BEFORE E. J. HUBBARD, REFEREE, ON FEBRUARY 28, 1882.

The Lewelling Ditch was taken out on the south bank of the Purgatoire River in the spring or summer of 1865. The headgate is at the foot of a slate rock about one-half mile above Fisher Crossing.

EXHIBIT F—STATEMENT OF WITNESS WILLIAM B. WALKER BEFORE E. J. HUBBARD IN AUGUST, 1885.

My name is William B. Walker. I reside in Las Animas County, Colorado. My age is 57 years. I first knew the Lewelling or Hatcher Farm in 1862 or 1863. I went down there with other parties to take up land. We marked off and took up lands at the old Hatcher place at a cabin which was very old. There was a ditch near the cabin and it ran around the base of the hill on which the old adobe house now stands. The land showed that it had been farmed and the ditch showed that it had been used to water the land. I was acquainted with John Hatcher, the reputed owner of this land, and this is the same Hatcher mentioned in the book written by Dr. Beshoar, entitled: "All About Trinidad and Las Animas County."

WILLIAM B. WALKER.

EXHIBIT G—STATEMENT OF S. W. DE BUSK BEFORE E. J. HUBBARD ON AUGUST 6, 1885.

My name is S. W. DeBusk. I reside in the County of Las Animas, State of Colorado. My post office address is Alfalfa, Colorado. I am a joint owner in the Lewelling Ditch in Water District No. 19 of Colorado. My name was attached to the bill originally in the Lewelling Ditch and to the bill supplemental now on file before this referee. I am the owner of the land originally cultivated and claimed by John Hatcher. My present interest in the Lewelling Ditch is to my knowledge and belief the original water right appropriated by John Hatcher in the years 1846 and 1847. I am now cultivating the same land universally said to be the same he cultivated in those years, and I now water these lands by using the same channel or ditch used by said John Hatcher. The numbers of the lands watered by the original Hatcher Ditch is nearly all of the E $\frac{1}{2}$ SE $\frac{1}{4}$ of section 21, township 32, south, range 61 west.

S. W. DE BUSK.

Del Norte—Its Past and Present

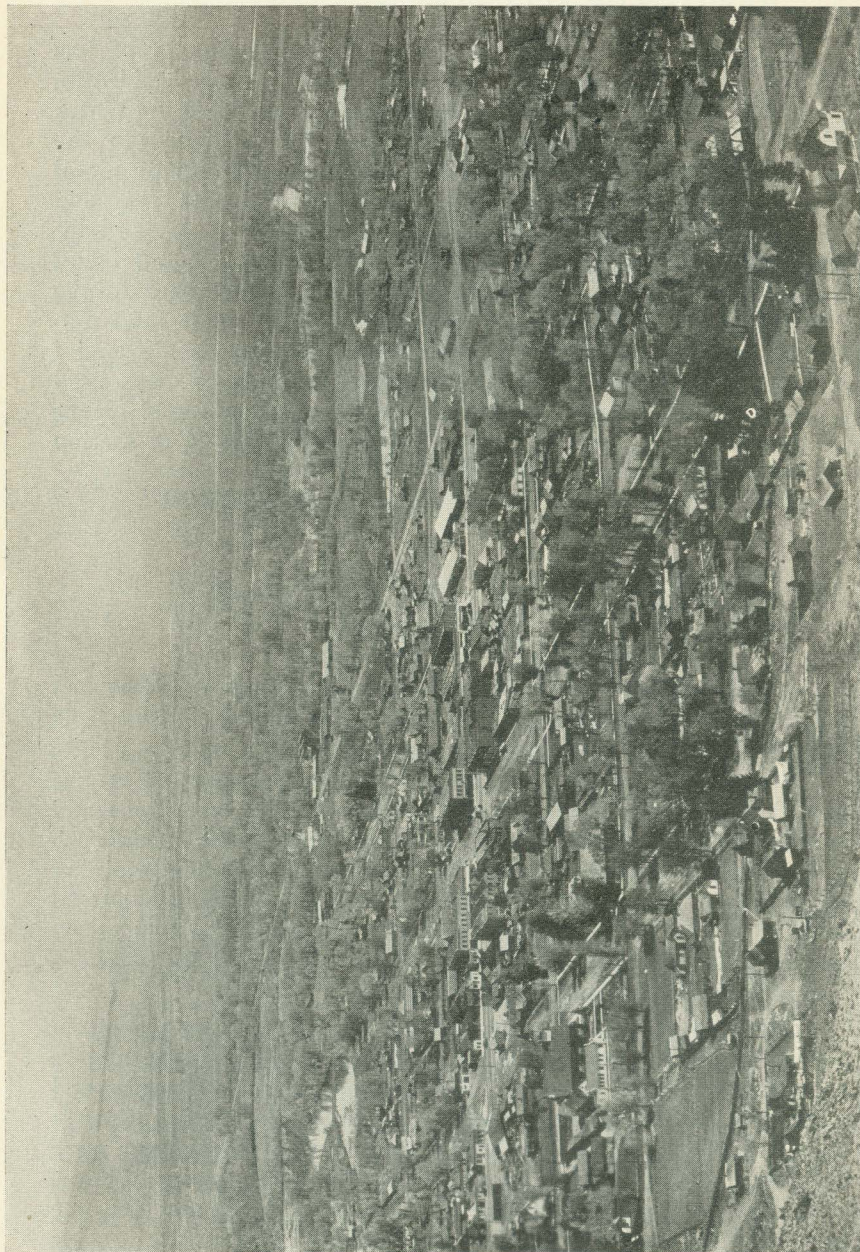
By Fred Espinosa*

All the romance of a great Southwest, Spanish cavaliers, and the enigma of frontier life have been in the inborn spirit of the history of Del Norte.

The scenery of the mighty Colorado Rockies, abetted by the melodious and euphonious Spanish names of our mountains and valleys, here gives full play to its unrivaled beauty. Amid such a wonderfully beautiful setting, the nucleus of the richest mining section of a "Golden San Juan," and an equally rich agricultural district of the San Luis Valley, it has nurtured its own story, inspiring the hearts and souls of a conquering race to the tragedies and triumphs of an advancing civilization.

There is evidence of Spanish explorations in the San Juan region by the followers of Juan de Onate. Although there were no settlements by civilized men during the seventeenth and eighteenth centuries in this section of the state, it was directly under Spanish rule and influence, and various expeditions were sent into it during these two centuries. The best known of these were the Dominguez-Escalante expedition of 1776, and the one headed by Juan Bautista de Anza, in 1779.

*Fred Espinosa is a student in the Del Norte High School. His essay was awarded third prize in our recent Historical Essay Contest.—Ed.



VIEW OF DEL NORTE (1938)

Then at the beginning of the nineteenth century came the momentous Louisiana Purchase of 1803. Among the men sent out by the government to explore this territory was Zebulon Pike. In 1807, as he crossed the Sangre de Cristo range in search of the Red river of the north, he beheld what he justly termed "the most sublime and beautiful prospects ever presented to the eye of man,"¹ the headwaters of the Rio Grande. But Pike did not remain for long, for this was still Spanish domain and in 1821 became a part of the Republic of Mexico.

Hunting new domains and public lands beyond the outposts of the old Mexican land grants in the lower valley, the early pioneers pushed their way up into the western San Luis Valley. There were already several Mexican and Indian laborers and farmers in and around the site of Del Norte at the time, cultivating their fields and tending their small herds in their old accustomed ways of old Mexico, but this new influx of Anglo-Americans is directly responsible for the higher development of recent years, and the founding and existence of Del Norte.

This brings us to the story of Del Norte, to the drama of a "gold rush town" and its varied characters and characteristics. Although primarily a "gold rush" town, it is not the usual town of this type, in that it has not degenerated with the mineral deposits which once made it famous, as other towns of this type have, and usually do.

The first discovery of gold in this section of the San Juan range occurred in 1860. Charles Baker was the first white man to discover gold in the Summitville district, and to actually prove his discovery. And then in 1870 gold was again discovered in Summitville, this time at the Little Annie and the Marguerite mines, and their discovery is directly responsible for the founding of Del Norte.²

In the spring of 1871 the few Anglo-Americans in this part of the valley called a meeting for the purpose of organizing a town development company. They realized the great importance of a "Gateway to the Golden San Juan" and proposed to build their future city on the road to Summitville. The directors and promoters of the newly organized company finally decided on the Gredig ranch on the banks of the Rio Grande for a town-site, and gave it the name of Del Norte. By fall of that year they had surveyed their town and seventeen or eighteen cabins were to be seen on the site of Del Norte, the promoters having offered stock to those who should build before the ensuing year. The

¹ Pike's Journal.

² Data from Mrs. L. M. White.

following spring activities were again resumed. In contrast to the usual "gold rush" towns, Del Norte's buildings were permanent and impressive structures from the earliest years. By mid-summer of 1872 it was a full-fledged frontier town with all the necessary ruffians and gold.

Up to this time Del Norte had been in Conejos county, but with a rapidly growing population (Del Norte had spread on both sides of the river, and was divided into the three little hamlets, Del Norte, West Del Norte, and Loma) a movement was now started to organize a new county in this part of the valley with Del Norte as its county seat. For this purpose the San Juan Publishing Company was organized, and on February 7, 1874, the first number of the *San Juan Prospector* was issued. It has the honor of being the oldest newspaper in this section of the state. It has been published continuously for fifty-four years and has good prospects of as long a future. That same spring the efforts of the worthy organizers of Rio Grande county rounded into form and on April 13, 1874, the first county election was held in Del Norte, county seat of the new county.³

By this time Del Norte was a fair-sized city of nearly two thousand inhabitants. Work was plentiful and very well paid. Several hundred farmers and stockmen in the vicinity of Del Norte were taking full advantage of the natural agricultural and live-stock raising facilities of the county. Summitville's gold boom was on in full swing. Del Norte was and still is the gateway to these vast mineral deposits. A new snowshoe and ski trail had been completed from Del Norte to Baker's Park. Silverton, Platoro, and Lake City all used Del Norte as a business, social and financial center and base of supplies. Del Norte received its mail three times a week from Pueblo, and communicated with the rest of the San Juan through the interminable train of ox-freighters, who freighted from Del Norte to Silverton and Lake City.⁴ This gave the business life of Del Norte an added impetus, which reached its greatest and highest point when the Durango & Silverton railroad was built.

About this time the San Luis bank was established in Del Norte by E. T. Elliot & Company, which was probably Del Norte's first bank. Business increased by leaps, and on February 23, 1875, the United States Land Office, authorized by Congress in its previous session, opened for business in Del Norte. On the same date, Del Norte's first large and modern hotel was opened for business, as the Whitsit Hotel. It is still standing and is known as the Spanish Trail Inn. In 1876 the Daniels-Brown

³ San Juan Prospector files.

⁴ Data from J. D. Espinosa, early pioneer.

company of Denver established the Bank of the San Juan, with Dan McNeil as president and cashier. The bank was run for only two years, and then moved to Alamosa when the railroad route was changed.

At about this time Del Norte, with West Del Norte as an ally, was threatening Loma's right to exist. Neither town could make a practical bridge and road across the river, and, as the mining booms were the chief source of revenue, they must have a good road to the mines, from either Del Norte or Loma, whichever town the miners would patronize. So they held a meeting and decided that the first town to build a road on their respective side of the river to Wagon Wheel Gap and thence on to Silverton, would have the other's permission and help to exist. All worked furiously, but Del Norte had the longer pocketbook and finished the road first, by the very short distance of three miles. True to promise, Loma began moving into Del Norte, which was no simple task, for they had nearly four hundred homes, a flour mill, a saw mill, and many other buildings of which there is no trace now. In fact, the only relics now left of the town of Loma are a tree and the old Loma town well.⁵

The next few years were the wild and hectic days of frontier life. Many notorious as well as worthy characters were making life interesting in Del Norte during these years. At this time the Hon. Tom Bowen, ex-soldier, statesman, politician, lawyer, and pioneer miner, first comes into the active life of the community. He is one of the great characters in the history of Colorado. He made and lost several fortunes in Colorado in the hope of developing the mining industry in the state to its rightful and distinctive position, which it may yet reach. It was he who developed the Little Annie mine, and other Summitville lodes, the Creede mines in the heyday of their existence, and many other holdings outside of the valley.

Among the noted Indian fighters, scouts and pathfinders, who made Del Norte their home during these years, were Col. Pfeiffer, and Ex-Indian Agent Stollesteimer. Among the notorious characters were: the Le Roy brothers, "Soapy" Smith, Bob Ford, and many others too numerous to mention here. The best known men were perhaps Col. Pfeiffer, Stollesteimer, and Alva Adams, three times governor of Colorado.

In 1881 the Denver & Rio Grande railroad was extended into Del Norte from Alamosa, principally to accommodate the Summitville people. According to a recent estimate, during the first three months of the existence of this railroad, over \$300,000.00

⁵ A. R. Myers, early settler of Del Norte.

in gold ores was shipped from Summitville via Del Norte over the Denver & Rio Grande's tracks. And millions more have been shipped from there since. In 1891 the railroad was extended into Creede, where another rich mineral district was discovered about that time.

The importance to Del Norte of this discovery lies in the fact that it was financed and discovered by Del Norte men. Little did Granger and Brudenbrock realize at the time that the little slab of bacon and sack of flour which they so grudgingly offered the two gray-haired prospectors as a grubstake would net them several thousand dollars within a few days. But such is actually the case, and so rich were the ores of the "Last Chance" mine as to warrant the extension of a branch of the Denver & Rio Grande from Del Norte to the newly discovered bonanza.⁶

In 1883 the Presbyterian College of the southwest was founded and endowed in Del Norte by the synod of Colorado. A few years later they built an observatory on Mt. Lookout at a cost of nearly \$3,000.00. Geo. M. Darley was among the first educators in this school, and might well have the honor of founding the institution. Education was naturally one of the prime institutions of the town and therefore the college was considered a great asset.⁷ The old schools have been replaced by newer ones and new methods until today Del Norte has one of the finest and best equipped schools in the southwestern part of Colorado. Although the college no longer exists, the educational life of the community is by no means dormant on this account. In fact, Del Norte's schools have turned out some of the most brilliant men of the state, as well as the country. Everywhere we find leaders in every branch of human activity who received their early education in Del Norte. In passing I might merely mention, Dr. A. M. Espinosa, of Leland Stanford University; President Rightmeyer, of the University of Ohio, and John W. Wilson, United States attorney for the state of New Mexico.

During the same year the Rio Grande Irrigation canal was built at a cost of nearly \$300,000.00. It is one of the largest projects of its kind in the United States and is calculated to irrigate 200,000 acres. One of the most wonderful things about this project is that it was surveyed and completed within four months, a very short time for so great an undertaking. This naturally marks the beginning of a new epoch in the agricultural life of Del Norte in particular, and the valley in general, for other projects of this kind have been launched and successfully completed within recent

years. The one of most importance to Del Norte is the Del Norte Irrigation District's canal, which has recently been completed above Del Norte.

In 1896 Del Norte installed its first city water system, with water piped from the Rio Grande river. About ten years later a new pipe line was put in and Del Norte's present city water supply comes from Pinos Creek. Hence, Del Norte has one of the finest and most sanitary and healthful city water systems in the state.

At the beginning of the twentieth century Del Norte had greatly developed its religious, social, and economic institutions. It has several churches and religious organizations, as well as many fraternal societies. The King's Daughters have a large club room of their own and it is under their auspices that the Del Norte public library has been so successfully managed. The Masons are at the present time erecting a large and impressive structure for a lodge home. There are many other similar organizations, which, while they do not own their own club rooms, have a large membership and regular attendance at their club meetings.

The St. Joseph's hospital in Del Norte is one of the largest and best equipped institutions of its kind in the valley. It is under the efficient management of the Sisters of St. Joseph. Del Norte also has a large and efficient business section in which are represented nearly all branches of retail merchandising.

Del Norte now has two banks, the Bank of Del Norte, and the Rio Grande State Bank, both of which report that the deposits in their respective banks are the highest that they have ever been in the history of Del Norte, and of their own respective histories, thus corroborating previous statements as to the general prosperity of this community.

The Del Norte farming district was and still is one of the most fertile and productive semi-arid regions in the United States. R. A. Chisholm broke, and still holds, the world's record for the production of potatoes on one of the Del Norte farms. His record still stands unchallenged as 847½ bushels of potatoes per acre. Live-stock raising is also one of our principal industries. From a financial standpoint, the sheep industry is perhaps the most important branch of this industry at the present time. Dairying has also been carried on very successfully within recent years. So successful, in fact, that a new, modern cheese and butter factory has been installed in Del Norte, thus providing a home market for our local dairymen.

One of our newest industries has been introduced within the last seven years in the form of truck gardening, especially the

⁶ Information from E. Underwood.

⁷ Geo. M. Darley's scrap-book.

higher altitude vegetables, such as head lettuce and garden peas. In fact, it was a great boon and perhaps the salvation of diversified farming, immediately after the post-war slump.

Although some enormously rich gold ore has again been discovered in Summitville by "Jack" Pickens, and mining as an industry is enjoying a long-hoped-for revival, the Little Annie lode is the only important discovery around Del Norte in recent years. Some very promising prospects have been discovered in the Embargo district, but so far none can challenge the \$65,000.00 ores of Summitville.

Since the rediscovery of gold in this old mining camp, in the summer of 1926, the stream of gold that continues to flow into the coffers of these fortunate Del Norters lures the attention of a Golden West to the elusive portals of this billion-dollar mineral deposit, and to our own dear little Del Norte.

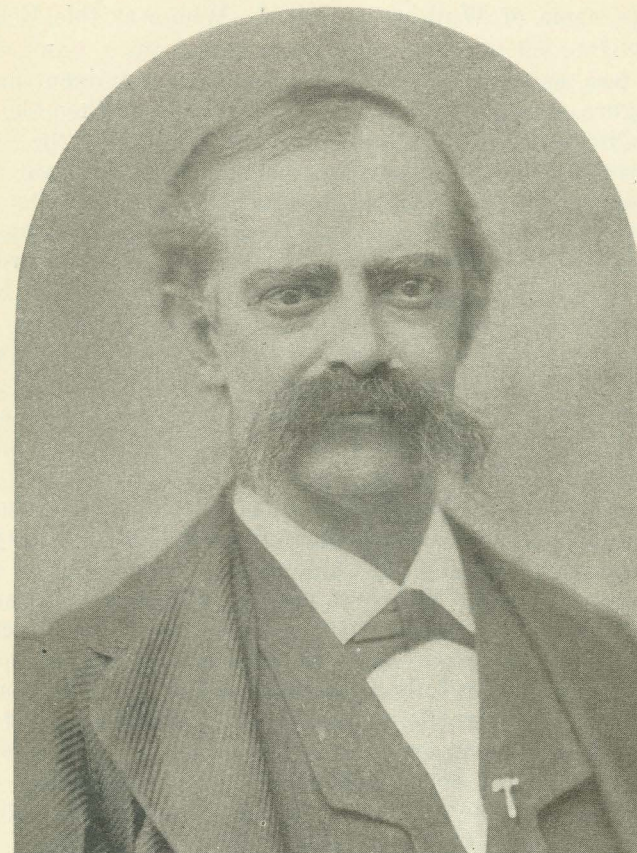
"Sniktau," Pioneer Journalist

By Frances Higgins*

With neither pomp nor publicity but with a modesty strictly in keeping with the "Sniktau" tradition, Mount Sniktau has taken its place among the monarchs of the Front Range of the Colorado Rockies. This peak of Clear Creek County, Colorado, near neighbor of the renowned Grays and Torreys of the Continental Divide, which it approaches in magnitude and elevation and resembles in many alpine features, has been known in the past, both locally and officially, as Big Professor, a name having reference to Dr. Engelmann, the eminent North American botanist of the last century. It now bears the Indian nom de plume of E. H. N. Patterson, a pioneer journalist of the state.

This change in nomenclature, recently approved by the United States Geographic Board, was proposed by the late Mr. Bethel, being subsequently endorsed by the Colorado Geographic Board and the Colorado Mountain Club. There was no insult intended to Dr. Engelmann, whose name was known to be safely and even more fittingly perpetuated throughout the alpine regions of the state by the beautiful Engelmann spruce; but rather an honor to the memory of a man who was equally deserving of a place in the Colorado sun—beside the pioneers, explorers, statesmen, botanists and artists, whose names now adorn the peaks of first and second magnitude. In this the many admirers of "Sniktau" naturally concur.

* Miss Higgins has written various magazine articles, most of which are upon literary and historical subjects.—Ed.



E. H. N. PATTERSON ("SNIKTAU")

Indeed, that the action is both appropriate and timely will hardly be questioned by anyone. Not only is the new name more euphonious than the old, but it is of native origin, thus satisfying at once two tenets of the modern creed of nomenclature. As for the always-to-be-desired personal element, there is the grave of "Sniktau" in the shadow, as it were, of the vast cloud-piercing peak, where he has slept for nearly fifty years while his pioneer printing office has crumbled to dust, and legends have gathered about his name and the origin thereof. Surely no time could be more opportune for honors, for restationing, for reminiscences even, than this, the centenary of his birth.

Who was this "Sniktau," whom reporters of the present day sometimes misspell Sniktaw and ignorantly fancy to be the com-

monplace name of Watkins reversed? Who was this E. H. N. Patterson?

He was, as has been said, a journalist, a prominent and beloved figure among Colorado's territorial sons. When the news of gold discoveries in the Pikes Peak region startled "the States" in the winter of 1858-1859, he was engaged with his father, Col. J. B. Patterson, in publishing *The Oquawka Spectator*, at Oquawka, Illinois. In fact, he had been so engaged for ten years and had proved himself to be a journalist of more than ordinary ability. But he knew the life of the prospector as well, having been numbered, young as he was, among the California Argonauts, and in their company earned the sobriquet of "Sniktau," meaning "equal to any emergency." A second time he succumbed to the lure of gold. Organizing a party of Oquawka gold-seekers he joined the vanguard of the Pikes Peak emigration in the spring of '59.

As co-partner in "the best wagon and team—three yoke of oxen and one yoke of cows—in the outfit," he walked every step of the way to the gold fields, following the northernmost route, which happened to be the route of the California Argonauts as well and that of the Mormons before them. Across the vast unbroken prairies of Iowa and Nebraska the young prospector-journalist passed, carefully recording the details of his journey, the condition of the roads, the scarcity of feed and similar items of interest in his camp-fire diary (now a treasured possession of the State Historical Society of Colorado), and regularly transmitting them to *The Oquawka Spectator* in which they filled some forty columns that memorable spring.

When the first issue of *The Rocky Mountain News* appeared on Saturday, April 23, 1859, with no other address than Cherry Creek, K. T., and with due apologies for the scarcity of news, local and foreign, having gone to press within three days after the arrival of the editors, "Sniktau" was encamped with his party at Council Bluffs and preparing for the long ascent of the Platte Valley. As the embryo mining metropolis grew in numbers and importance and took on the dignity of a name, the prospector-journalist from Oquawka was making his way past straggling prairie towns, through the spring slush and mud and the troublesome sloughs toward "the goal of his golden anticipations." This being the so-called North Park, which was reached via the pass opening from the Laramie plains, it was not until August 1, that he arrived in Denver.

Strange to say, his debut in the lusty young city was made neither as a prospector nor as a journalist but as a law-maker.

And this was the way of it: Having reached the diggings known as Left Hand in the course of his prospecting in the north, he was recognized by his comrades as a superior in intellect and experience, though in reality the junior of many of them. He was, accordingly, requested to represent them in the Constitutional Convention being assembled to frame the laws for the future "State of Jefferson." Whereupon he promptly laid aside his pick and pan, even as Cincinnatus his plow, and walked down to Denver to serve the remote precinct to the best of his ability.

The State of Jefferson was no more than an abortive dream, but the convention was "Sniktau's" introduction to the press of the region then represented by the aforesaid *Rocky Mountain News* of Denver and *The Western Mountaineer* of Golden. That his introduction to the readers of these pioneer papers followed speedily thereafter is not at all surprising. He was just the kind of a special correspondent that pioneer editors desired—a trained and accurate observer whose interests were widely varied, a trained and fluent writer whose prose was always graced by the common touch. Soon his interesting and chatty letters were appearing in both papers, and his Indian nom de plume becoming a household word in the territory. The record output of a gold mine, the prophecy of a silver boom, the celebration of Independence Day in a remote diggings, the beginnings of agriculture, the christening of a mountain peak, the grandeur of the scenery, the amenity of the climate—these were his themes as he passed from diggings to diggings, from North Park to South Park, prospecting en route.

His affection for the scenic mountain region that was to inspire the brushes of Bierstadt and Moran, and, moreover, to prove a lure for the leading botanists of the country was as genuine as it was obvious. That he should make his home permanently in the state seemed inevitable. For a few years he divided his interest between the old love and the new, but at length he disposed of his interest in *The Oquawka Spectator* and settled in Georgetown as editor and proprietor of *The Colorado Miner*. It is needless to say that he was welcomed by the press of the region as an old friend and soon recognized everywhere as one of its worthiest exponents. Few editors of that golden age of journalism were better known or more generally loved, few more sincerely mourned at passing.

The Miner under his regime was a journal deserving of the highest praise, a journal whose yellowed and dusty files may be exhibited with pride today. The best of our contemporary newspapers are not more constructive in policy nor more free

from the stigma of personal journalism and provincialism. Its mining reports were an unquestioned authority; its literary features were far beyond comparison with present day syndicated offerings. "Sniktau's" own contributions included editorials, travel sketches, letters, sermonettes, and verse of a high order. That this journal of the Far West was on sale at the Centennial Exposition at Philadelphia and also in New York bespeaks its place in the world of the seventies. Denver with its *News, Tribune*, and *Republican* had nothing to surpass it; indeed, looked upon it as their equal so long as "Sniktau" reigned.

As an ardent lover of Colorado for twenty years and as one of the noblest of its pioneer journalists, "Sniktau's" claim to statewide fame is unquestioned, unchallenged. His title to a conspicuous place in its high mountain roster is as clear as that of Evans and Elbert, the pioneer statesmen; of Kit Carson, Pike and Long, the explorers; of Gray, Torrey, Parry, James and Audubon, the scientists; of Wilson, the surveyor; of Kelso, the prospector; of Bierstadt, the artist, and his wife, Rosalie; of Antero, Ouray and Shavano, the heroic Utes; of a score of others equally familiar.

All that has been related, however, is but the half of "Sniktau's" claim and story, the more familiar half. There is another chapter in his life, closed long before his advent in Colorado and there known only to the fortunate few, that even more firmly establishes his title to the late honor. That the young prospector-journalist from Oquawka, who came, saw, and conquered in the days of Colorado's beginning and remained to encourage the progress toward statehood and to share the benefits thereof, was not of the common caliber his career plainly proved. There was no need to inquire into his past, even if such procedure had been in accord with the pioneer code; and the modest man made no revelations. How, then, should Colorado know that he was a son whom Virginia was proud to claim by reason of his birth and ancestry, and, moreover, by his association with the great litterateur, Edgar Allan Poe; or that Illinois pointed with pride to his adolescent aspirations? It would seem that the complete story was not known here until after his untimely passing at life's prime.

To students and lovers of Poe he is known as "the Mr. Patterson" and "the man from Oquawka," who was to have published Poe's dream magazine, *The Stylus*. The story of his correspondence with the brilliant litterateur and his plan for placing him at the head of a literary journal, national and even international in scope, is a most unique and precious chapter in

the annals of American literature—and therein lies his title to enduring fame. E. H. N. Patterson is a member of that peculiarly fortunate coterie which association with Poe had rendered immortal; he might well be reckoned as the companion figure of the pale-faced, mysterious printer lad of Boston whose name as publisher adorns the title-page of the now priceless "Tamerlane" of 1827; for Patterson was in truth but little older than Morse when he proposed the partnership with Poe, and his modesty has rendered him scarcely less mysterious.

Poe did not know, and neither did the scholars and critics for years to come, that his Oquawka correspondent, the prospective publisher of his dream journal, was his junior by almost twenty years, hardly more than a boy. He found no savor of immaturity in the letters. Unfortunately, the first of the series, written before young Patterson had attained his majority, has not been preserved with the rest of the correspondence. Its contents, however, may be surmised from Poe's reply which contains among other complimentary features this rare encomium: "In assuming 'originality' as the 'keystone of success' in such enterprises, you are right; and not only right, but, in yourself, almost 'original'—for there are none of our publishers who have the wit to perceive this vital truth. What the public seek in a magazine is *what they cannot elsewhere procure.*"

Beside such praise, the fact that Poe disapproved of certain items of his correspondent's "very flattering proposition" can hardly be said to signify. At any rate, he, the outstanding literary genius of the day, confessed that there had been a time when he would have agreed to all "unhesitatingly;" and though he could no longer favor anything but a high-priced magazine "addressed to the intellect—the higher classes—of the country (with reference, also, to a certain amount of foreign circulation)" he courteously and somewhat wistfully invited further correspondence on the subject.

His ardent admirer did not fail him. Moved by a vision of the magazine that "would exercise a literary and other influence never yet exercised in America," Oquawka's marvelous boy replied promptly and at length. The precious draft of his letter, dated May 7, 1849, now in the writer's possession, reveals his willingness to undertake and publish in his Oquawka office "a high-priced, and a correspondingly high-toned periodical, which would, without doubt, win a generous and extended patronage from a genius appreciating public." His plan, revised in accordance with the views of the experienced editor-to-be, is given in business-like detail, showing that the publisher-to-be knows what

he is about in spite of his years and enthusiasm. To Poe are assigned the tasks of selecting an appropriate name, of making out a list of contributors, of writing a prospectus, of securing the desired "one thousand" subscribers in advance, of making his own bargains for contributions; his own share in the venture is no less definitely defined.

Of surpassing interest is his irrepressible admiration for the great litterateur which colors the whole letter, blossoming at times into such a passage as: "Our literature is, just now, sadly deficient in the department of criticism. The Boston Reviewers are, generally, too much affected by local prejudices to give impartial criticisms; the Philadelphia Magazines have become merely monthly bulletins for booksellers; Willis does not, with his paper, succeed, even tolerably, as a critic; in fact, I seldom find any critique so nearly according with my own idea of the true aim and manner of criticism as were yours, while you had charge of that department in *Graham* and *Burton's*. I wish (and am not alone in the wish) to see you at the head of an influential periodical."

How the necessary compromises were effected, how the date of the first issue of the magazine-to-be was deferred from January, 1850, to June by the illness of Poe, how a conference of the partners in St. Louis was scheduled for the preceding October, the correspondence reveals. The intervening tragedy of Poe's death on October 7, 1849, which left young Patterson with the precious Poe letters, the title-page of his designing and the unspoiled dream, is beyond the scope of this article. All in all, it is a story unparalleled in our literature. Well may the states of Virginia, Illinois and Colorado boast of their marvelous boy, who was able to appreciate the genius of Poe as few of his elders and betters and who did not hesitate to offer the assistance which they had denied. Even those who believe with Lamb that "we should be modest for a modest man—as he is for himself," find no fault with the recent tribute embodied in Mount Sniktau.

It was Mr. Bethel's intention that the honor should be shared by "Sniktau's" two sons—Harry N., a botanist of national reputation, and Norman L., journalist and engineer, at whose passing March 6, 1928, the gifted family became extinct.

The Development of the Colorado Cattle Industry

By Robert Rowe *

"Uncle Dick" Wootton is said to have had the first cattle ranch in the upper Arkansas valley, in the early fifties, but the Indians drove him out. The cattle business began in a small way during the sixties, about the same time that it was at its height in Texas. Most people had the opinion that the country north of Texas was too cold for cattle raising, but that opinion was soon proved to be without foundation. The first cattle in Colorado were trailed in by freighting outfits. When the fact that cattle could be raised here became generally known cattle raising became more popular.

Eastern Colorado and the Arkansas valley were occupied first. The Platte valley and the places between came next. Sam Hartsel brought cattle into South Park one summer near the present site of the town of Hartsel, and found that it was good summer range. However, he gathered his cattle and took them to Pueblo during the winter. He was unable to find all of them when he left and, when he came back the next spring, they were located and were fatter than the stock he had wintered in the Arkansas valley. Cattle were soon introduced into South, Middle, and North Parks and into all high altitude ranges, where it was found that very good beef was produced.

The Texas Longhorns, or, as they were sometimes called, the "dogies" were the first cattle; but farsighted people soon introduced the Hereford, Polled Angus, and the Shorthorn. Although other breeds have been popular in some places, the Hereford has been the real leader since the beginning of the better cattle era in Colorado, especially since the herds have become smaller.

Some men owned a great many thousand head of cattle in the early days. John W. Iliff owned one of the largest herds in Colorado. Many cowboys were needed to handle these herds. They were recruited from Texas and the surrounding states. The Texans came into Colorado with the Texas cattle which were trailed in. The Chisholm trail, named for Jesse Chisholm, is the most famous of these trails. The cowboys who trailed in the cattle usually stayed as owners or cowhands. They were a wild, courageous lot. My father told me of a bronco-buster who was known for his inclinations to liven things up. One day while

* Robert Rowe is a senior in Guffey High School. His essay was awarded fourth prize in our Historical Essay Contest.—Ed.

several men were sitting around a sheet iron stove in a chuck wagon tent, Lee Swiester, as he called himself, came in and, taking the stove lid off, shook the contents of his forty-five into the fire. Then he "scattered." He wasn't the only one that "traveled quick and light" either.

There was another side of cowboy life. They had to work long hours and in all kinds of weather, for as little as twenty-five dollars a month. They worked under very dangerous conditions and took great risks which, of course, drew the young men to the cattle ranches. If a bunch of cowboys did celebrate a little riotously when they "got their cash and struck town," who had a better right to let loose? They lived hard, reckless lives and were not so particular about other people or their property but they valued their own necks just as cheaply, so that we can scarcely condemn them.

Cattle were a good investment from the beginning in the sixties, but they had their ups and downs as they do now. During one of the low periods in cattle prices, about 1906, a large herd was sold for twelve dollars a head with the calves thrown in. These cattle had Hereford blood in them and were sold very cheaply, because the same kind of cattle sold for sixty or seventy dollars a very few years later.

During the earlier years of the industry, spring and fall roundups took care of branding and beef shipping. In later days when cattle were watched more closely, and calves were weaned "by hand" instead of by their mothers, the fall roundups grew to be more important. Calves, beef, and old cows were gathered and mavericks branded. The name "maverick" as applied to unbranded animals is a rather interesting survival of Texan cattle days. Maverick was a Texan who claimed all unbranded cattle for his own. However, that system was too easy for the rustlers.

The old roundup was a picturesque affair. The procedure was interesting and the actors fascinating. Men came long distances and brought a sufficient number of horses to have two or three horses for each day's ride. The remaining cavvy, as these horses were called, had to be herded or hobbled. On the first night out, the horses sometimes traveled as much as ten miles when they were just hobbled in front. Those that could travel the best with hobbles had to be side hobbled or herded. Rope hobbles were used about as much as leather hobbles because they were cheaper and more easily obtained. A horse that was impossible to catch without being roped was often easy to hobble or to take the hobbles off. A man that was on to his game,

could crawl around among a bunch of horses and take all of the hobbles off very easily if he didn't rise up. When horses were to be caught, a sort of corral of picket ropes was made into which the horses were driven. Then every man roped, and tried to ride his horse. These roundups covered a large territory, and continued to move on. They lasted all summer and fall, because the territory to be covered was so large.

I saw an article in the Kansas City Star last November that stated that Black Hills ranchers were offering a reward of five hundred dollars for evidence against cattle rustlers, two hundred and fifty dollars for the same against horse rustlers, and one hundred and twenty-five dollars for evidence against sheep thieves. This article furnishes a rather striking contrast to treatment given similar offenders in earlier times. When a horse was stolen in Fairplay, the owner tracked the thief south to within about twenty miles of Canon City where he overtook and shot him. This act received the sanction of the whole community. Another time some cattlemen hanged a rustler, boarded a train at Salida, and didn't get off until they reached Pueblo. During the time the train was in Canon City, one of their number, a very small man, is said to have crawled under the seat. The act of hanging the man, and the lynchers' getaway, was merely regarded as a humorous incident by both officers and stockmen. However, such measures were necessary because the law was not a very sure thing in the more remote districts. The law of the strongest or the quickest "on the draw" prevailed. Gun toting was quite the usual thing until about twenty years ago. In some sections of Colorado, today, it is not unusual to see guns carried on saddles.

A cowboy's outfit has changed a great deal since 1880. Tapaderos are practically extinct except on show saddles. Chaps are not nearly so common as they used to be. The most striking change, however, is in the shape of the saddle. Saddles used to have long flat seats, enormous skirts and saddle pockets, and have no swell forks or dish cantles. Now, high wide swells and short stirrups to hold the legs under the swell are the usual thing. Concave cantles also changed the aspect of the new saddles. They are more comfortable and combined with the short seat are a great aid in riding bad horses. All necessary leather is left off, making the saddle lighter than the older models. Old cowpunchers speak contemptuously of being tied in the saddle while younger men talk of trying to ride on a board. Quirts are not in as common use as they used to be. Boots are apt to be short legged and fancy while they used to reach almost to

the knee and were usually plain. Vests were worn a great deal but leather jackets have taken their places now.

In late years the large ranches have been disappearing. They were picturesque, and very interesting. Many ranches were named for the brands that were used on their cattle. An example of naming the ranch for the brand is the Stirrup (U) ranch near Canon City. The stirrup brand has not belonged to the owner of this ranch for several years but the ranch continues to be called by its former name.

Homesteaders and sheep raisers have constantly encroached upon grazing land used for cattle. At first the cattlemen tried to fight them. Laws were soon passed in the sheepmen's favor. Cattle owners deeded land that took in watering places thus getting control of the surrounding government land. Homesteaders were made very uncomfortable. If a fence accidentally fell down just before haying time and a bunch of cattle got in, the owners of the cattle were very sorry but the homesteader didn't get any pay for his losses. So much was done to discourage sheepmen and homesteaders that when a sheep died or a homesteader's crop failed it was immediately blamed on the cattlemen. A sheepman bought some land near my home, which is in a cattle raising district, and pastured his sheep on the surrounding range during the summer. About half of the sheep died. The owner thought his losses were due to poisoning by cattlemen but pigweed undoubtedly caused the trouble.

Before the World War, range kept getting scarcer but the cattle were rather high, so cattlemen could compete with homesteaders. During the war cattle prices soared to a fabulous height. One had only to let it be known that he had cattle to sell to get as many buyers as he had cattle. Ordinary scrub yearling Hereford steers, sold for from forty-five to fifty dollars. During the low period after the war the same sort of animal sold for as low as twenty dollars. Ranches valued at two hundred thousand dollars during the war would scarcely sell for half that price now. One series of ranches that could have been bought for about four dollars an acre during the war, sold for three dollars an acre in 1924 after considerable had been spent for improvements.

During the war homesteading didn't progress so swiftly but immediately after the war, both on account of wild-cat speculation and laws giving advantages to returned soldiers, government land was in great demand. A soldier had only to live on a homestead seven months if he had spent enough time in the army and he was also given preference in all new lands. Be-

cause of this, many soldiers took up land that they wouldn't have had otherwise. When the break in cattle prices came after the war, cattlemen could not compete with homesteaders and sheepmen. They had to buy land, supplies and barbed wire at exorbitant prices in comparison to what they got for their cattle. To sell out was to sacrifice everything. To keep on was disaster.

Sheep prices had gone down at about the same time but soon returned. Many cattlemen thought that cattle would do the same, so they sold just the cattle that could not be kept longer. If a stockman did not have considerable money in the bank when the break came he was blown up. I know of one man who had a bank account of eleven thousand dollars in 1919 but in 1926 he was in debt thirty thousand dollars. He owned more land than in 1919 and he had fewer but better cattle. However, he could not have sold his outfit for two-thirds as much as during the war.

Banks and other creditors were constantly foreclosing. A man whom I know sold out for ninety thousand dollars during high times and loaned his money in small parcels to homesteaders and ranchmen. By 1924 he was in the cattle business on a much larger scale than he had been before. Deserted ranches and homesteads became very numerous. Families who three or four years before had spent their slender means on a fence and house with visions of riches before their eyes, left with a mortgage on everything they had. Ranching became very unpopular. Considerable land could be leased for the taxes. One soldier and his wife arrived with five hundred dollars and a Dodge car. After three years work he left with a mortgaged Ford and a debt of about one hundred dollars.

“Santa Fe Drive,” Denver

By Simpson T. Sopris*

One who has lived in Denver as long as the writer reads of so many things concerning the early days of Denver and this region that simply never happened or are greatly exaggerated, that it seems useless to endeavor to give the facts. However, I am going to write down the truth about the street on the westerly side of the city, formerly known as “Jason Street.”

By petition of residents and property owners along the street, the city council changed the name to “Santa Fe Drive.” There

* Mr. Sopris came to Colorado with his father, Captain Richard Sopris, in the spring of 1860, and has watched the growth of the state from the beginning. He has written for the State Historical Society a number of historical sketches which are original source material.—Ed.

never before was a road leading out of Denver that was known by that name. There was little travel in the early days between Denver and Santa Fe, New Mexico, and no direct road connected the two towns. The only wagon road running southward entered Denver by way of Ferry Street, in later years changed to Eleventh. Ferry Street was the first street, going from East Denver westward, that ran through West Denver from Larimer Street to the southern limits of the townsite, without running into Cherry Creek. Hence, to get to the road leading to the south you had to go over to Ferry. The only bridge across Cherry Creek for some time was on Larimer, and travelers from the south, if they wished to get into West Denver or over to East Denver had to follow Ferry Street. The two streets between Ferry Street and Cherry Creek, "Front" and "Cherry," ended at the bank of the creek before getting as far south as the point where Stout Street now crosses the creek.

The road to and from the south connected with Ferry Street not far from the present intersection of Eleventh and West Colfax. On the original map of Auraria, Ferry extended several blocks beyond the present West Colfax, but the "built up" part of the street did not go beyond the line of the "Congressional Grant" (West Colfax), and from the occupied end of the street the road southward veered to the right, and followed a course closely parallel to the present Kalamath Street. But the road never dropped into the Platte River bottoms; it kept on high ground till it reached far enough to the southeast to avoid the gullies, or hollows, caused by water draining into the Platte from the higher ground; then, following the bend in the river, it turned to the south and ran midway between the present Broadway and the river.

It seems impossible for later comers to comprehend the fact that the early roads or trails made by the pioneers of 1858, 1859 and 1860, and even in later years, followed the line of least resistance; in other words, avoided the hills and hollows as much as possible, and that it was several years after the settlement of the country before there was any grading done on public highways.

For a road from Santa Fe or anywhere to the south to have followed the alleged "Santa Fe Drive" it would have had to cross scores of gullies, ravines, arroyos to get down into the river bottom and out of it, and when it got within about two blocks of present West Colfax it would have ended in the very sandy bed of Cherry Creek. For, be it known to the "pioneer" of 1880, more or less, the *bed* of Cherry Creek, not the *stream*, extended

far "inland" at that point, and a goodly part of the block of ground now covered by the county jail and criminal court-house, as well as the fire engine house, was for years after Denver was put on the map, a part of Cherry Creek's sandy bed. And that is true of all of the space occupied by the present city market, as far down as about Curtis Street.

In 1861-1862, during the absence in the war of Captain Richard Sopris, his family lived in a house that stood on a line with Ferry Street, and a quarter mile or so southeast of the settled part of that street, and had there been a road along or near the line of "Santa Fe Drive," it would have run within a few rods of our house. The only road anywhere in sight was the one running from Ferry Street, south, three or four city blocks to the west. A path led from the front gate of our place directly down to the traveled part of Ferry Street and to get over to the east side of town we went down to Larimer Street to the nearest bridge over the creek.

Recollections of a Pioneer Preacher

By E. C. Brooks*

The session of the Colorado Conference for 1870 was held in Pueblo, and a company of preachers set out from Denver to make the drive. Among them were Bishop E. R. Ames; Chaplain C. C. McCabe, accompanied by his wife; and the wives of Rev. B. T. Vincent, George Adams and I. H. Beardsley. Some traveled in an ambulance furnished by Governor Evans, while others rode in their own conveyances.

Rumors of danger from Indians and desperadoes caused us to go armed, and Rev. Van Valkenburg acted as an advance scout. The youngest preacher in the company, who was on his way to enter the Conference as a beginner, was appointed to act as driver of the ambulance. Bishop Ames was one of the passengers and had for several days been ailing and he seemed to forget that we were in the Rocky Mountains and thought that the driver managed to strike all the stones he could find in the road.

The second day out, when we reached the summit of the Divide, the bishop called a halt and had the party gather and join in singing, "Come All Ye Saints to Pisgah's Mountain," in which we were led by Chaplain McCabe.

At Colorado City, the party was entertained by Brother

* Mr. Brooks came to Colorado in 1869, fresh from the Garrett Biblical Institute of Evanston, Illinois. He labored the first winter in Golden.—Ed.

Girten, who ran a hotel there, in a large log building. A day was spent in a trip to Manitou Springs and the Garden of the Gods. Here we were joined by several other preachers, and resumed our journey to Pueblo. Father Dyer, who was acquainted with all the ranchers on the road, preceded us and every few miles we would be halted at one of the ranches and treated to a drink of buttermilk.

The church in Pueblo in which the Conference sessions were held was built of adobe brick, and was in an unfinished condition. Rev. O. P. McMains was the pastor. At this session Reverends John Merrit, F. C. Millington and Moore were received by transfers; E. C. Brooks was admitted on trial; Gay S. Allen was readmitted, and Reverends Bosworth, Peck and Hartsough returned to the East.

On the return trip to Denver we stopped over night on the Divide. The people were expecting preaching services, and the school-house, a small log building, was crowded. Bishop Ames called on the different preachers to preach and when one and all declined, said: "Well, as you boys want to get out of it, I guess it will fall to the old man," and in that little log school-house he preached one of his characteristically great sermons. The walls of the room were so low and he was so tall, that his head came within a few inches of the ceiling and he remarked, "I think you will have to excuse me, and allow me to remain seated while preaching."

This year the Rev. George Adams was appointed preacher in charge of the Cheyenne, Laramie and Greeley work. A church had just been built at Cheyenne, and one started at Laramie. Adams had been in charge at Central City, where a church building enterprise was nearly completed. He was to make his home at Cheyenne and look after finishing the work at Central; Brooks was to live at Laramie and superintend that building enterprise and also go to the newly located colony of Greeley, where he gathered about twelve or thirteen newly arrived colonists and organized them into a class with Dr. Scott as leader.

Chaplain McCabe, who was assistant secretary of our Church Extension Society, said to me, "Ed, I want you to go ahead and build a good church at Laramie; I have been given by Orange Judd of the *American Agriculturist* \$500 and by Oliver Hoyt of New York a similar amount for building a church in the Rocky Mountains; and I will give it to you to use here." With this as a starter I went to work, built a fine, commodious church, costing \$4,000 when completed. By fall we paid the last bill

and it was dedicated by Rev. B. T. Vincent, without a dollar of indebtedness.

During the year Adams moved to Greeley, leaving me to supply the pulpits at Laramie and Cheyenne. Wyoming was still a territory. The citizens had made a partial cleaning up of the town, hanging a gang of five desperadoes, four of them to ridge poles of their cabins, which projected some distance in front of the building. One of the gang, known as Big Ned, was not at home when the vigilance committee called; when they caught him they told him they would give him but a short time to leave the place. His answer was that there were twelve men in Laramie that he would get before leaving. They then told him if that was his answer they would dispose of him at once. They took him down to the railroad station and planting a ladder against a telegraph pole told him they would give him five minutes in which to say his prayers. He told them, "All the time I want is time enough to prove my mother a liar. She always said that I would die with my boots on, I am going to prove her a liar." He then sat down, removed his boots, putting them at the foot of the ladder, then they adjusted the rope, he deliberately climbed the ladder and was swung off. I had in my possession a picture of him taken, hanging there, with his boots on the ground at the foot of the ladder.

Another one of the gang, named Little Ned, was a dapper, dandified young fellow. One day, while walking on Main Street, he met a stranger who had just got off a train. He walked up to him, saying, "Good morning, how do you like the looks of our town?" Then without any provocation, drew his pistol and deliberately killed the stranger.

In Laramie there was a genial fellow named Tom Dillon. Tom had a large saloon down near the railroad station. I have been going past that place and heard Tom singing at the top of his voice, "Come, ye disconsolate, where'er ye languish," etc. After our church was completed, every Sunday evening when the first bell would ring Tom would call out, "Time to go to church, boys; all games are off; lights out." And mustering the inmates of his saloon, some twenty or thirty men, would march them to the Alhambra kept by Smith and Brennan, and opening the door would call out, "Smith, don't you hear the bell? Time to go to church." Smith would then close his saloon and joining Tom's crowd would go over to the church. About the time the second bell would begin ringing, here would come the crowd, led by Tom Dillon; they would march up the middle aisle and Tom would politely act as usher and see that they were all

comfortably seated and provided with hymn books. And how they would sing!

Fort Saunders was located about one mile east of the city. The chaplain was a Methodist minister. There were almost always some of the soldiers in my congregation.

On one occasion the ladies of the church, wanting to raise some money for the purchase of an organ, were planning on a supper. They had a great quantity of provisions donated, and had decided to charge an admission fee of fifty cents, which would also entitle the holder to supper. The committee came to me and asked me if I had any objection to their having a "ring cake." I asked them how much they expected the ring cake to bring them. They said about twenty-five dollars. I then told them that if they were willing for Tom Dillon to run a faro table or a roulette wheel, or a poker game, he would pay them twenty-five dollars or more. They were horror stricken and said: "Oh, that would be gambling." I told them that in my estimation it was on the same footing as their ring cake idea. I then asked them how much they expected to raise, and they said seventy-five dollars. I asked them if they would run it as I would suggest, if I would guarantee them seventy-five dollars. They agreed. I then told them that, as provisions were all donated, to advertise the supper, inviting everybody, old and young, rich and poor, soldiers and civilians, red, white, black and yellow—for we had them all in the community—and make it absolutely free. State candidly what they wanted to raise and let everybody, after eating all they wanted, contribute as they felt inclined. After everybody had eaten, they had a large quantity of provisions to carry to some poor families, and the proceeds netted them \$125.

On one occasion I had the noted Evangelist-singer, Sankey, stop on his way from California, and give our people an evening of song. The year closed very pleasantly and in 1871 I left Laramie, having been by the bishop appointed pastor at Canon City. He had baptized me when I was an infant and now in my early ministry he ordained me a deacon.